

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

The Honorable J. Cordell Maddox, Jr.

Case No. 2016-CP-02-00263

Appellate Case No. 2020-001103

Robin Napier, individually and on behalf of all others similarly situated,.....Appellant,

v.

Mundy's Construction, Inc. d/b/a Mundy Construction,..... Respondent.

RECORD ON APPEAL – VOLUME V OF IX

Justin O'Toole Lucey (SC Bar No. 15438)
Anna McCann (SC Bar No. 102314)
JUSTIN O'TOOLE LUCEY, P.A.
415 Mill Street
Mount Pleasant, SC 29464
Telephone: (843) 849-8400
jlucey@lucey-law.com
amccann@lucey-law.com
Attorneys for Appellant

David A. Anderson, Esquire
James B. Robey, III, Esquire
Carmen V. Ganjehsani, Esquire
P.O. Drawer 7788
Columbia, SC, 29202
danderson@richardsonplowden.com
jrobey@richardsonplowden.com
cganjehsani@RichardsonPlowden.com
Attorneys for Respondent

(AMENDED) INDEX

VOLUME I

Orders, Judgments, and Decisions

1. Order Granting Class Certification filed January 12, 2018;.....R-0001
2. Form 4 Order Denying Motion for Partial Summary Judgment
filed May 20, 2019;.....R-0021
3. Order Denying Respondent’s Motion to Decertify Class filed May 20, 2019;.....R-0024
4. Judgment and Order filed April 14, 2020;.....R-0035
5. Order Denying Appellant’s Motion to Reconsider filed July 20, 2020;.....R-0042
6. Order Granting Appellant’s Motion to Intervene filed July 20, 2020;.....R-0044

Pleadings and Related Matters

7. Summons and Complaint filed February 8, 2016;.....R-0049
8. Third Amended Summons and Third Amended Complaint filed July 28, 2017;.....R-0064
9. Respondent’s Answer to Third Amended Complaint filed July 28, 2017;.....R-0082
10. Respondent’s Motion for Partial Summary Judgment filed March 13, 2019;.....R-0091
11. Respondent’s Memorandum in Support of Partial Summary Judgment
filed April 10, 2019;.....R-0094

VOLUME II

12. Response Affidavit of Dr. Rhett Whitlock, P.E. filed April 10, 2019;.....R-0274

VOLUME III

12. (Cont.) Response Affidavit of Dr. Rhett Whitlock, P.E.....R-0774
13. Appellant’s Memorandum in Opposition for Partial Summary Judgment filed April 11,
2019;.....R-0927
14. Affidavit of Tony Mundy, Jr. filed April 22, 2019;.....R-1046
15. Appellant’s Jury Charges filed May 23, 2019;.....R-1050

16. Appellant’s Pre-Trial Brief filed May 24, 2019;.....R-1091
17. Respondent’s Pre-Trial Brief filed May 24, 2019;.....R-1097
18. Respondent’s Post Trial Position Statement filed June 3, 2019;.....R-1108
19. Appellant’s Post Trial Position Statement filed June 6, 2019;.....R-1112
20. Appellant’s Post Trial Power Point Submitted to Court (Extracted from Opening PPT) on June 6, 2019;.....R-1117
21. Appellant’s Amended Post Trial Position Statement (with citations to trial transcript) filed August 14, 2019;.....R-1223
22. Appellant’s Motion to Intervene filed April 24, 2020;.....R-1229

VOLUME IV

23. Appellant’s Motion to Reconsider filed April 24, 2020;.....R-1232
24. Respondent’s Memorandum in Opposition to Motion to Intervene filed May 4, 2020;.....R-1366
25. Respondent’s Memorandum in Opposition to Motion to Reconsider filed May 4, 2020 and Proposed Order;..... R-1373
26. Appellant’s Response to Defendant Mundy’s Opposition to Motion to Reconsider filed May 14, 2020;.....R-1382

Transcripts

27. May 28 and 29, 2019, Trial Transcript Volume I:Whitlock and Mundy Testimony;..R-1394
28. May 29 and 29, 2019, Trial Transcript, Volume 2: Balance of Trial Transcript;.....R-1565
29. June 15, 2020, Transcript of Intervention Hearing;.....R-1664
30. Excerpts from the Rule 30(b)(6) Deposition of Hallum, LLC (Hal Trotter) pp. 20, 53, 61-63, 182-183, 189-190, 250, 252, 267-268, and 272-274;.....R-1684
31. Excerpts from the Rule 30(b)(6) Deposition of Maddox Construction, Inc. (Kenny Gordon), pp. 51, 59-60, 80-81, 83, 112 and 119;.....R-1701

VOLUME V

Exhibits

Appellant's Exhibits

- 32. Exh. 472 – November 1, 2015, Google Earth Image;.....R-1710
- 33. Exh. 505 - 20050517-20050712 Maddox Construction Invoices;.....R-1712
- 34. Exh. 608 - 20070124-20070807 Mundy Construction Invoices;.....R-1717
- 35. Exh. 609 - 20070411-20080115 Maddox Constr. Draw Requests Bennington;.....R-1727
- 36. Exh. 668 - 20071029-20090216 Mundy Construction Invoices;.....R-1740
- 37. Exh. 669 - 20080115-20080122 Maddox Constr. Draw Requests HB;.....R-1756

VOLUME VI

- 38. Exh. 708 - 2017-07-25 WDP Napier Report;.....R-1762

VOLUME VII

- 38. (Cont.) Exh. 708 - 2017-07-25 WDP Napier Report;.....R-2262
- 39. Exh. 709 - 2017-8-31 WDP Scope of Repairs;.....R-2358
- 40. Exh. 722 – Numbered Map.....R-2360
- 41. Exh. 767 – Mundy Lien Waivers;.....R-2361
- 42. Exh. 768 – Mundy New Haven Invoices;.....R-2364
- 43. Exh. 821 – WDP Measurements;.....R-2388
- 44. Exh. 926 - FOIA Response re Mundy Construction;.....R-2420
- 45. Exh. 936 - Hillsborough Sitework Instruction (p. 3 of Ex. 1C to Whitlock Aff.);.....R-2466
- 46. Exh. 938 - Mundy Work Experience Affidavit;.....R-2467
- 47. Exh. 940 - Updated WDP Cost Estimate (vertical damages removed);.....R-2468
- 48. Exh. 949 - Ex. C to Whitlock Appellant's Opposition to Respondent's Partial Summary Judgment (Site Plans Notes);.....R-2480

49. Exh. 951 - Ex. C to Whitlock Affidavit to Appellant’s Opposition to Respondent’s Motion to Decertify Class (Map Showing Units measured and inspected);.....	R-2483
50. Exh. 953 – January 21, 2016 WDP Photographs;.....	R-2484
51. Exh. 954 – May 26, 2016 WDP Photographs;.....	R-2489
52. Exh. 955 – January 23, 2017 WDP Photographs;	R-2492
53. Exh. 956 – January 24, 2017 WDP Photographs;.....	R-2504
54. Exh. 957 – March 20, 2017 WDP Photographs;.....	R-2509
55. Exh. 958 – March 21, 2017 WDP Photographs;.....	R-2514
56. Exh. 959 – March 22, 2017 WDP Photographs;.....	R-2515
57. Exh. 960 – January 30, 2018 WDP Photographs;.....	R-2518
58. Exh. 962 - February 1, 2018 WDP Photographs;.....	R-2527

VOLUME VIII

59. Exh. 963 – WDP Crack Survey;.....	R-2530
60. Exh. 977 - Interior Damage Photograph Exemplar/115 Hillsborough;.....	R-2789
61. Exh. 978 - Interior Damage Photograph Exemplar/151 Bennington;.....	R-2792
62. Exh. 979 - Interior Damage Photograph Exemplar/211 New Haven;.....	R-2797
63. Exh. 980 - Interior Damage Photograph Exemplar/139 Hillsborough;.....	R-2800
64. Exh. 981 - Interior Damage Photograph Exemplar/110 Amity;.....	R-2804
65. Exh. 991 - Table of Building Permits and Certificate of Occupancies;.....	R-2810
66. Exh. 993 - Honeycutt 248 New Haven Lane Photographs;.....	R-2811
67. Exh. 995 - Herschler 116 Hillsborough Lane Photographs;.....	R-2822
68. Exh. 997 - VonBieberstein 234 New Haven Lane Photographs;.....	R-2829

