

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

February 5, 1963

Honorable Alice J. Duck
Clerk of the Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama


Re: Mae Brunson v. Grady Jackson Robinson
In the Circuit Court of Baldwin County,
Alabama, At Law, Case No. 5401.

Dear Mrs. Duck:

We enclose herewith notices of the depositions of
Mae Brunson and Dr. Mack J. Roberts. Kindly issue
subpoena duces tecum at the addresses in the notices
as soon as possible as this case is presently set for
February 13th, 1963. Your attention to this matter will
be greatly appreciated.

Very truly yours,

LYONS, PIPES AND COOK


Gordon B. Kahn

GBK:mb

Encls.

*done
2-6-63*

MAE BRUNSON,

Plaintiff,

-vs-

GRADY JACKSON ROBINSON,

Defendant.

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5401.

TO: Hon. C. LeNoir Thompson
Attorney at Law
124 Court House Square
Bay Minette, Alabama

Please take notice that at 1:30 P.M. on the 7th day of February, 1963 in the Library of Judge Hubert Hall situated at Baldwin County Court House, Bay Minette, Alabama, the defendant will take the deposition of Mae Brunson whose address is Route 2, Box 272, Bay Minette, Alabama, upon oral examination pursuant to an Act of the Legislature of the State of Alabama, designated as Act No. 375, Regular Session 1955, approved September 8, 1955, before Dorothy Leamy, an officer authorized to take depositions and swear witnesses in said State at Large. The oral examination will continue from day to day until completed and you are invited to attend and cross-examine.


LYONS, PIPES AND COOK
Attorneys for the Defendant.

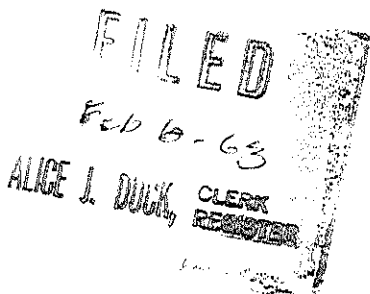
By:


Gordon B. Kahn

CERTIFICATE

I, Gordon B. Kahn, attorney for the defendant in the above-styled cause, do hereby certify that I have served a copy of the foregoing notice to take the deposition upon oral examination of Mae Brunson, by mailing the same to the Honorable C. LeNoir Thompson, Bay Minette, Alabama, attorney of record for the plaintiff in the said cause at Mobile, Alabama, on this 5 day of February, 1963.



Gordon B. Kahn

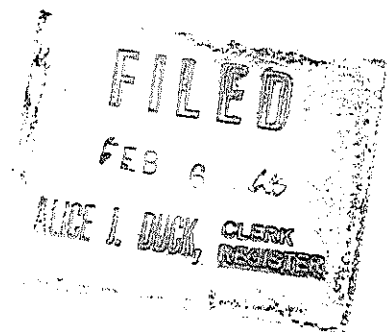


NOTE TO CLERK:

Please issue subpoena to the plaintiff at Route 2, Box 272, Bay Minette, Alabama, subpoena duces tecum to bring with her the originals, or true copies of all medical reports, hospital bills, medicine bills and itemized list of expenses and damages in connection with injuries received in an accident which occurred September 22nd, 1962, made the basis of this suit, along with the originals or true copies thereof of all statements, reports, records or correspondence by and between the plaintiff and her employer relative to her employment and earnings during the years 1960, 1961 and 1962.

Yours truly,


Gordon B. Kahn



MAE BRUNSON,

Plaintiff,

-vs-

GRADY JACKSON ROBINSON,

Defendant.

X

X

X

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5401.

TO: Mr. C. LeNoir Thompson
Attorney at Law
124 Court House Square
Bay Minette, Alabama

Please take notice that at 12:30 P.M. on the 8th day of February, 1963, in the office of Dr. Mack J. Roberts, situated at 911 Government Street, Mobile, Alabama, the defendant will take the deposition of Dr. Mack J. Roberts, whose address is 911 Government Street, Mobile, Alabama, upon oral examination pursuant to an Act of the Legislature of the State of Alabama, designated as Act No. 375, Regular Session 1955, Approved September 8, 1955, before Dorothy Leamy, an officer authorized to administer oaths in the County of Mobile, State of Alabama, duly authorized to take depositions and swear witnesses in said County in said State. The oral examination will continue from day to day until completed and you are invited to attend and cross-examine.

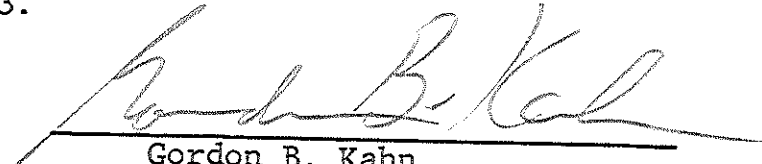
LYONS, PIPES AND COOK
Attorneys for the Defendant.

