

**IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA – CIVIL DIVISION**

**CHARLES E. WATTS, INC.** )  
 )  
 **Plaintiff,** )  
 )  
 vs. )  
 )  
 **RDS-ALATAX (SIC) - AVENU INSIGHTS** )  
 **& ANALYTICS, LLC d/b/a REVENUE** )  
 **DISCOVERY SYSTEMS OR RDS, and** )  
 **VARIOUS CITIES AND COUNTIES IN** )  
 **ALABAMA** )  
 )  
 **Defendants.** )

**31-CV-2018-000039.00**

**JOINT NOTICE OF SETTLEMENT**

COMES NOW, defendant, Avenu Insights & Analytics, f/k/a Revenue Discovery Systems or RDS, as duly authorized representative of all the various cities and counties of Alabama named herein (jointly referred to herein throughout and consolidated as “Defendants”), by and through its undersigned counsel, and jointly with Charles E. Watts, Inc. (“Plaintiff”) and hereby provides notice to the court that the parties have jointly reached an accord and have settled this matter per the following terms:

1. Defendant’s waive the costs of collection awarded to them in the amount of \$35,382.66 in hourly audit fees for the examination, appeals, and all other stages of the audit, including travel expenses which were awarded this court’s final order on 10/30/18 and withdraw any request for consideration of sanctions against Plaintiff’s counsel under Rule 11 of the Ala.R.Civ.Proc., and any other relief requested is denied;

2. Within 15 days from the entry of this Notice of Settlement, or appropriate court Order, the Plaintiff shall pay the full amount of taxes, further accrued interest, and penalties assessed in

the amount of \$45,200.74 from the amounts held by the clerk of the court and separately for the remainder via checks made payable to “Tax Trust Account” and mailed to “Jonathan V. Gerth, 600 Beacon Pkwy W., STE 900, Birmingham, AL 35209,” which shall be disbursed accordingly to all governmental Defendants respectively; and

3. Within 15 days from the entry of this Notice of Settlement, or appropriate court Order, the Plaintiff shall separately pay Attorneys’ fees incurred by certain governmental entities involved with the Plaintiff’s appeals, individually in the amounts of;:

- a. Mr. Robin Reynolds, Esq., City Attorney – Dadeville, AL  
Robin Reynolds, P.C.  
139 South Broadnax Street  
Dadeville, AL 36853  
Attorney’s Fees Due: \$1,073.00
- b. Mr. E. Shane Black, Esq. – City Attorney – Athens, AL  
Hand Arendall Harrison Sale, LLC  
102 South Jefferson Street  
Athens, AL 35611  
Attorney’s Fees Due: \$330.00
- c. Mr. David A. Sullivan, Esq. – City Attorney – Midfield, AL  
208 23<sup>rd</sup> St. N., Ste 2  
Birmingham, AL 35203  
Attorney’s Fees Due: \$1200.00
- d. Mr. T. Mark Maclin, Esq, - Association of County Commissions of Alabama  
Wilmer & Lee, P.A.  
315 West Market Street  
Athens, AL 35611  
Attorney’s Fees Due: \$1201.50
- e. M(r)s. Courtney R. Potthoff, Esq. – City Attorney – Eufaula, AL  
Williams, Potthoff, Williams & Smith  
P.O. Box 880  
Eufaula, AL 36072  
Attorney’s Fees Due: **To be submitted by Attorney**

4. This settlement notice obviates the need for a hearing today, January 31, 2019, and the matter can be dismissed with prejudice.

Respectfully and jointly submitted this 31<sup>st</sup> day of January 2019

/s/ Jonathan V. Gerth  
Jonathan V. Gerth ( GER020 )  
Attorney for Consolidated Defendants  
600 Beacon Pkwy W, Ste 900  
Birmingham, AL 35209  
205-423-4177  
Jonathan.gerth@avenuinsghts.com

/s/ Luther D. Abel  
Luther D. Abel  
Attorney for Charles E. Watts  
408 South 4<sup>th</sup> Street  
Gadsden, AL 35901  
205-423-4177