Respondent's Exhibits

69. Exh. 1 Mundy Invoices;.....R-2834
70. Exh. 2 Invoice Summary;.....R-2885
71. Exh. 3 Certificate of Occupancies;.....R-2888
72. Exh. 4 Appraisal 138 Hillsborough;.....R-2978
73. Exh. 5 Appraisal 248 New Haven;.....R-2995
74. Exh. 6 Appraisal Bennington;.....R-3013

VOLUME IX

75. Exh. 7 Appraisal 231 New Haven;.....R-3030
76. Exh. 8 Appraisal 116 Amity;.....R-3047
77. Exh. 9 Appraisal 110 Amity;.....R-3064
78. Exh. 11 Belangia Affidavit;.....R-3081
79. Exh. 16 Rickabaugh Ltr;.....R-3100

Court Exhibits and Published Deposition Excerpts

80. Appellant's Listing of Exhibits;.....R-3101
81. Appellant's Designation of excerpts from the Rule 30(b)(6) deposition of Hallum, LLC (Hal Trotter);.....R-3104
82. Respondent's Designation of excerpts from the Rule 30(b)(6) deposition of Hallum, LLC (Hal Trotter);.....R-3106

Special Consideration for Motions, Objections, Rulings and Proffers

83. Emails between Respondent's Counsel, Appellant's Counsel, and the Honorable J. Cordell Maddox, Jr., regarding trial time constraints dated May 26, 2019;.....R-3109
84. Email from Appellant's Counsel to the Honorable J. Cordell Maddox, Jr., accepting offer to go forward as a non-jury trial dated May 27, 2019;.....R-3111

- 85. Email from Respondent’s Counsel to the Honorable J. Cordell Maddox, Jr., accepting offer to go forward as a non-jury trial and concerned about sufficient time to present defense dated May 27, 2019;.....R-3113
- 86. October 2, 2019, Proposed Order Submission with the Trial Court;.....R-3115
- 87. November 20, 2019, Trial Court Email Inquiry;.....R-3123
- 88. November 26, 2019, Appellant’s Response to November 20, 2019 Trial Court Email Inquiry;.....R-3127
- 89. Email from the Law Clerk for the Honorable J. Cordell Maddox, Jr., regarding Judge Maddox preparing to rule on the case and conforming order to Judge Maddox’s specifications dated February 4, 2020;.....R-3132
- 90. Email from the Law Clerk for the Honorable J. Cordell Maddox, Jr., regarding Post Submission Follow-Up to Proposed Final Order & Judgment dated February 5, 2020;.....R-3134
- 91. All June 18 and 24, 2020, emails to the Trial Court regarding instructions, rulings and orders.....R-3146
- Certificate of Appellant Counsel.....R-3147

JUSTIN O’TOOLE LUCEY, P.A.

/s/Justin Lucey

Justin O’Toole Lucey (SC Bar No. 15438)

Anna McCann (SC Bar No. 102314)

415 Mill Street

Mount Pleasant, SC 29464

Telephone: (843) 849-8400

Attorneys for Appellant

Mount Pleasant, SC

March 23, 2021

Legend



PLAINTIFF'S
EXHIBIT
472

exhibitsticker.com

1270

600 ft

R-1710

November 2015

New Haven Ln SW, Amity Ln,
Bennington Ln, Hillsborough Ln

Google Earth



MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 5/17/2005
ACCOUNT ID: 1023 ✓

PORTOFINO

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER D5 Dozer	SCRAPER / PAN @\$135/h
4/19/2005				8
4/20/2005				8
4/21/2005				8
4/22/2005				8
4/25/2005				8
4/26/2005				8
4/27/2005				8
4/28/2005				8
		0	0	64
Please pay this amount:				\$8,640.00 ✓

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

100-2502-01
HT PF-4130

POSTED
MAY 17 2005

PLAINTIFF'S EXHIBIT
505
exhibitsticker.com

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 5/17/2005
ACCOUNT ID: 1024 ✓

PORTOFINO

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER D5 Dozer	SCRAPER / PAN @\$135/h
4/29/2005				8
5/2/2005				8
5/3/2005				8
5/4/2005				8
5/5/2005				8
5/6/2005				8
5/10/2005				5
5/11/2005			9	
			0	9
				53
				\$7,830.00 ✓

Please pay this amount:

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

100-202-01
PF-41310
HT
POSTED
MAY 17 2005

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 5/17/2005
ACCOUNT ID: 1025

PORTOFINO

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER D5 Dozer	SCRAPER / PAN @\$135/h
5/12/2005			9	
5/17/2005		8	9	
		8	18	0
Please pay this amount:				\$1,870.00 ✓

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

100- 2502-01
HT
PI-4130
POSTED
MAY 17 2005

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 7/12/2005
ACCOUNT ID: 1037

PORTOFINO				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER D5 Dozer	SCRAPER / PAN @ \$135/h
6/10/2005		8	8	
6/13/2005		8	8	
6/14/2005		8	8	
6/15/2005		8	8	
6/16/2005		8	8	
6/17/2005		9	7	
6/20/2005		8	8	
6/21/2005		8	8	
		65	63	
				\$8,950.00

POSTED

JUL 15 2005

Please pay this amount:

\$8,950.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you

100-2502-01

PF1 - 4180

HT

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 7/12/2005
ACCOUNT ID: 1036

PORTOFINO

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER D5 Dozer	SCRAPER / PAN @\$135/h
5/31/2005		8	8	
6/1/2005		6	6	
6/2/2005		3	8	
6/3/2005		8	8	
6/6/2005		8	8	
6/7/2005		8	8	
6/8/2005		8	8	
6/9/2005		8	8	
		57	62	
Please pay this amount:				\$8,355.00

POSTED
JUL 15 2005

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

100-2502-01

PTI - 4138

HT

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 7/12/2005
ACCOUNT ID: 1035

PORTOFINO

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER D5 Dozer	SCRAPER / PAN @\$135/h
5/18/2005		10	8	
5/19/2005		10	8	
5/20/2005		10	8	
5/23/2005		10	8	
5/24/2005		10	8	
5/25/2005		10	9	
5/26/2005		10	8	
5/27/2005		10	8	
		80	65	
Please pay this amount:				\$10,075.00

POSTED
JUL 15 2005

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

100-2502-01
PF1-4190
HT

INVOICE
#11784

March 5, 2007

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

BENN 2
4130 \$ 22,865⁰⁰
4140 \$ 1,010⁰⁰
6600 \$ 573³⁰
6700 \$ 559⁴⁰
\$25,007.⁷⁰

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

Phase II

This is to certify the following work:

- Rental of JD 200 LC Track hoe for \$75.00 per hour.

January	24, 2007	worked	7 hours	(Bennington) Aiken
January	25, 2007	worked	8 hours	(Bennington) Aiken
January	26, 2007	worked	8 hours	(Bennington) Aiken
January	29, 2007	worked	7 hours	(Bennington) Aiken
January	30, 2007	worked	8 hours	(Bennington) Aiken
January	31, 2007	worked	8 hours	(Bennington) Aiken
February	5, 2007	worked	8 hours	(Bennington) Aiken
February	6, 2007	worked	8 hours	(Bennington) Aiken
February	7, 2007	worked	8 hours	(Bennington) Aiken
February	8, 2007	worked	4 hours	(Bennington) Aiken
February	9, 2007	worked	8 hours	(Bennington) Aiken
February	11, 2007	worked	8 hours	(Bennington) Aiken
February	12, 2007	worked	8 hours	(Bennington) Aiken
February	13, 2007	worked	9 hours	(Bennington) Aiken
February	14, 2007	worked	9 hours	(Bennington) Aiken
February	15, 2007	worked	5 hours	(Bennington) Aiken
February	19, 2007	worked	8 hours	(Bennington) Aiken
February	20, 2007	worked	8 hours	(Bennington) Aiken
February	22, 2007	worked	6 hours	(Bennington) Aiken
February	23, 2007	worked	8 hours	(Bennington) Aiken
February	26, 2007	worked	8 hours	(Bennington) Aiken
February	27, 2007	worked	8 hours	(Bennington) Aiken
February	28, 2007	worked	8 hours	(Bennington) Aiken
March	1, 2007	worked	4 hours	(Bennington) Aiken
March	4, 2007	worked	4 hours	(Bennington) Aiken
March	5, 2007	worked	8 hours	(Bennington) Aiken