By:


Gordon B. Kahn

CERTIFICATE

I, Gordon B. Kahn, attorney for the defendant in the above styled cause, do hereby certify that I have served a copy of the foregoing notice to the deposition upon oral examination of Dr. Mack J. Roberts, by mailing the same to Hon. C. LeNoir Thompson, attorney of record for the plaintiff in the said cause at Mobile, Alabama, on this 5th day of February, 1963.


Gordon B. Kahn

FILED

FEB 8 1963

ALICE L. DICK, CLERK

REGISTER

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

December 17, 1962

Mrs. Alice J. Duck
Clerk of the Circuit Court of Baldwin County
Bay Minette, Alabama

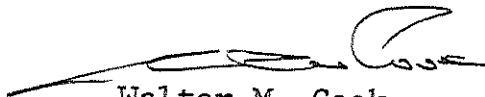
Re: Mae Brunson vs Grady Jackson Robinson
In the Circuit Court of Baldwin County Alabama

Dear Mrs. Duck:

Enclosed please find copies of demurrers which we wish filed in this case. Please acknowledge receipt of same on the enclosed copy returning it to us in the enclosed self addressed stamped envelope, also advising us as to when the demurrers will be heard etc.

Yours truly,

LYONS, PIPES AND COOK



Walter M. Cook

WMC/a

encl

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III
WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

February 19, 1963

Mrs. Alice J. Duck
Clerk of the Circuit Court of Baldwin County
Court House
Bay Minette, Alabama

Re: Mae Brunson v. Grady Jackson Robinson
Case No. 5401 In the Circuit Court of Baldwin County

Lillian Overstreet v. Grady Jackson Robinson
Case No. 5367 In the Circuit Court of Baldwin County


Dear Mrs. Duck:

We had an understanding with LeNoir Thompson to settle these cases for a total of \$1,200.00. In accordance with our usual custom we sent him the Releases for execution and wrote you for the amount of the costs through dismissal. Meanwhile, you advised that the costs were \$61.65 and we received letter from LeNoir Thompson, copy of which is enclosed.

Enclosed please find draft for the costs along with letter for your signature in the event the plaintiff's attorney dismisses the cases.

Very truly yours,

LYONS, PIPES AND COOK



Walter M. Cook

WMC:hh

Enclosures:

January 9, 1963

MAE BRUNSON, Plaintiff
VS
GRADY JACKSON ROBINSON, Defendant

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

CASE NO. 5401

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

I, Bettye Frink, Secretary of State, hereby certify that on December 10, 1962
I sent by registered mail in an envelope addressed as follows:

" Grady Jackson Robinson
HT-8 MT 320 ALF
Ellison Field
Pensacola, Fla."

"Registered Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

" Grady Jackson Robinson
HT-8 MT 320 ALF
Ellison Field
Pensacola, Fla."

You will take notice that on December 10, 1962 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: MAE BRUNSON, Plaintiff VS GRADY JACKSON ROBINSON, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Case No. 5401 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 10
day of December 1962

Enclosure (1)

(Signed) Bettye Frink
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on Dec 18 1962 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Pensacola, Fla.
on 12/13

WITNESS MY HAND and the Great Seal of the State of Alabama this the 9 day
of January 1963

Bettye Frink
Bettye Frink
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.

cc: Hon. C. LeNoir Thompson
Thompson & White
Attorneys at Law
124 Court House Sq.
Bay Minette, Ala.

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 5401

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Grady Jackson Robinson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against -----

Grady Jackson Robinson, Defendant-----

by Mae Brunson

-----, Plaintiff-----

Witness my hand this 7 day of Dec 1962

Alice J. Neusch, Clerk

Page

CIRCUIT COURT

~~MAE BRINGS ON~~

Plaintiffs

vs.

~~GRADY JACKSON ROBINSON~~

Defendants

SUMMONS and COMPLAINT

Filed _____, 19 _____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
HT-8 MT 320 ALP, Ellisen Field
Pensacola, Florida

RECEIVED IN OFFICE

19

Sheriff

I have executed this summons

19

by leaving a copy with

Sheriff

Deputy Sheriff

MAE BRUNSON

Plaintiff

vs

GRADY JACKSON ROBINSON

Defendant

X

X

X

X

X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

-1-

The plaintiff, Mae Brunson, claims of the defendant, Grady Jackson Robinson, the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) as damages for that on to-wit, September 22, 1962, at approximately 1:00 A.M. plaintiff was a passenger in an automobile traveling East on U. S. Highway numbered 31, a public highway in Baldwin County, Alabama, at its intersection with U. S. Highway number 90 in the Community of Spanish Fort, also known as Bridgehead.

