

PBI Industries, Inc. obtained first mortgage loans from mortgage lenders.

5. PBI Industries did not make payment to the Plaintiff for the building materials out of the disbursements by the first mortgage lenders.

6. Upon the failure of the Defendant to pay the Plaintiff from construction draws, Laura Branch and Jerry Branch, who are the officers of the PBI Industries, represented to the undersigned that any funds disbursed by the first mortgage lenders would be given to their attorney, Jerry L. Taylor, who would pay at least half of such construction draws to the Plaintiff.

7. Subsequent to such representations, the said Laura Branch and Jerry Branch obtained construction draws without the knowledge of their attorney Jerry Taylor and used the funds for purposes other than paying their creditors.

8. Laura Branch and Jerry Branch who have guaranteed the unpaid account are attempting to dispose of property with the intent to defraud their creditors and especially the Plaintiff.

  
THOMAS V. MELTON, JR.

SWORN TO BEFORE ME

this 5<sup>th</sup> day of November, 1984.

  
Notary Public for South Carolina (L.S.)

My Commission Expires: 3/29/89