HT
4130

Total of 191 hours X \$75.00 = **\$14,325.00**

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

Napier-A&P-0614

**PLAINTIFF'S
EXHIBIT**
608
exhibitsticker.com

INVOICE
#11784

March 5, 2007

2. Rental of Cat 252B Track loader for \$55.00 per hour.

January 26, 2007 worked 7 hours (Bennington) Aiken
January 29, 2007 worked 6 hours (Bennington) Aiken
January 30, 2007 worked 7 hours (Bennington) Aiken
January 31, 2007 worked 8 hours (Bennington) Aiken
February 5, 2007 worked 8 hours (Bennington) Aiken
February 11, 2007 worked 8 hours (Bennington) Aiken
February 12, 2007 worked 8 hours (Bennington) Aiken
February 13, 2007 worked 9 hours (Bennington) Aiken
February 14, 2007 worked 9 hours (Bennington) Aiken
February 15, 2007 worked 5 hours (Bennington) Aiken
February 16, 2007 worked 8 hours (Bennington) Aiken
Total of 83 hours X \$55.00 = **\$4,565.00**

4130
HT

3. Rental of JCB 718 off-road dump truck for \$75.00 per hour.

February 20, 2007 worked 7 hours (Bennington) Aiken
February 22, 2007 worked 6 hours (Bennington) Aiken
February 23, 2007 worked 8 hours (Bennington) Aiken
February 26, 2007 worked 8 hours (Bennington) Aiken
February 27, 2007 worked 8 hours (Bennington) Aiken
February 28, 2007 worked 4 hours (Bennington) Aiken
March 1, 2007 worked 4 hours (Bennington) Aiken
March 5, 2007 worked 8 hours (Bennington) Aiken
Total of 53 hours X \$75.00 = **\$3,975.00**

4130
HT

4. Sold diesel fuel to ATC.

1/24 30 gal Bobcat T-300
1/29 18 gal Bobcat 435
1/30 30 gal Bobcat T-300
2/9 30 gal Bobcat T-300
2/16 30 gal Bobcat T-300
2/20 30 gal Bobcat T-300
2/28 30 gal Bobcat T-300
2/28 18 gal Bobcat 435
3/2 18 gal Bobcat 435
Total of 234 gals X \$2.45 = **\$573.30**

6600
HT

5. Sold #57 stone to ATC Development for \$275.00 a truck load.

February 28, 2007 1 load (Bennington) Aiken
Total of 1 load X \$275.00 = **\$275.00**

6. Sold crush and run to ATC for \$235.00 a truck load.

February 19, 2007 Hauled 2 loads (Bennington) Aiken
Total of 2 loads X \$235.00 = **\$470.00**

4140
HT

7. Sold #4 stone to ATC Development for \$265.00 a truck load.

February 19, 2007 1 load (Bennington) Aiken
Total of 1 load X \$265.00 = **\$265.00**

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11784

March 5, 2007

8. Hauled container to Sample & Son Landfill for \$210.00 per container load.
February 16, 2007 1 load (Bennington) Aiken
Total of 1 load X \$210.00 = **\$210.00**
9. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
1. #0042126 \$ 104.40 (Bennington) Aiken
Total of 1 load = **\$ 104.40**
10. Hauled container of Stumps for \$245.00 per container load.
February 24, 2007 1 load (Bennington) Aiken
Total of 1 load X \$245.00 = **\$245.00**

6700
HT

All services as described above for the sum of \$25,007.70

Total \$25,007.70

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!
A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11788

April 16, 2007

BENN II
4130 \$ 42,335 ⁰⁰
6600 \$ 652 ⁸⁶

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

BENN I
6700 \$ 1244 ⁸⁰

\$ 44,232 ⁶⁶
X.

Submitted To:

ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

- Rental of Volvo 290B LC Track hoe for \$75.00 per hour.

March	6, 2007	worked	8 hours	(Bennington) Aiken
March	7, 2007	worked	8 hours	(Bennington) Aiken
March	8, 2007	worked	8 hours	(Bennington) Aiken
March	9, 2007	worked	7 hours	(Bennington) Aiken
March	12, 2007	worked	8 hours	(Bennington) Aiken
March	13, 2007	worked	8 hours	(Bennington) Aiken
March	14, 2007	worked	8 hours	(Bennington) Aiken
March	15, 2007	worked	8 hours	(Bennington) Aiken
March	19, 2007	worked	8 hours	(Bennington) Aiken
March	20, 2007	worked	8 hours	(Bennington) Aiken
March	21, 2007	worked	8 hours	(Bennington) Aiken
March	22, 2007	worked	8 hours	(Bennington) Aiken
March	23, 2007	worked	8 hours	(Bennington) Aiken
March	26, 2007	worked	8 hours	(Bennington) Aiken
March	27, 2007	worked	8 hours	(Bennington) Aiken
March	28, 2007	worked	8 hours	(Bennington) Aiken
March	29, 2007	worked	8 hours	(Bennington) Aiken
March	30, 2007	worked	8 hours	(Bennington) Aiken
April	2, 2007	worked	8 hours	(Bennington) Aiken
April	3, 2007	worked	8 hours	(Bennington) Aiken
April	4, 2007	worked	8 hours	(Bennington) Aiken
April	5, 2007	worked	8 hours	(Bennington) Aiken
April	6, 2007	worked	8 hours	(Bennington) Aiken
April	9, 2007	worked	8 hours	(Bennington) Aiken
April	10, 2007	worked	8 hours	(Bennington) Aiken
April	11, 2007	worked	8 hours	(Bennington) Aiken
April	12, 2007	worked	8 hours	(Bennington) Aiken