Your said plaintiff was a passenger in said automobile traveling East at said intersection and defendant's car was traveling North on U. S. Highway 90, but that said defendant negligently, while operating his said automobile ran a stop sign at the intersection of said highways running his said automobile into, over or against the automobile in which the plaintiff was a passenger; and plaintiff avers that as a proximate consequence thereof she was severely injured about her body and about her arms and legs suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of said negligence.

And further that plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses, all of which were incurred as a proximate consequence of the said negligence of said defendant.

And further that the said plaintiff was regularly employed and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitali-

zation and will continue to lose income because of said injury.

And plaintiff further avers that all of her said injuries and damages were caused as a proximate consequence of the negligence of the defendant in this: that said defendant negligently operated his motor vehicle causing same to run a stop sign and run into, over or against the car in which said plaintiff was a passenger as aforesaid.

-2-

The plaintiff, Mae Brunson, claims of the defendant, Grady Jackson Robinson, the sum of Nine Thousand Seven Hundred Dollars (\$9,700.00) as damages for that on to-wit, September 22, 1962, at approximately 1:00 A.M. plaintiff was a passenger in an automobile traveling East on U. S. Highway numbered 31, a public highway in Baldwin County, Alabama, at its intersection with U. S. Highway number 90 in the Community of Spanish Fort, also known as Bridgehead.

Your said plaintiff was a passenger in said automobile traveling East at said intersection and defendant's car was traveling North on U. S. Highway 90, but that said defendant so wilfully and wantonly operated his said automobile so as to cause same to run a stop sign at the intersection of said highways running his said automobile into, over or against the automobile in which the plaintiff was a passenger; and plaintiff avers that as a proximate consequence thereof, she was severely injured about her body and about her arms and legs, suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of the wilfulness and wantonness of said defendant.


And further that plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses all of which were incurred as a proximate consequence of the wilfulness and wantonness of the said defendant.

And further that the said plaintiff was regularly employed

and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitalization and will continue to lose income because of said injury.

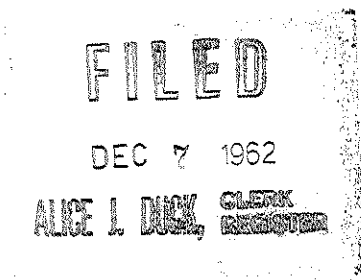
And plaintiff further avers that all of her said injuries and damages were proximately caused by the wilfulness and wantonness of said defendant and by the wilful and wanton operation of said motor vehicle at the time and place and on the occasion aforesaid.

THOMPSON & WHITE

BY: 
Attorneys for plaintiff



2401



MAE BRUNSON,
Plaintiff,

-vs

GRADY JACKSON ROBINSON,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

CASE NO. 5401

TO: Hon. C. LeNoir Thompson
Attorney at Law
124 Court House Square
Bay Minette, Alabama

Please take notice that at 5:00 P.M. on the 4th day of February, 1963, in the office of Dr. Percy Bryant, 301 Hand Avenue, Bay Minette, Alabama, the defendant will take the deposition of Dr. Percy Bryant, whose address is 301 Hand Avenue, Bay Minette, Alabama, upon oral examination pursuant to an Act of the Legislature of the State of Alabama, designated as Act No. 375, Regular Session 1955, approved September 8, 1955, before Dorothy Leamy, an officer authorized to administer oaths, at large in the State of Alabama, duly authorized to take depositions and swear witnesses in said State at Large. The oral examination will continue from day to day until completed and you are invited to attend and cross-examine.

LYONS, PIPES AND COOK
Attorneys for the Defendant

By:


Gordon B. Kahn

CERTIFICATE

I, Gordon B. Kahn, attorney for the defendant in the above-styled cause, do hereby certify that I have served a copy of the foregoing notice to take the deposition upon oral examination of Dr. Percy Bryant, by mailing the same to the Hon. C. LeNoir Thompson, Bay Minette, Alabama, attorney of record for the plaintiff in the said cause at Mobile, Alabama, on this 28th day of January, 1963.

FILED

JAN 29 1963

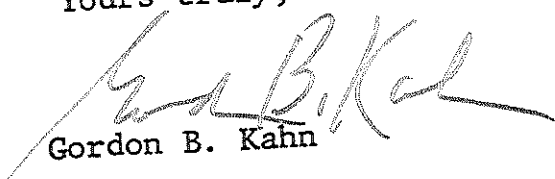
ALICE L. DUCK, CLERK
REGISTER


Gordon B. Kahn

NOTE TO CLERK:

Please issue subpoena to Dr. Percy Bryant, whose address is 301 Hand Avenue, Bay Minette, Alabama to bring with him all medical records, reports, x-rays, notes, and all information concerning his treatment of Mae Brunson.


