

IN THE MATTER OF
COMPENSATION FOR INJURY
TO

LEONARD DWIGHT VAUGHAN,

Employee

VS.

BALDWIN COUNTY ELECTRIC
MEMBERSHIP CORPORATION,

Employer

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN LAW

NO. 5278

STATEMENT AND PETITION

The undersigned being the only parties interested in this matter, hereby petition the Court for approval of the following agreement and settlement, and agree and represent unto the Court as follows:

1. The said employee, Leonard Dwight Vaughan, and the said employer, Baldwin County Electric Membership Corporation, are now and were at the time of the alleged injury to the employee, which is hereinafter described, subject to the provisions of the Workmen's Compensation Law of Alabama. The undersigned Employers Mutual Liability Insurance Company of Wisconsin, a corporation, (sometimes described as Employers Mutuals of Wausau) was the insurance carrier for the said employer at the time of the accident.

2. The said employee, who is over the age of 21 and who resides in Baldwin County, Alabama, and who can read and understand the English language, allegedly did, sustain an injury by accident while working for the said employer in Baldwin County, Alabama, in June of 1961, by lifting a 15KVA transformer and employee alleges such resulted in a disability to said employee. It is stipulated and admitted between the parties that no notice written or constructive of the alleged injury in June, 1961, was given by the employee to the employer or to the general manager of the employer within 90 days of the alleged injury. That on April 7, 1962, the employee was admitted to the Mobile Infirmary for treatment and as a result of such treatment incurred certain medical and travel expenses which have been fixed by both parties at Eight Hundred (\$800.00) Dollars.

3. The said employer, through his insurance carrier, has agreed to pay to the employee compensation in the sum of Eight Hundred (\$800.00) Dollars for the purpose of paying the medical bills incurred by the employee. Neither the employer nor his insurance carrier, waives any rights that they have as to notice, actual or constructive, by their appearance in this cause, and enter an appearance for the sole purpose of making settlement of the medical bills incurred by the employee and allege that it is for the best interest of the employee, Leonard Dwight Vaughan, to accept the sum of \$800.00 as full compensation, that he is, and was entitled to receive from the said employee and its insurance carrier on account of any injury sustained by the employee while working for the said employer in June, 1961.

4. The employee acknowledges that he has received to date all medical and surgical treatments and benefits of every type given and provided by the Workmen's Compensation Act of Alabama, and to which he was and might be entitled by virtue thereof.

5. The settlement as set out herein contains the whole agreement between the parties hereto.

DATED at Bay Minette, Alabama, on this the 17 day of September, 1962.

BALDWIN COUNTY ELECTRIC MEMBERSHIP
CORPORATION

EMPLOYERS MUTUAL LIABILITY INSURANCE
COMPANY OF WISCONSIN, a corporation

By J. Cannon Lewis, Jr.
As its Attorney

Leonard Dwight Vaughan
Employee

STATE OF ALABAMA
BALDWIN COUNTY

On this the 17 day of September, 1962, before me, a Notary Public in and for said State and County, personally appeared Leonard Dwight Vaughan, to me known to be the identical person described in and who executed the foregoing instrument as employee, and acknowledges that the same is true; and after reading the same or having the same read to him, and with a full understanding of the terms thereof and the effect thereof, he executed the same as his free act and deed and for the uses and purposes therein expressed, and as full settlement for all claims on account of said injury.

Ernie D. Blackman
Notary Public

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ORDER APPROVING SETTLEMENT AND PETITION

Upon reading the foregoing joint petition, agreement and statement of the parties, and being fully advised in the premises, and it appearing that the allegations of the said petition are true and that the settlement is substantially in accordance with the provisions of the Workmen's Compensation Law of Alabama;

It is ORDERED by the Court as follows:

1. That the said petition, settlement and release be and the same are hereby approved.

2. The said employer, Baldwin County Electric Membership Corporation, and the Employers Mutual Liability Insurance Company of Wisconsin, a corporation, have made full payment to the said Leonard Dwight Vaughan, of all amounts due to him for the injury described in the foregoing petition and settlement, and upon the payment of said amounts, they shall be and are hereby released from all other and further liability to the said employee, Leonard Dwight Vaughan.

3. The costs of this proceeding are hereby taxed against the employer's said insurance carrier, the Employers Mutual Liability Insurance Company of Wisconsin, a corporation.

DATED at Bay Minette, Alabama, on this the 17 day of September, 1962.

FILED

SEP 17 1962

ALICE L. DUCK, CLERK
REGISTERED

Hubert M. Hall
Judge

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RECEIPT AND RELEASE

The undersigned Leonard Dwight Vaughan, for and in consideration of the sum of \$800.00 to him paid by the Employers Mutual Liability Insurance Company of Wisconsin, a corporation, the insurance carrier for the above stated Baldwin County Electric Membership Corporation, has and does hereby fully and completely release, relieve and discharge the said Baldwin County Electric Membership Corporation and the Employers Mutual Liability Insurance Company of Wisconsin, a corporation, from all and further other liability of every kind and nature which exists or may exist because of the injury received by the said Leonard Dwight Vaughan while employed by the Baldwin County Electric Membership Corporation, which injury occurred on or about June, 1961, while undersigned was lifting a 15KVA transformer while in the employment of the said Baldwin County Electric Membership Corporation, in Baldwin County, Alabama, at which said time the undersigned Leonard Dwight Vaughan, and the Baldwin County Electric Membership Corporation, his said employer, were subject to the provisions of the Workmen's Compensation Act of the State of Alabama.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, this the 17th day of September, 1962.

Leonard Dwight Vaughan (LS)
Leonard Dwight Vaughan

STATE OF ALABAMA

BALDWIN COUNTY

I, J. Cameron Owens Jr., a Notary Public in and for said State and County, do hereby certify that Leonard Dwight Vaughan, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of such conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 17th day of September, 1962.

J. Cameron Owens Jr.
Notary Public