

FAIRHOPE ICE AND CREAMERY  
COMPANY, INC., a corporation,

Plaintiff

vs.

CAUSEWAY HOWARD JOHNSON'S,  
INC., a corporation,

Defendant

IN THE CIRCUIT COURT  
OF BALDWIN COUNTY,  
ALABAMA  
AT LAW  
CASE NO. 4952

MOTION TO QUASH SERVICE

Specially appears Causeway Howard Johnson's, Inc., a corporation, for the special purpose of quashing the service of process heretofore attempted upon the law firm of Hamilton, Denniston, Butler & Riddick and Miller A. Widemire, attorneys, and not submitting to the general jurisdiction of this Honorable Court, moves the Court to quash the service of process heretofore attempted to be served in this cause, on the grounds that their attorneys are not authorized to accept service of summons and complaint.

HAMILTON, DENNISTON, BUTLER & RIDDICK

By Miller A. Widemire  
Attorneys appearing, specially and not generally, for the purpose of the within motion and no other purpose and not submitting to the general jurisdiction of this Honorable Court.

CERTIFICATE OF SERVICE

I, Miller A. Widemire, one of the attorneys of record for the Defendant in the above styled cause, do hereby certify that I served a copy of the foregoing Motion To Quash Service on the Honorable John V. Duck, Attorney for Plaintiff Fairhope Ice & Creamery Company, Inc., by United States mail, postage prepaid, addressed to his offices at 386 Fairhope Avenue, Fairhope, Alabama, on this 14th day of February, 1962.

Miller A. Widemire  
Miller A. Widemire



FAIRHOPE ICE AND CREAMERY COMPANY, INC., )	) IN THE CIRCUIT COURT OF
A CORPORATION,	) BALDWIN COUNTY, ALABAMA
	)
Plaintiff	) AT LAW.
	)
-VS-	)
	)
CAUSEWAY HOWARD JOHNSON'S INC.,	)
A CORPORATION,	)
	)
Defendant	)

COUNT ONE

Plaintiff claims of the Defendant the sum of ONE THOUSAND TWELVE and 35/100 (\$1,012.35) DOLLARS, due from it by account from on to-wit, the 1<sup>st</sup> day of March, 1961, until on to-wit, the 19th day of September, 1961, which sum of money with the interest thereon is still unpaid.

COUNT TWO

Plaintiff claims of the Defendant the sum of ONE THOUSAND TWELVE and 35/100 (\$1,012.35) DOLLARS, for merchandise, goods and chattles sold by the Plaintiff to the Defendant from on to-wit, the 1<sup>st</sup> day of March, 1961, until on to-wit, the 19th day of September, 1961, which sum of money with the interest thereon is still unpaid.

COUNT THREE

Plaintiff claims of the Defendant the sum of ONE THOUSAND TWELVE and 35/100 (\$1,012.35) DOLLARS, on account stated between Plaintiff and Defendant on the 19th day of September, 1961, which sum of money with the interest thereon is still unpaid.

John J. Duck  
Attorney for Plaintiff

Defendant may be served at  
Hoeard Johnson's, Mobile Bay  
Causeway, Star Route, Daphne,  
Alabama.....

FILED  
NOV 21 1961  
ALICE L. DUCK, CLERK  
REGISTER

SUMMONS AND COMPLAINT

Baldwin Times

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 Causeway Howard Johnson's Inc, a corp

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 \_\_\_\_\_

Causeway Howard Johnson's Inc., a corp \_\_\_\_\_, Defendant.

by Fairhope Ice and Creamery Company, Inc. a corp \_\_\_\_\_

\_\_\_\_\_, Plaintiff

Witness my hand this 21 day of November 19 61

*Deirdre J. Duncanson* Clerk

No. 28 4952

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**THE STATE OF ALABAMA**  
BALDWIN COUNTY

**CIRCUIT COURT**

FAIRHOPE ICE and CREAMERY COMPANY

Inc. a corp

Plaintiffs

vs.

CAUSEWAY HOWARD JOHNSON'S, INC

a corp

Defendants

**SUMMONS and COMPLAINT**

Filed 11-21-61, 19\_\_\_\_

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at \_\_\_\_\_

RECEIVED IN OFFICE

11/21, 1961

Sheriff

I have executed this summons

this  
by le

Returned  
Not for  
Inquiry.

Received 5 Day of Jan 1962  
and on 8 Day of Jan 1962  
I served a Copy of the within Summons Complaint  
on Hamilton, Summers, Butler  
& Reddy  
by service on Mullen a Woodman  
Attorney  
R. D. BRIDGES, Sheriff  
By R. D. Bridges