Yours truly,


Gordon B. Kahn

NOTE TO CLERK:

Please issue subpoena to Dr. Percy Bryant, whose address is 301 Hand Avenue, Bay Minette, Alabama to bring with him all medical records, reports, x-rays, notes, and all information concerning his treatment of Mae Brunson.

Yours truly,


Gordon B. Kahn

MAE BRUNSON,

Plaintiff,

-vs-

GRADY JACKSON ROBINSON,

Defendant.

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 5401

TO: Hon. C. LeNoir Thompson
Attorney at Law
124 Court House Square
Bay Minette, Alabama

Please take notice that at 1:30 P.M. on the 4th day of February, 1963, in the Library of Judge Hubert Hall situated at Baldwin County Court House, Bay Minette, Alabama, the defendant will take the deposition of Mae Brunson whose address is Route 2, Box 272 Bay Minette, Alabama, upon oral examination pursuant to an Act of the Legislature of the State of Alabama, designated as Act No. 375, Regular Session 1955, approved September 8, 1955, before Dorothy Leamy, an officer authorized to administer oaths, at large in the State of Alabama, duly authorized to take depositions and swear witnesses in said State at large. The oral examination will continue from day to day until completed and you are invited to attend and cross-examine.

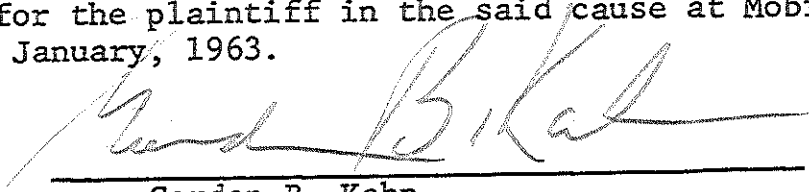
LYONS, PIPES AND COOK
Attorneys for the Defendant.

By: 

Gordon B. Kahn

CERTIFICATE

I, Gordon B. Kahn, attorney for the defendant in the above-styled cause, do hereby certify that I have served a copy of the foregoing notice to take the deposition upon oral examination of Mae Brunson, by mailing the same to the Hon. C. LeNoir Thompson, Bay Minette, Alabama, attorney of record for the plaintiff in the said cause at Mobil Alabama, on this 28th day of January, 1963.


Gordon B. Kahn

FILED

JAN 29 1963

ALICE L. DUCK, CLERK
REGISTER

NOTE TO THE CLERK:

Please issue subpoena to the plaintiff at Route 2, Box 272, Bay Minette, Alabama, subpoena duces tecum to bring with her the originals, or true copies thereof of all medical reports, hospital bills, medicine bills and itemized list of expenses and damages in connection with injuries received in an accident which occurred September 22nd, 1962, made the basis of this suit, along with the originals or true copies thereof of all statements, reports, records or correspondence by and between the plaintiff and her employer relative to her employment and earnings during the years 1960, 1961 and 1962.

Yours truly,



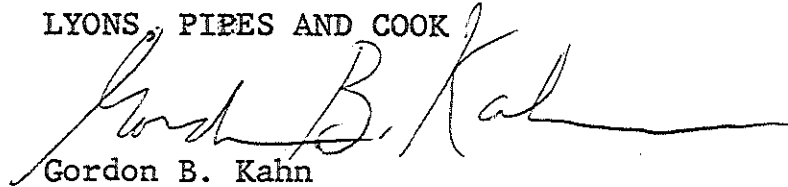
Gordon B. Kahn

Honorable Alice J. Duck
Bay Minette, Alabama
January 28, 1963

Your cooperation in this matter is sincerely appreciated.

Very truly yours,

LYONS, PIPES AND COOK

A handwritten signature in dark ink, appearing to read "Gordon B. Kahn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gordon B. Kahn

GBK:mb

Encls.

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

January 28, 1963

Honorable Alice J. Duck
Clerk of the Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama

Re: Mae Brunson, Plaintiff vs. Grady Jackson Robinson,
Defendant. In the Circuit Court of Baldwin County,
Alabama, At Law, Case No. 5401.

Lillian Overstreet, Plaintiff vs. Grady Jackson Robinson,
Defendant. In the Circuit Court of Baldwin County,
Alabama, At Law, Case No. 5367.

