

IN THE CHANCERY COURT OF ATTALA COUNTY, MISSISSIPPI

ELA MISSION, LLC

PLAINTIFF

V.

CAUSE NO. 2015-163

J3 ENTERPRISES, LLC and
J.A.H. ENTERPRISES, INC.
D/B/A HENDERSON AUCTIONS

DEFENDANTS

ORDER ON MOTION TO EXPUNGE LIS PENDENS

THIS CAUSE having come on for hearing on July 7, 2015, on Plaintiff's Motion to Expunge Lis Pendens, and the Court having duly considered the matter finds that the Motion is well taken and that the same should be granted.

The Court finds as follows:

1. That process upon Defendants was published in the Star-Herald, a newspaper published in the City of Kosciusko, Mississippi, on May 28, 2015, June 4, 2015, and June 11, 2015, in accordance with law.
2. That this Court has jurisdiction over this matter.
3. That on March 26, 2014, J3 Enterprises, LLC and Henderson Auctions, through counsel, filed a Lis Pendens Notice in the office of the Chancery Clerk of Attala County, Mississippi in Lis Pendens Book 4, Page 292.
4. That on June 4, 2014, an Amended Lis Pendens Notice was filed by J3 Enterprises, LLC, a Louisiana Limited Liability Company and J.A.H. Enterprises, Inc., a Louisiana Corporation d/b/a Henderson Auctions, in Lis Pendens Book 4, Page 296.
5. That ELA Mission, LLC received title to the property described in the lis pendens notices attached hereto, by Warranty Deed dated December 3, 2013, and filed in the Office of the Chancery

Clerk of Attala County, Mississippi on February 21, 2014, and recorded in Land Deed Book 791, Page 518.

6. That although a Petition for Damages and Declaratory Relief was filed against ELA Mission, LLC and others in the State of Louisiana on May 30, 2014, no service of process has ever been completed upon ELA Mission, LLC nor upon the other defendants since the date of filing and no further action has been taken in the State of Louisiana to prosecute said case, nor in Mississippi other than an Emergency Temporary Restraining Order entered on May 16, 2014, that expired on May 29, 2014, without any further action.

ACCORDINGLY, IT IS, THEREFORE ORDERED that the Lis Pendens Notice filed on March 26, 2014 by J3 Enterprises, LLC and Henderson Auctions in the office of the Chancery Clerk of Attala County, Mississippi in Lis Pendens Book 4, Page 292, be expunged and held for naught; and,

IT IS FURTHER ORDERED that the Amended Lis Pendens Notice filed on June 4, 2014 by J3 Enterprises, LLC and J.A.H. Enterprises, Inc. in the office of the Chancery Clerk of Attala County, Mississippi in Lis Pendens Book 4, Page 296, be expunged and held for naught.

SO ORDERED AND ADJUDGED this the 7th day of July, 2015.



[Handwritten Signature]
CHANCERY JUDGE

Filed this July 7, 2015
and recorded by Chancery Court
Minute Book Page
GERRY TAYLOR, Chancery Clerk
By [Signature] D.C.

STATE OF MISSISSIPPI
COUNTY OF ATTALA
GERRY TAYLOR, Clerk of the Chancery Court of said county, do hereby
certify that the within instrument is a true and correct copy, as same
appears of record, in Book 2015/63 Page
in this office. Given under my hand and official seal of office this
the 7 day of July, 2015
GERRY TAYLOR, Chancery Clerk
By [Signature] D.C.

Commission Expires January 2, 2016

ORDER PRESENTED BY:

HAROLD B. McCARLEY, JR. - MSB #2205
350 ARBOR DRIVE, SUITE D
P.O. BOX 2728
RIDGELAND, MISSISSIPPI 39158-2728
TELEPHONE: (601) 206-5557
FACSIMILE: (601) 206-1612
ATTORNEY FOR DEFENDANT