BENN II
4130
415

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE

#11788

April 16, 2007

April 13, 2007 worked 8 hours (Bennington) Aiken

Total of 223 hours X \$75.00 = \$16,725.00 ~~HT~~

2. Rental of Dynapac CA152 for \$55.00 per hour.

March 6, 2007 worked 8 hours (Bennington) Aiken

March 7, 2007 worked 8 hours (Bennington) Aiken

March 8, 2007 worked 8 hours (Bennington) Aiken

March 9, 2007 worked 7 hours (Bennington) Aiken

March 12, 2007 worked 8 hours (Bennington) Aiken

March 13, 2007 worked 8 hours (Bennington) Aiken

March 14, 2007 worked 8 hours (Bennington) Aiken

March 15, 2007 worked 3 hours (Bennington) Aiken

March 20, 2007 worked 8 hours (Bennington) Aiken

March 21, 2007 worked 8 hours (Bennington) Aiken

March 22, 2007 worked 8 hours (Bennington) Aiken

March 27, 2007 worked 8 hours (Bennington) Aiken

March 28, 2007 worked 8 hours (Bennington) Aiken

March 29, 2007 worked 8 hours (Bennington) Aiken

March 30, 2007 worked 7 hours (Bennington) Aiken

April 2, 2007 worked 8 hours (Bennington) Aiken

April 3, 2007 worked 8 hours (Bennington) Aiken

April 4, 2007 worked 8 hours (Bennington) Aiken

April 5, 2007 worked 7 hours (Bennington) Aiken

Total of 144 hours X \$55.00 = \$7,920.00

3. Rental of JCB 718 off-road dump truck for \$75.00 per hour.

March 6, 2007 worked 8 hours (Bennington) Aiken

March 7, 2007 worked 8 hours (Bennington) Aiken

March 8, 2007 worked 8 hours (Bennington) Aiken

March 9, 2007 worked 7 hours (Bennington) Aiken

March 12, 2007 worked 8 hours (Bennington) Aiken

March 13, 2007 worked 8 hours (Bennington) Aiken

March 14, 2007 worked 8 hours (Bennington) Aiken

March 15, 2007 worked 8 hours (Bennington) Aiken

March 19, 2007 worked 8 hours (Bennington) Aiken

March 20, 2007 worked 8 hours (Bennington) Aiken

March 21, 2007 worked 8 hours (Bennington) Aiken

March 22, 2007 worked 8 hours (Bennington) Aiken

March 23, 2007 worked 8 hours (Bennington) Aiken

March 26, 2007 worked 8 hours (Bennington) Aiken

March 27, 2007 worked 8 hours (Bennington) Aiken

March 28, 2007 worked 7 hours (Bennington) Aiken

March 29, 2007 worked 6 hours (Bennington) Aiken

March 30, 2007 worked 7 hours (Bennington) Aiken

April 2, 2007 worked 8 hours (Bennington) Aiken

Bennington II
HT
4/30

Bennington II
HT
4/30

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11788

April 16, 2007

- April 3, 2007 worked 8 hours (Bennington) Aiken
April 4, 2007 worked 8 hours (Bennington) Aiken
April 5, 2007 worked 6 hours (Bennington) Aiken
April 9, 2007 worked 2 hours (Bennington) Aiken
Total of 171 hours X \$75.00 = **\$12,825.00**
4. Rental of JCB 214 Backhoe for \$55.00 per hour.
April 13, 2007 worked 8 hours (Bennington) Aiken
Total of 8 hours X \$55.00 = **\$440.00**
5. Sold diesel fuel to ATC.
3/6 30 gal Bobcat T-300 4/6 18 gal Bobcat 435
3/8 30 gal Bobcat T-300 4/11 30 gal Bobcat T-300
3/12 30 gal Bobcat T-300
3/12 18 gal Bobcat 435
3/19 18 gal Bobcat 435
3/19 30 gal Bobcat T-300
3/29 30 gal Bobcat T-300
Total of 234 gals X \$2.79 = **\$652.86**
6. Sold #57 stone to ATC Development for \$295.00 a truck load.
April 9, 2007 4 loads (Bennington) Aiken
April 10, 2007 3 loads (Bennington) Aiken
April 11, 2007 3 loads (Bennington) Aiken
April 12, 2007 2 loads (Bennington) Aiken
April 17, 2007 3 loads (Bennington) Aiken
Total of 15 load X \$295.00 = **\$4,425.00**
7. Hauled container to Sample & Son Landfill for \$210.00 per container load.
March 7, 2007 1 load (Bennington) Aiken
March 16, 2007 1 load (Bennington) Aiken
March 29, 2007 1 load (Bennington) Aiken
April 10, 2007 1 load (Bennington) Aiken
Total of 4 loads X \$210.00 = **\$840.00**
8. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
1. #0042810 \$ 93.00 (Bennington) Aiken 3. #0043948 \$ 127.00 (Bennington) Aiken
2. #0043355 \$ 98.00 (Bennington) Aiken 4. #0044464 \$ 86.80 (Bennington) Aiken
Total of 4 loads = **\$ 404.80**
- All services as described above for the sum of \$44,232.66

Ben II
4130 HT
4130 Ben II
HT

Ben II
6600
HT

Ben II
4130

Ben I
6700
HT

Ben I
6700
HT

Total \$44,232.66

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!
A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11791

May 21, 2007

BENN II

4130	\$	22,820	⁰⁰
4140	\$	2,095	⁰⁰
6600	\$	245	⁵²
6700	\$	274	²⁰
			<hr/>
\$ 25,434			⁷²

Mundy Construction, Inc.
 Tank Removal, Demolition & Land Clearing
 6073 Dogwood Trail
 Harlem, Georgia 30814
 706-831-5884

Submitted To:
 ATC Development Corp.
 220 Boy Scout Road
 Augusta, Georgia 30909-2023

This is to certify the following work:

1. Rental of Volvo 290B LC Track hoe for \$75.00 per hour.

April 16, 2007	worked	8 hours	(Bennington II) Aiken
April 19, 2007	worked	8 hours	(Bennington II) Aiken
April 20, 2007	worked	8 hours	(Bennington II) Aiken
April 23, 2007	worked	8 hours	(Bennington II) Aiken
April 24, 2007	worked	8 hours	(Bennington II) Aiken
April 25, 2007	worked	8 hours	(Bennington II) Aiken
April 26, 2007	worked	8 hours	(Bennington II) Aiken
April 27, 2007	worked	8 hours	(Bennington II) Aiken
April 30, 2007	worked	8 hours	(Bennington II) Aiken
May 1, 2007	worked	6 hours	(Bennington II) Aiken
May 2, 2007	worked	8 hours	(Bennington II) Aiken
May 3, 2007	worked	8 hours	(Bennington II) Aiken
May 4, 2007	worked	8 hours	(Bennington II) Aiken
May 7, 2007	worked	3 hours	(Bennington II) Aiken
May 8, 2007	worked	8 hours	(Bennington II) Aiken
May 9, 2007	worked	8 hours	(Bennington II) Aiken
May 10, 2007	worked	8 hours	(Bennington II) Aiken
May 14, 2007	worked	8 hours	(Bennington II) Aiken
May 15, 2007	worked	8 hours	(Bennington II) Aiken
May 16, 2007	worked	8 hours	(Bennington II) Aiken
Total of 153 hours X \$75.00 = \$11,475.00			
2. Rental of JCB 718 off-road dump truck for \$75.00 per hour.

April 30, 2007	worked	3 hours	(Bennington II) Aiken
May 1, 2007	worked	4 hours	(Bennington II) Aiken
May 3, 2007	worked	2 hours	(Bennington II) Aiken
Total of 9 hours X \$75.00 = \$675.00			

4130
HT

HT
4130

We Appreciate Your Business!
 A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11791

May 21, 2007

3. Rental of JCB 214 Backhoe for \$55.00 per hour.
- | | | | | | |
|-------|----------|--------|---------|-----------------------|------|
| April | 16, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 19, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 20, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 23, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 24, 2007 | worked | 2 hours | (Bennington II) Aiken | |
| April | 25, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 26, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 27, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| April | 30, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 1, 2007 | worked | 8 hours | (Bennington II) Aiken | 4130 |
| May | 2, 2007 | worked | 8 hours | (Bennington II) Aiken | HT |
| May | 3, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 4, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 7, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 8, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 9, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 10, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 11, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 14, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 15, 2007 | worked | 8 hours | (Bennington II) Aiken | |
| May | 16, 2007 | worked | 8 hours | (Bennington II) Aiken | |
- Total of 162 hours X \$55.00 = **\$8,910.00**
4. Rental of Dynapac CA152 for \$55.00 per hour.
- | | | | | | |
|-------|----------|--------|---------|----------------------|------|
| April | 17, 2007 | worked | 8 hours | (Bennington I) Aiken | 4130 |
| April | 18, 2007 | worked | 8 hours | (Bennington I) Aiken | HT |
- Total of 16 hours X \$55.00 = **\$880.00**
5. Rental of Deere 650 H Dozer for \$55.00 per hour.
- | | | | | | |
|-------|----------|--------|---------|----------------------|------|
| April | 17, 2007 | worked | 8 hours | (Bennington I) Aiken | |
| April | 18, 2007 | worked | 8 hours | (Bennington I) Aiken | 4130 |
- Total of 16 hours X \$55.00 = **\$880.00**
6. Sold diesel fuel to ATC.
- | | | | | | | |
|------|--------|--------------|--|------|--------|--------|
| 4/18 | 30 gal | Bobcat T-300 | | 5/10 | 10 gal | Packer |
| 4/18 | 18 gal | Bobcat 435 | | | | |
| 4/18 | 10 gal | Packer | | | | |
| 5/2 | 10 gal | Packer | | | | |
| 5/4 | 10 gal | Packer | | | | |
- Total of 88 gals X \$2.79 = **\$245.52**
7. Sold #57 stone to ATC Development for \$295.00 a truck load.
- | | | | | |
|-------|----------|---------|--------------------|------|
| April | 18, 2007 | 2 loads | (Bennington) Aiken | |
| April | 25, 2007 | 3 loads | (Bennington) Aiken | |
| April | 30, 2007 | 1 load | (Bennington) Aiken | 4140 |
- Total of 6 loads X \$295.00 = **\$1,770.00**

We Appreciate Your Business!
A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE

#11791

May 21, 2007

8. Sold Rip Rap to ATC Development for \$325.00 a truck load. *4/40 HS*
May 3, 2007 1 load (Bennington) Aiken
Total of 1 load X \$325.00 = **\$325.00**
9. Hauled container to Sample & Son Landfill for \$210.00 per container load.
May 1, 2007 1 load (Bennington) Aiken
Total of 1 load X \$210.00 = **\$210.00** *JA*
10. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
1. #0045464 \$ 64.20 (Bennington) Aiken
Total of 1 load = **\$ 64.20** *JA*
- All services as described above for the sum of \$25,434.72

Total \$25,434.72

Remit to :

Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11794

August 23, 2007

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Sold Rip Rap to ATC Development for \$385.00 a truck load.
June 1, 2007 1 load (Bennington) Aiken
August 7, 2007 1 load (Bennington) Aiken
Total of 2 loads X \$385.00 = **\$770.00** HT
2. Hauled container to Sample & Son Landfill for \$210.00 per container load.
July 2, 2007 1 load (Bennington) Aiken
July 30, 2007 1 load (Bennington) Aiken
August 6, 2007 1 load (Bennington) Aiken
Total of 3 loads X \$210.00 = **\$630.00** HT
3. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
1. #0048370 \$ 94.60 (Bennington) Aiken
2. #0049785 \$ 74.20 (Bennington) Aiken
3. #0050160 \$ 73.20 (Bennington) Aiken
Total of 3 loads = **\$ 242.00** HT

All services as described above for the sum of \$1,642.00

Total \$1,642.00

Remit to:
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

BEN 2
6700 \$ 872.00
4140 \$ 770.00

We Appreciate Your Business!
A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 4/11/2007
ACCOUNT ID: 3001

AIKEN

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
3/8/2007			8	
3/9/2007			8	
3/12/2007			8	
3/13/2007			8	
3/14/2007			8	
3/15/2007			8	
3/16/2007			8	
3/17/2007			8	
HOURS			HOURS 64	HOURS
			Please pay this amount: \$4,800.00	

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

Ben 2
4/30 *MA*

PLAINTIFF'S
EXHIBIT

609

exhibitsticker.com

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 4/11/2007
ACCOUNT ID: 3002

AIKEN				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
3/21/2007			8	
3/22/2007			8	
3/23/2007			8	
3/26/2007			8	
3/27/2007			8	
3/28/2007			8	
3/29/2007			8	
3/30/2007			8	
		HOURS	HOURS 64	HOURS

Please pay this amount:

\$4,800.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

WAT

Benn 2
4130

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 4/11/2007
ACCOUNT ID: 3000

AIKEN				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
2/26/2007			8	
2/27/2007			8	
2/28/2007			8	
3/1/2007			8	
3/2/2007			8	
3/5/2007			8	
3/6/2007			8	
3/7/2007			8	
		HOURS	HOURS 64	HOURS \$4,800.00

Please pay this amount:

(Handwritten signature)

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

Benn 2
4/30
HK

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 6/27/2007
ACCOUNT ID: 2107

AIKEN				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
5/2/2007			8	
5/3/2007			8	
5/4/2007			8	
5/7/2007			8	
5/8/2007			8	
5/9/2007			8	
5/10/2007			8	
5/11/2007			8	
HOURS			HOURS 64	HOURS
			<i>Please pay this amount:</i>	\$4,800.00

POST-PAID

Terms: 30 days
When sending payment, include the invoice number on the check. Thank you.

Benn 2
4130
OK TO PAY
per HT
6-27-07

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

10-1707

BELWZ

BILLING DATE: 8/28/2007
ACCOUNT ID: ~~2431~~ ⁴⁰⁵⁰ *duplicate Invoice #*

AIKEN		REVISED		
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe ³³⁸⁰	TRACKHOE, MOTORGRADER ⁴⁰⁵⁰	SCRAPER / PAN
8/20/2007		4		
8/21/2007		8	8	
8/22/2007		8	8	
8/23/2007		8	8	
8/24/2007		8	8	
8/25/2007			6	
8/27/2007		8	8	
8/28/2007		8	8	
		HOURS 52	HOURS 54	HOURS

Please pay this amount: **\$7,430.00**

Terms: 30 days
When sending payment, include the invoice number on the check. Thank you.

HT BELWZ
4130

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 11/3/2007
ACCOUNT ID: 2140

Benny
4/130

Handwritten signature

AIKEN

DATE	EQUIPMENT RENTAL	5460 ✓		
		Loader, Dozer, Backhoe	4200 TRACKHOE, MOTORGRADER	SCRAPER / PAN
8/29/2007		8	8	
8/30/2007		8	8	
8/31/2007		8	8	
9/4/2007		8	8	
9/5/2007		16	8	
9/6/2007		16	8	
9/7/2007		12	8	
9/10/2007		8	8	

HOURS 84

HOURS 64

HOURS

Please pay this amount

\$10,260.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

~~Handwritten scribbles~~

8 days worked = 148

NO

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-733-1936

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

Beau 2
4130

Had 9/11/07

BILLING DATE: 11/3/2007
ACCOUNT ID: 2141

AIKEN

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
9/11/2007		0	13	Dozer out 10.00
9/12/2007		0	8	
9/13/2007		0	8	
9/14/2007		0	8	
9/17/2007		0	8	
9/18/2007		0	8	
		HOURS 0	HOURS 53	HOURS
				\$3,975.00

Please pay this amount:

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

120

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

Wall

BILLING DATE: 1/15/2008
ACCOUNT ID: 3212

BENNINGTON

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
10/31/2008		5	8	
11/1/2008			2	
11/5/2008			8	
11/6/2008			8	
11/7/2008			8	
11/8/2008			8	
11/9/2008		8	8	
11/10/2008		8	8	

HOURS 21

HOURS 58

HOURS

Please pay this amount:

\$5,715.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

HT

Bonus
4130

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

Wall

BILLING DATE: 1/15/2008
ACCOUNT ID: 3213

BENNINGTON				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
12/3/2008			2	
12/4/2008		8	8	
12/5/2008		8	8	
12/6/2008		9		
12/7/2008		9		
12/10/2008		9		
12/11/2008		8		
12/12/2008		8		
		HOURS 59	HOURS 18	HOURS
				\$5,185.00

Please pay this amount

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

Ben 2
HA 4130

INVOICE
#11798

December 12, 2007

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

<u>HB</u>	<u>Hills</u>
4130	\$ 37,600 ⁰⁰
4140	\$ 2,065 ⁰⁰
<u>Benn2</u>	\$ 3,983 ⁶⁰
<u>6700</u>	<u>\$ 43,648⁶⁰</u>

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Rental of Deere 200LC Track hoe for \$75.00 per hour.

October 29, 2007	worked	8 hours	(Hillsborough)
October 30, 2007	worked	8 hours	(Hillsborough)
October 31, 2007	worked	8 hours	(Hillsborough)
November 1, 2007	worked	8 hours	(Hillsborough)
November 5, 2007	worked	8 hours	(Hillsborough)
November 6, 2007	worked	8 hours	(Hillsborough)
November 8, 2007	worked	8 hours	(Hillsborough)
November 9, 2007	worked	8 hours	(Hillsborough)
November 12, 2007	worked	8 hours	(Hillsborough)
November 13, 2007	worked	8 hours	(Hillsborough)
November 14, 2007	worked	8 hours	(Hillsborough)
November 15, 2007	worked	8 hours	(Hillsborough)
November 16, 2007	worked	8 hours	(Hillsborough)
November 19, 2007	worked	8 hours	(Hillsborough)
November 20, 2007	worked	8 hours	(Hillsborough)
November 21, 2007	worked	8 hours	(Hillsborough)
November 26, 2007	worked	8 hours	(Hillsborough)
November 27, 2007	worked	8 hours	(Hillsborough)
November 28, 2007	worked	8 hours	(Hillsborough)
November 29, 2007	worked	8 hours	(Hillsborough)
November 30, 2007	worked	7 hours	(Hillsborough)
December 3, 2007	worked	8 hours	(Hillsborough)
December 4, 2007	worked	8 hours	(Hillsborough)
December 5, 2007	worked	8 hours	(Hillsborough)
December 6, 2007	worked	8 hours	(Hillsborough)
December 7, 2007	worked	8 hours	(Hillsborough)
December 10, 2007	worked	6 hours	(Hillsborough)