Dear Mrs. Duck:

We enclose herewith notices of Depositions in the above mentioned cases along with requests for subpoenas. These are the same requests as made during our telephone conversation of January 28th, 1963. We requested that subpoenas be issued to the following for the following places and time:

Subpoena issued to Mae Brunson at Route 2, Box 272, Bay Minette, Alabama returnable for 1:30 P.M., February 4th, 1963 in the Library of Judge Hubert Hall situated in the Baldwin County Court House, Bay Minette, Alabama.

Subpoena be issued to Dr. Percy Bryant whose address is 301 Hand Avenue, Bay Minette, Alabama, returnable for 5:00 P.M. on February 4th, 1963 at his office at 301 Hand Avenue, Bay Minette, Alabama.

Subpoena requested for Lillian Overstreet, returnable for 9:30 A.M. on the 4th day of February, 1963, in the Office of Judge Hubert Hall situated in Baldwin County Court House, Bay Minette, Alabama.

Done
1-28-63

4465

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE 8, ALABAMA

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES, III

WALTER M. COOK

FRANK T. POPE, JR.

GORDON B. KAHN

IRWIN W. COLEMAN, JR.

G. SAGE LYONS

Mrs. Alice J. Duck
Clerk of the Circuit Court of Baldwin County
Court House
Bay Minette, Alabama

Re: Mae Brunson v. Grady Jackson Robinson
Case No. 5401 in the Circuit Court of Baldwin County

Lillian Overstreet v. Grady Jackson Robinson
Case No. 5367 in the Circuit Court of Baldwin County

Dear Mrs. Duck:

We understand the plaintiff's attorney is dismissing these two cases. Enclosed please find drafts covering the court costs. Please execute and return the enclosed letter showing final disposition, in the enclosed self-addressed stamped envelope.

Yours truly,

LYONS, PIPES AND COOK

Walter M. Cook

WMC/a

encl

= 30.45
31.20
101.65

AMENDED COMPLAINT

MAE BRUNSON	X	
Plaintiff	X	IN THE CIRCUIT COURT OF
vs	X	BALDWIN COUNTY, ALABAMA
GRADY JACKSON ROBINSON	X	
Defendant	X	

-1-

The plaintiff, Mae Brunson, claims of the defendant, Grady Jackson Robinson, the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) as damages for that on to-wit, September 22, 1962, at approximately 1:00 A.M. plaintiff was a passenger in an automobile traveling East on U. S Highway numbered 31, a public highway in Baldwin County, Alabama, at its intersection with U. S. Highway number 90 in the Community of Spanish Fort, also known as Bridgehead.

Your said plaintiff was a passenger in said automobile traveling East at said intersection and defendant's car was traveling North on U. S. Highway 90, but that said defendant negligently, while operating his said automobile ran his said automobile into, over or against the automobile in which the plaintiff was a passenger; and plaintiff avers that as a proximate consequence thereof she was severely injured about her body and about her arms and legs suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of said negligence.

And further that plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses, all of which were incurred as a proximate consequence of the said negligence of said defendant.

And further that the said plaintiff was regularly employed and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitalization and will continue to lose income because of said injury.

And plaintiff further avers that all of her said injuries and damages were caused as a proximate consequence of the negligence of the defendant in this: that said defendant negligently operated his motor

vehicle causing same to run into, over or against the car in which said plaintiff was a passenger as aforesaid.

-2-

The plaintiff, Mae Brunson, claims of the defendant, Grady Jackson Robinson, the sum of Nine Thousand Seven Hundred Dollars (\$9,700.00) as damages for that on to-wit, September 22, 1962, at approximately 1:00 A.M. plaintiff was a passenger in an automobile traveling East on U. S. Highway numbered 31, a public highway in Baldwin County, Alabama, at its intersection with U. S. Highway number 90 in the Community of Spanish Fort, also known as Bridgehead.

Your said plaintiff was a passenger in said automobile traveling East at said intersection and defendant's car was traveling North on U. S. Highway 90, but that said defendant so wilfully and wantonly operated his said automobile so as to cause same to run into, over or against the automobile in which the plaintiff was a passenger; and plaintiff avers that as a proximate consequence thereof, she was severely injured about her body and about her arms and legs, suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of the wilfulness and wantonness of said defendant.

And further that plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses all of which were incurred as a proximate result and consequence of the wilfulness and wantonness of the said defendant.

And further that the said plaintiff was regularly employed and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitalization and will continue to lose income because of said injury.

And plaintiff further avers that all of her said injuries and damages were proximately caused by the wilfulness and wantonness of said

defendant and by the wilful and wanton operation of said motor vehicle
at the time and place and on the occasion aforesaid.

