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(B) THE TRIAL COURT WAS REVERSED FOR SETTING ASIDE A DEFAULT JUDGMENT AFTER FINDING THAT THE PARTIES HAD RECONCILED DURING THE PENDENCY OF THE CASE. THE MAJORITY OPINION FOUND THAT THE MOTION FOR SUCH A DETERMINATION MUST BE FILED BEFORE A FINAL JUDGMENT IS ENTERED.

(C) JUDGE MOORE’S DISSENT SAYS, IN HIS OPINION, IT DOES NOT MATTER WHEN IT IS FILED, AND A FINDING OF RECONCILIATION DURING THE PENDENCY OF A DIVORCE CASE RENDERS ANY RESULTING JUDGMENT VOID FOR LACK OF SUBJECT-MATTER JURISDICTION

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(C) AS A RESULT, THE ACCA COULD NOT DETERMINE IF THE JUDGMENT SUBJECTED THE FATHER TO "UNDUE HARDSHIP" AS HE ALLEGED, AND THE CASE WAS REVERSED AND REMANDED

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34. (A) GOOD DISCUSSION OF DIFFERENCES BETWEEN PERIODIC ALIMONY AND AN AWARD OF ALIMONY IN GROSS.

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(C) A CONDITION IN THE AWARD TERMINATING THE PAYMENT OBLIGATION ON THE DEATH OF THE PAYEE-SPOUSE DOES NOT, IN AND OF ITSELF; INDICATE THAT IT IS PERIODIC ALIMONY.

(D) THE ACCA FOUND THE PROVISION IN THIS CASE TO BE ALIMONY IN GROSS, AND THEREFORE DID NOT TERMINATE ON THE REMARRIAGE OF THE WIFE, NOR WAS IT MODIFIABLE

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(B) INTERESTING SPECIALLY CONCURRING OPINIONS AND EVEN STATEMENTS MADE IN THE MAJORITY OPINION INDICATE THAT THE ACCA FEELS THAT THE LEGISLATURE, AND NOT THE COURTS, SHOULD MAKE ANY LAW TO REQUIRE DIVORCED PARENTS TO CONTRIBUTE INVOLUNTARILY TOWARDS THEIR ADULT CHILDREN'S COLLEGE EXPENSES; AND THAT A COURT DOING SO VIOLATES THE SEPARATION-OF-POWERS DOCTRINE, AND IS THEREFORE UNCONSTITUTIONAL. ONE SPECIALLY CONCURRING OPINION URGES THE ALABAMA SURPREME COURT TO REVISIT THE BAYLISS DECISION, AND OVERRULE IT AS BEING AN UNCONSTITUTIONAL VIOLATION OF THE SEPARATION-OF-POWERS DOCTRINE.

(C) THE TRIAL COURT'S CONSIDERATION OF THE MOTHER'S REMARRIAGE, HER CONTRIBUTING \$100,000 TO THE PURCHASE OF A NEW HOME BOUGHT BY HER AND HER PRESENT HUSBAND, AND HER RESULTING FINANCIAL ARRANGEMENT WITH HER NEW HUSBAND WAS NOT ERROR, WHERE THERE WAS NO EVIDENCE PRESENTED, NOR CONSIDERED BY THE TRIAL COURT, OF THE NEW HUSBAND'S ASSETS OR INCOME

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