4130
AT

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

Napier-A&P-0635

**PLAINTIFF'S
EXHIBIT**

668

exhibitsicker.com

INVOICE

#11798

4130
AT
December 12, 2007

December 11, 2007 worked 8 hours (Hillsborough)
Total of 221 hours X \$75.00 = **\$16,575.00**

2. Rental of JCB 718 off-road dump truck for \$75.00 per hour.

November 5, 2007 worked 8 hours (Hillsborough)
November 6, 2007 worked 8 hours (Hillsborough)
November 8, 2007 worked 8 hours (Hillsborough)
November 9, 2007 worked 8 hours (Hillsborough)
November 12, 2007 worked 8 hours (Hillsborough)
November 13, 2007 worked 8 hours (Hillsborough)
November 14, 2007 worked 8 hours (Hillsborough)
November 15, 2007 worked 8 hours (Hillsborough)
November 16, 2007 worked 8 hours (Hillsborough)
November 19, 2007 worked 8 hours (Hillsborough)
November 20, 2007 worked 8 hours (Hillsborough)
November 21, 2007 worked 8 hours (Hillsborough)
November 26, 2007 worked 8 hours (Hillsborough)
November 27, 2007 worked 8 hours (Hillsborough)
November 28, 2007 worked 6 hours (Hillsborough)
November 29, 2007 worked 6 hours (Hillsborough)
November 30, 2007 worked 7 hours (Hillsborough)
December 3, 2007 worked 8 hours (Hillsborough)
December 4, 2007 worked 8 hours (Hillsborough)
December 5, 2007 worked 8 hours (Hillsborough)
December 6, 2007 worked 8 hours (Hillsborough)

Total of 163 hours X \$75.00 = **\$12,225.00**

3. Rental of Dynapac CA152 for \$55.00 per hour. ~~2000~~ 4130

November 5, 2007 worked 8 hours (Hillsborough)
November 6, 2007 worked 8 hours (Hillsborough)
November 8, 2007 worked 8 hours (Hillsborough)
November 9, 2007 worked 8 hours (Hillsborough)
November 12, 2007 worked 8 hours (Hillsborough)
November 13, 2007 worked 8 hours (Hillsborough)
November 14, 2007 worked 8 hours (Hillsborough)
November 15, 2007 worked 8 hours (Hillsborough)
November 16, 2007 worked 8 hours (Hillsborough)
November 19, 2007 worked 8 hours (Hillsborough)
November 20, 2007 worked 8 hours (Hillsborough)
November 21, 2007 worked 8 hours (Hillsborough)
November 26, 2007 worked 8 hours (Hillsborough)
November 27, 2007 worked 8 hours (Hillsborough)
November 28, 2007 worked 6 hours (Hillsborough)
November 29, 2007 worked 6 hours (Hillsborough)
November 30, 2007 worked 4 hours (Hillsborough)

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11798

December 12, 2007

December 3, 2007 worked 8 hours (Hillsborough)
December 4, 2007 worked 8 hours (Hillsborough) 4130
December 5, 2007 worked 8 hours (Hillsborough) H
December 6, 2007 worked 8 hours (Hillsborough)
Total of 160 hours X \$55.00 = **\$8,800.00**

4. Sold #57 stone to ATC Development for \$295.00 a truck load.
December 7, 2007 4 loads (Hillsborough)
December 11, 2007 3 loads (Hillsborough) 4140 HT
Total of 7 loads X \$295.00 = **\$2,065.00**

5. Hauled container to Sample & Son Landfill for \$210.00 per container load.
August 27, 2007 1 load (Bennington) Aiken
September 14, 2007 1 load (Bennington) Aiken
September 17, 2007 1 load (Bennington) Aiken
September 21, 2007 1 load (Bennington) Aiken
September 25, 2007 1 load (Bennington) Aiken
September 28, 2007 1 load (Bennington) Aiken 6700 HT
October 9, 2007 1 load (Bennington) Aiken
October 15, 2007 1 load (Bennington) Aiken
October 19, 2007 1 load (Bennington) Aiken
October 26, 2007 1 load (Bennington) Aiken
November 5, 2007 1 load (Bennington) Aiken
November 10, 2007 1 load (Bennington) Aiken
November 28, 2007 1 load (Bennington) Aiken
Total of 13 loads X \$210.00 = **\$2,730.00**

6. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
1. #0051228 \$ 97.60 (Bennington) Aiken 8. #0053698 \$112.80 (Bennington) Aiken
2. #0052166 \$113.20 (Bennington) Aiken 9. #0053937 \$127.00 (Bennington) Aiken
3. #0052249 \$135.20 (Bennington) Aiken 10. #0054289 \$ 80.80 (Bennington) Aiken
4. #0052538 \$ 99.20 (Bennington) Aiken 11. #0054706 \$ 78.60 (Bennington) Aiken
5. #0052713 \$ 89.00 (Bennington) Aiken 12. #0055022 \$ 73.00 (Bennington) Aiken
6. #0052907 \$ 68.60 (Bennington) Aiken 13. #0055702 \$ 76.60 (Bennington) Aiken
7. #0053372 \$102.00 (Bennington) Aiken
Total of 13 loads = **\$ 1,253.60** 6700 HT

All services as described above for the sum of \$43,648.60

Total \$43,648.60

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE

#11803

March 3, 2008

CNB

4130	\$22,560	<u>00</u>
4140	\$ 3,825	<u>00</u>
6700	\$ 853	<u>76</u>
<hr/>		
	\$27,238	<u>76</u>

Mundy Construction, Inc.

Tank Removal, Demolition & Land Clearing
 6073 Dogwood Trail
 Harlem, Georgia 30814
 706-831-5884

Submitted To:

ATC Development Corp.
 220 Boy Scout Road
 Augusta, Georgia 30909-2023

This is to certify the following work:

1. Rental of Deere 200LC Track hoe for \$75.00 per hour.
 - December 12, 2007 worked 8 hours (Hillsborough)
 - December 13, 2007 worked 8 hours (Hillsborough)
 - December 14, 2007 worked 8 hours (Hillsborough)
 - December 17, 2007 worked 8 hours (Hillsborough)
 - December 18, 2007 worked 8 hours (Hillsborough)
 - December 19, 2007 worked 8 hours (Hillsborough)
 - December 20, 2007 worked 8 hours (Hillsborough)
 - December 26, 2007 worked 8 hours (Hillsborough)
 - December 28, 2007 worked 8 hours (Hillsborough)
 - January 2, 2008 worked 8 hours (Hillsborough)
 - January 3, 2008 worked 8 hours (Hillsborough)
 - January 4, 2008 worked 6 hours (Hillsborough)
 - January 7, 2008 worked 8 hours (Hillsborough)
 - January 8, 2008 worked 8 hours (Hillsborough)
 - January 9, 2008 worked 8 hours (Hillsborough)
 - January 10, 2008 worked 8 hours (Hillsborough)
 - January 14, 2008 worked 8 hours (Hillsborough)
 - January 15, 2008 worked 8 hours (Hillsborough)
 - January 16, 2008 worked 8 hours (Hillsborough)
 - January 17, 2008 worked 8 hours (Hillsborough)
 - January 21, 2008 worked 8 hours (Hillsborough)
 - January 22, 2008 worked 8 hours (Hillsborough)
 - January 23, 2008 worked 8 hours (Hillsborough)
 - January 29, 2008 worked 8 hours (Hillsborough)

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11803

March 3, 2008

January 30, 2008 worked 8 hours (Hillsborough)
January 31, 2008 worked 8 hours (Hillsborough)
February 4, 2008 worked 8 hours (Hillsborough)
February 5, 2008 worked 7 hours (Hillsborough)
February 7, 2008 worked 8 hours (Hillsborough)
February 8, 2008 worked 8 hours (Hillsborough)
Total of 237 hours X \$75.00 = **\$17,775.00**