THOMPSON & WHITE

BY:


Attorneys for plaintiff

MAE BRUNSON	X	
Plaintiff	X	IN THE CIRCUIT COURT OF
vs	X	BALDWIN COUNTY, ALABAMA
GRADY JACKSON ROBINSON	X	<i>NO. 5401</i>
Defendant	X	

-1-

The plaintiff, Mae Brunson, claims of the defendant, Grady Jackson Robinson, the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) as damages for that on to-wit, September 22, 1962, at approximately 1:00 A.M. plaintiff was a passenger in an automobile traveling East on U. S. Highway numbered 31, a public highway in Baldwin County, Alabama, at its intersection with U. S. Highway number 90 in the Community of Spanish Fort, also known as Bridgehead.

Your said plaintiff was a passenger in said automobile traveling East at said intersection and defendant's car was traveling North on U. S. Highway 90, but that said defendant negligently, while operating his said automobile ran a stop sign at the intersection of said highways running his said automobile into, over or against the automobile in which the plaintiff was a passenger; and plaintiff avers that as a proximate consequence thereof she was severely injured about her body and about her arms and legs suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of said negligence.

And further that plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses, all of which were incurred as a proximate consequence of the said negligence of said defendant.

And further that the said plaintiff was regularly employed and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitali-

zation and will continue to lose income because of said injury.

And plaintiff further avers that all of her said injuries and damages were caused as a proximate consequence of the negligence of the defendant in this: that said defendant negligently operated his motor vehicle causing same to run a stop sign and run into, over or against the car in which said plaintiff was a passenger as aforesaid.

-2-

The plaintiff, Mae Brunson, claims of the defendant, Grady Jackson Robinson, the sum of Nine Thousand Seven Hundred Dollars (\$9,700.00) as damages for that on to-wit, September 22, 1962, at approximately 1:00 A.M. plaintiff was a passenger in an automobile traveling East on U. S. Highway numbered 31, a public highway in Baldwin County, Alabama, at its intersection with U. S. Highway number 90 in the Community of Spanish Fort, also known as Bridgehead.

Your said plaintiff was a passenger in said automobile traveling East at said intersection and defendant's car was traveling North on U. S. Highway 90, but that said defendant so wilfully and wantonly operated his said automobile so as to cause same to run a stop sign at the intersection of said highways running his said automobile into, over or against the automobile in which the plaintiff was a passenger; and plaintiff avers that as a proximate consequence thereof, she was severely injured about her body and about her arms and legs, suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of the wilfulness and wantonness of said defendant.

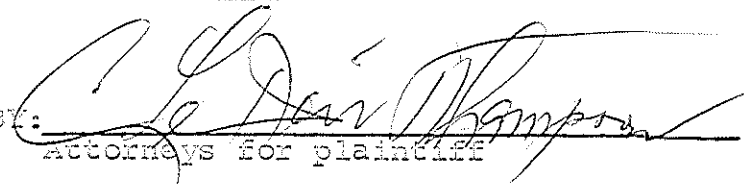
And further that plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses all of which were incurred as a proximate consequence of the wilfulness and wantonness of the said defendant.

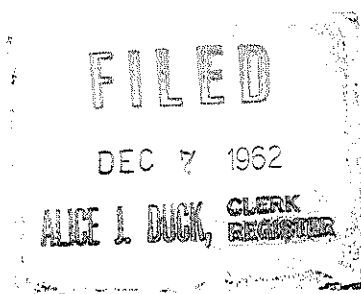
And further that the said plaintiff was regularly employed

and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitalization and will continue to lose income because of said injury.

And plaintiff further avers that all of her said injuries and damages were proximately caused by the wilfulness and wantonness of said defendant and by the wilful and wanton operation of said motor vehicle at the time and place and on the occasion aforesaid.

THOMPSON & WHITE

By: 
Attorneys for plaintiff



SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY }

CIRCUIT COURT, BALDWIN COUNTY

No.

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Grady Jackson Robinson

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in

the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

Grady Jackson Robinson _____, Defendant....

by Mae Brunson _____

_____, Plaintiff....

Witness my hand this 7 day of Dec 1962

Edw. J. - 12-10-62 Alison J. - 12-10-62, Clerk

No. 5401

Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

MAE BRUNSON

Plaintiffs

vs.

GRADY JACKSON ROBINSON

Defendants

SUMMONS and COMPLAINT

FILED

Filed

DEC 17 1962

19

ALICE J. DUCK

CLERK
REGISTERED

Clerk

Plaintiff's Attorney

Defendant's Attorney

2354

RECEIVED IN OFFICE

DEC 18 1962

Defendant lives at
HT-8 MT 320 ALE, Ellison Field
Pensacola, Florida, Sheriff

RECEIVED IN OFFICE

12/17, 1962

Sheriff

I have executed this summons

this _____, 19 _____
by leaving a copy with

Executed by serving _____ 3 copies of
the within on Betty's friend
_____ of State of The State of
Alabama.

