

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In Re:

Case No. 8:09-bk-21317-CPM

ROGER DALE PHILLIPS, II and
REBECCA LYNN PHILLIPS

Chapter 11

Debtors.

J.B. Vol. 16 #2315

AGREED FINAL JUDGMENT

THIS CAUSE having come before the Court on the Joint Motion by Debtor and DEVELOPERS SURETY AND INDEMNITY COMPANY for Approval of Compromise of Controversy resolving Adversary Proceeding [Docket #243], and the Court having reviewed the Joint Motion, and there having been no objection to the same, it is ORDERED and ADJUDGED as follows:

1. Pursuant to Agreement between the Debtor, ROGER DALE PHILLIPS, II, and DEVELOPERS SURETY AND INDEMNITY COMPANY, DEVELOPERS SURETY AND INDEMNITY COMPANY is entitled to a Non-Dischargeable Judgment for Debt Under 11 U.S.C. §523 in the principal amount of \$210,000.00 against ROGER DALE PHILLIPS, II, with Judgment bearing interest at the annual rate of six percent (6.0%), non-compounded.

2. DEVELOPERS SURETY AND INDEMNITY COMPANY shall not seek execution upon the Stipulated Final Judgment against ROGER DALE PHILLIPS, II, for

five (5) years after the date of its entry so long as payments are timely made by AMERICAN ELECTRICAL SERVICES OF TAMPA BAY, INC. to DEVELOPERS SURETY AND INDEMNITY COMPANY, pursuant to AMERICAN ELECTRICAL SERVICES OF TAMPA BAY, INC.'S Plan of Reorganization on DEVELOPERS' unsecured claim against AMERICAN ELECTRICAL SERVICES OF TAMPA BAY, INC., but not including any payments received by DEVELOPERS SURETY AND INDMENITY COMPANY, on its administrative and/or priority claims.

3. The administrative and/or priority claims, when made, are not to be construed as a credit against the Stipulated Final Judgment amount of \$210,000.00. Only those payments to DEVELOPERS SURETY AND IINDEMNITY COMPANY as an unsecured creditor set forth in the AMERICAN ELECTRICAL SERVICES OF TAMPA BAY, INC. Plan of Reorganization are entitled to credit against the Final Judgment principal amount of \$210,000.00, with interest at six percent (6.0%).

4. Final Judgment be and is hereby entered in favor of DEVELOPERS SURETY AND INDEMNITY COMPANY against Debtor, ROGER D. PHILLIPS, II, in the principal amount of \$210,000.00, together with interest, the agreed annual interest rate six percent (6.0%) non-compounded for all of which let execution issue.

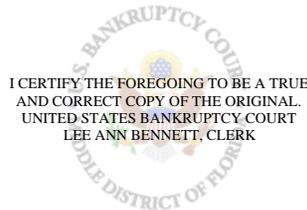
5. This Honorable Court reserves jurisdiction for the enforcement of this Stipulated Final Judgment as may be necessary.

This Agreed Final Judgment is Approved as to form and Content:

s/ Buddy D. Ford
BUDDY D. FORD, ESQUIRE
Florida Bar No. 654711
Attorney for Debtors
Roger Dale Phillips, II and
Rebecca Lynn Phillips
Dated: 01/18/2012

s/ Robert A. Bauman
ROBERT A. BAUMAN, ESQUIRE
Florida Bar No. 492530
Attorney for Creditor
Developers Surety and Indemnity
Company
Dated: 01/17/2012

DONE and ORDERED in Tampa, Florida, March 09, 2012.



Catherine PEEK McEwen

CATHERINE PEEK McEWEN

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