4130 HB
HT

2. Rental of JCB 214 Backhoe for \$55.00 per hour.

December 17, 2007 worked 8 hours (Hillsborough)
December 26, 2007 worked 8 hours (Hillsborough)
January 4, 2008 worked 8 hours (Hillsborough)
January 10, 2008 worked 8 hours (Hillsborough)
January 17, 2008 worked 8 hours (Hillsborough)
January 29, 2008 worked 8 hours (Hillsborough)
February 7, 2008 worked 8 hours (Hillsborough)
February 14, 2008 worked 8 hours (Hillsborough)
February 21, 2008 worked 8 hours (Hillsborough)
February 29, 2008 worked 8 hours (Hillsborough)
Total of 80 hours X \$55.00 = **\$4,400.00**

4130
HB HT

3. Rental of Dynapac CA152 for \$55.00 per hour.

February 5, 2008 worked 7 hours (Hillsborough)
Total of 7 hours X \$55.00 = **\$385.00**

4. Sold #57 stone to ATC Development for \$295.00 a truck load.

December 12, 2007 2 loads (Hillsborough)
December 17, 2007 2 loads (Hillsborough)
December 18, 2007 3 loads (Hillsborough)
December 19, 2007 2 loads (Hillsborough)
December 20, 2007 2 loads (Hillsborough)
January 4, 2008 1 load (Hillsborough)
Total of 12 loads X \$295.00 = **\$3,540.00**

4140
HT
HB

5. Sold #4 stone to ATC Development for \$285.00 a truck load.

January 30, 2008 1 load (Hillsborough)
Total of 1 loads X \$285.00 = **\$285.00**

4140
HT

6. Hauled container to Sample & Son Landfill for \$210.00 per container load.

December 19, 2007 1 load (Bennington) Aiken
January 15, 2008 1 load (Bennington) Aiken
February 12, 2008 1 load (Bennington) Aiken
Total of 3 loads X \$210.00 = **\$630.00**

6700
HB
HT

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11803

March 3, 2008

7. Disposal of waste at Sample & Son Landfill \$22.00 per ton.

1. #0056688 \$ 60.80 (Bennington) Aiken

2. #0057526 \$ 66.36 (Bennington) Aiken

3. #0058668 \$ 96.60 (Bennington) Aiken

Total of 3 loads = \$ 223.76

HB 6700
HJ

All services as described above for the sum of \$27,238.76

Total \$27,238.76

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

Napier-A&P-0653

R-1745

INVOICE
#11809

May 5, 2008

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

CNB
4130 \$15,870⁰⁰
4140 \$ 2,905⁰⁰
6600 \$ 1,052⁴³
6700 \$ 943⁷⁴

TOTAL 20,771²²

Submitted To:

ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Rental of Deere 200LC Track hoe for \$75.00 per hour.

April 2, 2008 worked 7 hours (Hillsborough)

Total of 7 hours X \$75.00 = **\$525.00**

HK

2. Rental of JD 650H Dozer for \$55.00 per hour.

March 10, 2008 worked 8 hours (Hillsborough)
March 11, 2008 worked 4 hours (Hillsborough)
March 17, 2008 worked 8 hours (Hillsborough)
March 18, 2008 worked 8 hours (Hillsborough)
March 19, 2008 worked 8 hours (Hillsborough)
March 20, 2008 worked 8 hours (Hillsborough)
March 21, 2008 worked 8 hours (Hillsborough)
March 24, 2008 worked 8 hours (Hillsborough)
March 26, 2008 worked 8 hours (Hillsborough)
March 27, 2008 worked 8 hours (Hillsborough)
March 28, 2008 worked 8 hours (Hillsborough)
March 31, 2008 worked 8 hours (Hillsborough)
April 1, 2008 worked 8 hours (Hillsborough)
April 4, 2008 worked 7 hours (Hillsborough)
April 7, 2008 worked 8 hours (Hillsborough)
April 8, 2008 worked 8 hours (Hillsborough)
April 14, 2008 worked 8 hours (Hillsborough)
April 15, 2008 worked 8 hours (Hillsborough)
April 16, 2008 worked 8 hours (Hillsborough)
April 17, 2008 worked 8 hours (Hillsborough)

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE

#11809

May 5, 2008

- | | | | | |
|-------|----------|--------|---------|----------------|
| April | 18, 2008 | worked | 4 hours | (Hillsborough) |
| April | 28, 2008 | worked | 8 hours | (Hillsborough) |
| April | 29, 2008 | worked | 8 hours | (Hillsborough) |
| April | 30, 2008 | worked | 8 hours | (Hillsborough) |
| May | 1, 2008 | worked | 7 hours | (Hillsborough) |
| May | 2, 2008 | worked | 6 hours | (Hillsborough) |
| May | 5, 2008 | worked | 6 hours | (Hillsborough) |
- Total of 202 hours X \$55.00 = **\$11,110.00** *HT*
3. Rental of JCB 214 for \$55.00 per hour.
- | | | | | |
|-------|----------|--------|---------|----------------|
| March | 13, 2008 | worked | 8 hours | (Hillsborough) |
| March | 19, 2008 | worked | 8 hours | (Hillsborough) |
| March | 26, 2008 | worked | 8 hours | (Hillsborough) |
| April | 1, 2008 | worked | 8 hours | (Hillsborough) |
| April | 8, 2008 | worked | 8 hours | (Hillsborough) |
| April | 14, 2008 | worked | 8 hours | (Hillsborough) |
| April | 18, 2008 | worked | 8 hours | (Hillsborough) |
| April | 24, 2008 | worked | 8 hours | (Hillsborough) |
| April | 30, 2008 | worked | 8 hours | (Hillsborough) |
| May | 5, 2008 | worked | 5 hours | (Hillsborough) |
- Total of 77 hours X \$55.00 = **\$4,235.00** *HT*
4. Sold #57 stone to ATC Development for \$295.00 a truck load.
- | | | | |
|-------|----------|--------|----------------|
| April | 14, 2008 | 1 load | (Hillsborough) |
|-------|----------|--------|----------------|
- Total of 1 loads X \$295.00 = **\$295.00** *HT*
5. Sold Crush and Run stone to ATC Development for \$290.00 a truck load.
- | | | | |
|-------|----------|---------|----------------|
| April | 28, 2008 | 3 loads | (Hillsborough) |
| April | 29, 2008 | 4 loads | (Hillsborough) |
| April | 30, 2008 | 2 loads | (Hillsborough) |
- Total of 9 loads X \$290.00 = **\$2,610.00** *HT*
6. Sold diesel fuel to ATC for \$4.16 per gallon.
- | | | | | | |
|------|-------------|------|-------------|-----|-----------|
| 3/3 | 30gal T-300 | 4/4 | 30gal T-300 | 5/2 | 17gal 435 |
| 3/3 | 17gal 435 | 4/4 | 17gal 435 | | |
| 3/18 | 30gal T-300 | 4/10 | 5gal T-300 | | |
| 3/19 | 17gal 435 | 4/29 | 30gal T-300 | | |
| 3/21 | 30gal T-300 | 5/2 | 30gal T-300 | | |
- Total Diesel 253gal X \$4.16 = **\$1,052.48** *HT*
7. Hauled container to Sample & Son Landfill for \$210.00 per container load.
- | | | | |
|-------|----------|--------|----------------------|
| March | 28, 2008 | 1 load | (Hillsborough) Aiken |
| April | 17, 2008 | 1 load | (Hillsborough) Aiken |
| April | 26, 2008 | 1 load | (Hillsborough) Aiken |
- Total of 3 loads X \$210.00 = **\$630.00** *HT*
8. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
- | | | | |
|----|----------|----------|----------------------|
| 1. | #0060690 | \$146.58 | (Hillsborough) Aiken |
| 2. | #0061768 | \$105.21 | (Hillsborough) Aiken |