This _____ day of _____ 1962

Sheriff of Montgomery County

M. S. Butler,

By _____ D. S.

The Sheriff claims _____

_____ for a total

_____ 10

Montgomery County, Ala.

Sheriff

Deputy Sheriff

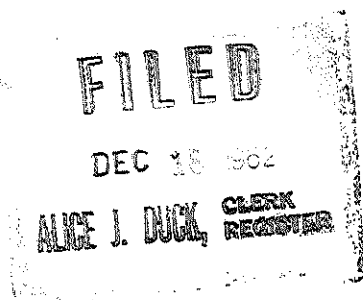
MAE BRUNSON)	IN THE CIRCUIT COURT OF
Plaintiff)	BALDWIN COUNTY, ALABAMA
vs)	
GRADY JACKSON ROBINSON)	Case No <u>5401</u>
Defendant)	

Comes now the defendant in the above entitled cause, and demurs to the plaintiff's complaint, and to each count thereof, and as grounds for said demurrer sets down and assigns the following, separately and severally:

1. Said count fails to allege the violation of any duty owed by the defendant to the plaintiff.
2. Said count fails to allege facts showing the violation of any duty owed by the defendant to the plaintiff.
3. For aught that appears from said count, the accident did not occur on a public street.
4. For aught that appears from said count, the plaintiff was not at a place where she had a legal right to be at the time and place complained of.
5. For aught that appears from said count, the injuries and damages suffered by the plaintiff were not the proximate result of any act or failure to act on the part of the defendant.
6. For that said count fails to allege any casual connection between the alleged negligence of this defendant and the alleged damages of the plaintiff.

LYONS, PIPES AND COOK
Attorneys for the Defendant

By 



MAE BRUNSON,
Plaintiff,

-vs-

GRADY JACKSON ROBINSON,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

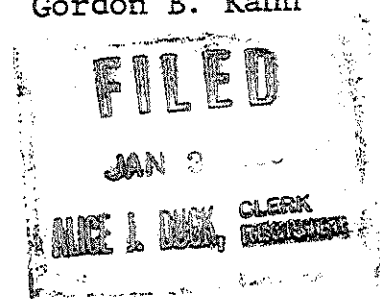
CASE NO. 5401

Comes now the Defendant in the above-entitled cause and amends the Demurrers to the Plaintiff's complaint and to each count thereof, separately and severally, by adding the following grounds of demurrer, separately and severally:

7. For that said count attempts to allege the quomodo of the negligence but fails to set forth facts which in and of themselves constitute negligence.
8. For that said count attempts to allege the quo modo of the negligence but fails to set forth facts which in and of themselves constitute negligence as a matter of law.
9. For that the willful and wanton act alleged in said count characterizes the act and not the injury.
10. For that said count attempts to allege the quo modo of the wantonness and willfullness, but fails to allege facts showing willfullness or wantonness on the part of the defendant.
11. For that the allegation of willfullness and wantonness is the conclusion of the pleader without any facts in support thereof.
12. For aught that appears from said count the plaintiff was not willfully and wantonny injured.

LYONS, PIPES AND COOK
Attorneys for the Defendant

By: Gordon B. Kahn
Gordon B. Kahn



MAE BRUNSON,	⌋	IN THE CIRCUIT COURT OF
Plaintiff,		BALDWIN COUNTY, ALABAMA
	⌋	
-vs-		AT LAW
GRADY JACKSON ROBINSON,	⌋	CASE NO. 5401.
Defendant.	⌋	

Comes now Grady Jackson Robinson, by and through Gordon B. Kahn, one of his attorneys of record in the above entitled cause and shows unto this Honorable Court as follows:

1. That heretofore and on to-wit the 7th day of December, 1962 the plaintiff in the above-entitled cause filed an action for personal injuries allegedly arising out of an automobile accident which occurred on to-wit the 22nd day of September, 1962, and that the plaintiff claims in said action that:

"As a proximate consequence thereof she was severely injured about her body and her arms and legs suffering bruises and contusions and made sick and sore and she was injured internally which internal injuries included injuries and bruises to her female organs causing hemorrhages and pain and suffering, because of which she was hospitalized for more than a week immediately after the accident and said plaintiff has been hospitalized further since that occasion, all as a proximate consequence of said negligence. And further the plaintiff was caused to spend large sums of money for hospital, doctor and medical bills and for help in the performance of her necessary household duties and will incur additional bills for all such costs and expenses, all of which were incurred as a proximate consequence of the said negligence of said defendant. And further that the said plaintiff was regularly employed and earning a substantial salary at the time of said injury and that she has lost income from her salary because of said hospitalization and will continue to lose income because of said injury."

