



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

**IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

CALVIN CROSS and CHAREKA)
CROSS,)
Plaintiffs,)
v.)
ELLIOTT LYDELL "DALE" DAVIS and)
PRO PLAYERS, LLC,)
Defendants)
-----)
ELLIOTT LYDELL "DALE" DAVIS,)
Third Party Plaintiff,)
v.)
MERRILL LYNCH, PIERCE,)
FENNER & SMITH, INC.,)
Third Party Defendant.)

Civil Action No.: 21102538

**FINAL JUDGMENT AGAINST ELLIOTT LYDELL "DALE" DAVIS
AND PRO PLAYERS, LLC**

The Court **FINDS, ORDERS AND ADJUDGES:**

Based on this Court's October 28, 2022 Findings of Fact and Conclusions of Law, **FINAL JUDGMENT** is entered in favor of Plaintiffs Calvin Cross and Chareka Cross and against Defendants Elliott Lydell "Dale" Davis and Pro Players, LLC, jointly and severally, on Count I (Breach of Contract), Count II (Breach of Fiduciary Duty), and Count III (Fraud and Fraudulent Inducement) in the following amounts:

1) \$150,000.00, plus prejudgment interest thereon in the amount of \$134,454.88 through December 16, 2022;

2) \$200,000.00, plus prejudgment interest thereon in the amount of \$139,180.06 through December 16, 2022;

3) \$50,000.00, plus prejudgment interest thereon in the amount of \$18,958.33 through December 16, 2022 (the Holcombe Investment);

4) \$116,400.00, plus prejudgment interest thereon in the amount of \$45,493.00 through December 16, 2022 (the Cannabis investment); and

5) \$400,000.00, plus prejudgment interest thereon in the amount of \$144,666.67 through December 16, 2022 (the Merrill Lynch Investment).

The Court expressly finds and adjudges the Defendants jointly and severally liable for actual fraud and breaches of fiduciary duty in the amount of \$1,399,152.94 (principal and interest). Post-judgment interest shall accrue from the date judgment is entered in accordance with Georgia law. Plaintiffs have agreed to dismiss their Counts IV (Punitive Damages) and V (Attorneys' Fees and Costs of Litigation) and there is no need for further delay. All third-party claims are dismissed.

This is a **FINAL JUDGMENT**.

ENTERED this 1st day of February 2023.



Honorable Angela Z. Brown,
Superior Court of Cobb County

PREPARED AND SUBMITTED BY:

/s/ Paul Jay Pontrelli
Andrew M. Beal

Georgia Bar No. 043842
Paul Jay Pontrelli
Georgia Bar No. 583513

BUCKLEY BEAL LLP

600 Peachtree Street, NE
Suite 3900
Atlanta, GA 30308
(T) 404.781.1100
(F) 404.688.2988
abeal@buckleybeal.com
jpontrelli@buckleybeal.com
Attorneys for Plaintiffs

Copies to:

Christopher P. Berney
W. Preston Martin