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11809

May 5, 2008

3. #0062276 \$ 61.95 (Hillsborough) Aiken
Total of 3 loads = \$ 313.74 *AS*

All services as described above for the sum of \$20,771.22

Total \$20,771.22

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11818

July 8, 2008

DNB
6700 \$ 2707 ⁴¹
4140 \$ 870 ⁰⁰

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Sold Crush and Run stone to ATC Development for \$290.00 a truck load.
May 6, 2008 2 loads (Hillsborough) *AT*
May 14, 2008 1 load (Hillsborough)
Total of 3 loads X \$290.00 = **\$870.00**
2. Hauled container to Sample & Son Landfill for \$225.00 per container load.
May 7, 2008 1 load (Hillsborough) Aiken
May 9, 2008 1 load (Hillsborough) Aiken
May 22, 2008 1 load (Hillsborough) Aiken
June 4, 2008 1 load (Hillsborough) Aiken *HT*
June 9, 2008 1 load (Hillsborough) Aiken
June 18, 2008 1 load (Hillsborough) Aiken
June 25, 2008 1 load (Hillsborough) Aiken
July 1, 2008 1 load (Hillsborough) Aiken
Total of 8 loads X \$225.00 = **\$1,800.00**
3. Disposal of waste at Sample & Son Landfill \$22.00 per ton.
1. #0062807 \$141.96 (Hillsborough) Aiken 5. #0064418 \$ 123.90 (Hillsborough) Aiken
2. #0063006 \$122.64 (Hillsborough) Aiken 6. #0064881 \$ 93.03 (Hillsborough) Aiken
3. #0063613 \$107.73 (Hillsborough) Aiken 7. #0065222 \$ 132.72 (Hillsborough) Aiken
4. #0064168 \$ 81.69 (Hillsborough) Aiken 8. #0065559 \$ 103.74 (Hillsborough) Aiken
Total of 8 loads = **\$ 907.41** *AG*

All services as described above for the sum of \$3,577.41

Total \$3,577.41

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11883

September 2, 2008

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

CNB
6700 \$945 94
4140 \$425 425

This is to certify the following work:

1. Sold Rip Rap Rock to ATC for \$425.00 per load.
July 17, 2008 Hauled 1 load (Hillborough) Aiken
Total of 1 load X \$425.00 = **\$425.00**
2. Hauled container to Williams C+D Landfill for \$225.00 per container load.
July 22, 2008 1 load (Hillborough) Aiken
August 6, 2008 1 load (Hillborough) Aiken
Total of 2 loads X \$225.00 = **\$ 450.00**
3. Disposal of waste at Williams C+D Landfill \$21.00 per ton.
 1. #0066580 \$342.85 (Hillborough) Aiken
 2. #0067389 \$153.09 (Hillborough) AikenTotal of 2 loads = \$495.94

All services as described above for the sum of \$1,370.94

Total \$1,370.94

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11886

September 29, 2008

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:

ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Hauled container to Williams C+D Landfill for \$225.00 per container load.
September 29, 2008 1 load (Hillborough) Aiken
Total of 1 load X \$225.00 = \$ 225.00
3. Disposal of waste at Williams C+D Landfill \$21.00 per ton.
1. #0070100 \$107.44 (Hillborough) Aiken
Total of 1 load = \$107.44

All services as described above for the sum of \$332.44

Total \$332.44

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

6700
HB
Hed of justice

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11888

October 28, 2008

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:

ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Hauled container to Williams C+D Landfill for \$225.00 per container load.
October 21, 2008 1 load (Brittany Downs) Aiken
Total of 1 load X \$225.00 = \$ 225.00
- 2.. Disposal of waste at Williams C+D Landfill \$21.00 per ton.
 1. #0071213 \$62.58 (Brittany Downs) Aiken
Total of 1 load = \$62.58
3. Relocated container from Hillborough to Brittany Downs. \$100.00

All services as described above for the sum of \$ 387.58

Total \$ 387.58

HT

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

HB
6700 \$287.58

BRITTANY DOWNS
KEITH \$100.00

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11889

October 28, 2008

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Welded new teeth on mini excavator bucket and replaced battery.
October 22, 2008 worked 4 hrs @ \$50.00 per hour. \$200.00 (Hillborough) Aiken

All services as described above for the sum of \$ 200.00

Total \$ 200.00

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

6600 HB
HT

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE
#11891

November 4, 2008

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:
ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Sold #57 Rock to ATC for \$355.00 per load.
October 31, 2008 Hauled 1 load (Hillborough)
Total of 1 load X \$350.00 = **\$ 355.00**

All services as described above for the sum of \$355.00

Total \$355.00

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

Handwritten notes:
NB
4140
HO

We Appreciate Your Business!
A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

INVOICE

#11910

February 20, 2009

Mundy Construction, Inc.
Tank Removal, Demolition & Land Clearing
6073 Dogwood Trail
Harlem, Georgia 30814
706-831-5884

Submitted To:

ATC Development Corp.
220 Boy Scout Road
Augusta, Georgia 30909-2023

This is to certify the following work:

1. Hauled container to Williams C+D Landfill for \$225.00 per container load.
February 16, 2009 1 load (Hillborough) Aiken
Total of 1 load X \$225.00 = \$ 225.00
3. Disposal of waste at Williams C+D Landfill \$21.00 per ton.
1. #0075989 \$ 73.29 (Hillborough) Aiken
Total of 1 load =\$ 73.29

All services as described above for the sum of \$ 298.29

Total \$ 298.29

AKB

6700

OK per HT
2/20/09

Remit to :
Mundy Construction, Inc.
6073 Dogwood Trail
Harlem, Georgia 30814

We Appreciate Your Business!

A Service Charge of 1.5% per month will be added to all accounts over 30 days (Annual Rate 18%)

Napier-A&P-0722

R-1755

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 1/15/2008
ACCOUNT ID: 3215

HILLSBOURGH

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN 330 D
11/1/2008			8	
11/2/2008		8	8	
11/5/2008		8	8	
11/6/2008		8	8	
11/7/2008		8	4	4
11/8/2008		8	4	4
11/9/2008		8	8	
11/12/2008		8	8	
		HOURS 56	HOURS 56	HOURS 8

Please pay this amount:

\$9,040.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

CHB
4130

PLAINTIFF'S
EXHIBIT

669

exhibitsticker.com

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 1/15/2008
ACCOUNT ID: 3216

HILLSBOURGH

DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
11/13/2008		8	8	
11/14/2008		8	8	
11/15/2008		8	8	
11/16/2008		8	8	
11/19/2008		8	8	
11/21/2008		8	8	
11/26/2008		8	8	
11/27/2008		8	8	
		HOURS 64	HOURS 64	HOURS \$8,960.00

Please pay this amount:

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

Handwritten: OHS
11/4/30

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 1/22/2008
ACCOUNT ID: 3218

HILLSBOURGH				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
11/28/2008		8	8	
11/29/2008		8	8	
11/30/2008		8	8	
12/3/2008		8	8	
12/4/2008		8	16	6
12/5/2008		8	12	8
12/6/2008		8	8	8
12/7/2008		5		5
		HOURS 61	HOURS 68	HOURS 27
				\$13,115.00

Trackhoe on 12/4/08
12/5/08

Please pay this amount:

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

HT
HT
4130

When did we use Scraper/Pan

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 1/22/2008
ACCOUNT ID: 3219

HILLSBOURGH				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
12/10/2008	?	8	16	
12/11/2008		8		8
12/12/2008		8		8
12/13/2008	2 hrs	8	6	8
12/14/2008	4 hrs @ \$1.00	8		8
12/17/2008		8		8
12/18/2008		8		8
12/19/2008		8		8
		HOURS 64	HOURS 22	HOURS 56

Please pay this amount:

\$14,210.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

HB
HT 4930

MADDOX CONSTRUCTION

P.O. BOX 25
APPLING, GA 30802

Phone 706-541-1062
Fax 706-541-0104

ATC Development
226 Boy Scout Rd.
Augusta, GA 30909

BILLING DATE: 1/22/2008
ACCOUNT ID: 3220

HILLSBOURGH				
DATE	EQUIPMENT RENTAL	Loader, Dozer, Backhoe	TRACKHOE, MOTORGRADER	SCRAPER / PAN
12/20/2008		4		4
12/21/2008	Rain	4	4	4
12/27/2008	1/2 @ 200	4		4
12/28/2008	Did not work	2	2	
1/2/2008		8	8	
1/3/2008		8		8
1/4/2008	1/2 @ 10.00	4		4
1/7/2008		8	8	
		HOURS 36	HOURS 16	HOURS 24 @ 2.0

Please pay this amount: **36**

~~\$7,680.00~~
6,540.00

Terms: 30 days

When sending payment, include the invoice number on the check. Thank you.

OK per HT
1/25/08

HB
4130

6,540.00