And that said action claims damages in the sum of Eight Thousand Five Hundred (\$8,500.00) Dollars.

2. That said action is set for trial in this Honorable Court on the 13th day of February, 1963 at 9:30 A.M. That heretofore and on to-wit the 18th day of December, 1962, the defendant herein did file demurrers to the complaint of the plaintiff and that no action has been taken on said demurrers as it was anticipated between the

attorneys for both plaintiff and the defendant that there was a possibility of a settlement.

3. That on to-wit the 14th day of January, 1963, the attorney for the plaintiff was written by one of the attorneys for the defendant said letter stated:

"It has been approximately three weeks since we last discussed the above-mentioned matter with you. At that time it was our understanding that Mrs. Brunson was in the process of undergoing additional medical treatment and a possible operation. If the treatment is completed, we would appreciate being advised as to Mrs. Brunson's condition. We would like to discuss disposition of both claims and if we are unable to agree, would like to discuss disposition of both claims and if we are unable to agree, would like to make arrangements for taking the depositions of your clients.

Kindly let us hear from you at your earliest convenience."

On to-wit the 15th day of January, 1963, the attorney for the plaintiff replied to the aforesaid letter by stating :

"In reply to your letter of the 14th, the delay in furnishing you any further offer of a settlement in the above cases was caused by a delay in the admission of Mrs. Brunson to the hospital.

It is my information she entered on the 9th instead of on the 2nd as originally determined.

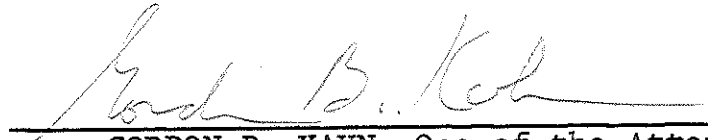
I am expecting a statement of her condition in the next few days and will keep you advised.

I shall of course, expect a discussion of both claims with the possibility of settlement before any further action would be taken by either of us."

That on to-wit the 25th day of January, 1963 the attorneys for the defendant received a copy of the trial docket of the Circuit Court of Baldwin County, Alabama for the month of February and noted that the above-mentioned action is set for trial on Wednesday, February 13th. The attorney for the plaintiff and Mr. Walter M. Cook, one of the attorneys for the defendant had a telephone discussion on the 25th day of January, 1963 concerning the above-mentioned action and no agreement was able to be made as to disposition of the cases or having them continued in order to permit the defendant sufficient time to take necessary depositions in order to adequately prepare the case for trial. That due to the inability to take depositions, the defendant is unadvised as to all of the damages claimed by the plaintiff and the extent thereof, the defendant

has been unable to examine the medical records of the doctors who have treated the plaintiff and that said information is necessary to the defense of the defendant in the trial of this case and the defendant expects to prove by the testimony of the doctors who treated the plaintiff the following facts, among others, which are material to the establishment of the defense of this suit, that the damages of which the plaintiff complains were not proximately caused as a result of this accident, that the testimony of the doctors who have treated the plaintiff is material and competent, that there is the probability that the testimony and the documents concerning the plaintiff's treatment can be obtained at a future time to which it is asked that the trial be continued; that due diligence has been exercised by the defendant to secure the testimony and evidence of the doctors; that the expected evidence is credible and as such will probably effect the result of the case; that the evidence is not merely cumulative or impeaching; that the defendant has not had sufficient opportunity under the circumstances to assemble and study the medical evidence, nor to be in a position at this time to offer and tender the said medical evidence in legally sufficient form and manner to be admissible upon a trial; that timely efforts were made to procure the testimony and evidence; that this continuance is not sought for delay merely but is sought that justice may be done.

WHEREFORE the premises considered this Defendant prays that this Honorable Court will postpone and continue the trial of this cause which is presently set for February 13th, 1963.


 GORDON B. KAHN, One of the Attorneys
 for Grady Jackson Robinson,
 Defendant.

STATE OF ALABAMA

BALDWIN
 COUNTY OF MOBILE

Before me, the undersigned Notary Public, in and for said County and State, personally appeared Gordon B. Kahn, who being by me first duly sworn deposes and says, that he is informed and

believes, and on such information and belief avers that the facts
stated therein are true.

Gordon B. Kahn

Gordon B. Kahn

Subscribed and sworn to before me this 4 day of *February*
1963.

Louise S. Dunsen
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA
State at Large

FILED
FEB 4 1963
**ALICE J. RICK, CLERK
REGISTER**