

IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

ASHTON L. SCHNEIDER, et al, )  
 )  
Plaintiffs, )  
 )  
v. ) CIVIL ACTION  
 ) FILE NUMBER 11-EV-013818-C  
TROY AVERY f/k/a TROY A. LEGG, et al, )  
 )  
Defendants. )

FINAL JUDGMENT

1. **The Court finds that Defendant Legg-Avery over extended his privilege in using Defendant USA Pools<sup>1</sup> corporate entity or entities in order to defeat justice, perpetuate fraud and to evade contractual or tort responsibility, warranting a finding of fact and conclusion of law that the corporate veil of the collective USA Pools Defendants is pierced and Defendant Legg-Avery be personally liable to Plaintiffs for negligence, intentional fraud, and punitive damages for his specific intent to do harm.**
2. **The Court finds, by a preponderance of the evidence, that the negligence of Troy Legg-Avery, individually, and Defendants Troy Legg-Avery and USA Pools proximately caused the injuries to Plaintiffs.**

Therefore, the Court finds that the Plaintiffs should recover damages for the personal injuries and physical and mental pain and suffering of Ashton Schneider and, by a preponderance of the evidence, the Plaintiffs' recoverable damages awarded are as follows:

|                           |                   |
|---------------------------|-------------------|
| Past Pain and Suffering   | \$ <u>500,000</u> |
| Future Pain and Suffering | \$ <u>500,000</u> |

3. (a) **The Court finds, by a preponderance of the evidence, that Plaintiffs are entitled to judgment on their fraud claims against Defendant Troy Legg-Avery for his individual and independent specific intent to willfully misrepresent the material representations made to induce Plaintiffs and the HOA to act, and as a result,**

<sup>1</sup> The term "USA Pools" defines the follow entities included in this judgment jointly and severally: USA Pool Management, Inc.; Error! Main Document Only.USA Pools of Georgia, Inc.; USA Pools Construction, Inc.; USA Pools of Dallas, Inc.; USA Pools of Houston, Inc.; USA Pools of New York, Inc.; USA Pools of North Carolina, Inc.; USA Pools of Pennsylvania, Inc.; and USA Pools of Tennessee, Inc.

Ashton Schneider was injured as a direct and proximate result of the misrepresentations;

AND

(b) The Court finds, by a preponderance of the evidence, that Plaintiffs are entitled to judgment on their fraud claims against Defendants Legg-Avery and USA Pools as the Defendants had specific intent and willfully misrepresented the material representations they made to induce Plaintiffs and the HOA to act, and as a result, Ashton Schneider was injured as a direct and proximate result of the misrepresentations.

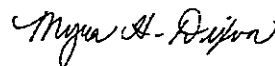
Therefore, the Court finds that the Plaintiffs should recover damages for their claim of fraud as follows:

Fraud \$ 1,000,000

4. The Court finds that the Plaintiffs presented clear and convincing evidence that Defendant Troy Legg-Avery and the USA Pools Defendants, individually and collectively, acted and failed to act with the specific intent to cause harm.

Therefore, the Court awards punitive damages in the amount of \$ 3,000,000 to punish, penalize, and deter Defendant Troy Legg-Avery, individually, and Defendants Troy Legg-Avery and the USA Pools entities for their specific intent to do harm.

This 29<sup>th</sup> day of August, 2018.



Hon. Judge Myra H. Dixon  
State Court of Fulton County

Prepared by:

Robert M. Hammers, Jr.

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GA Bar No. 337211

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