

R. AND M. KAUFMANN, Inc., A
Corporation,

Plaintiff,

Vs

EDMUND R. CIMINO, INDIVIDUALLY
and EDMUND R. CIMINO, d/b/a
TOWN & COUNTRY SHOPS,

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW.

Case No. 4972

DEMURRER

Comes now the Defendants in above styled cause, and for answer to the Complaint heretofore filed in this cause, and to each and every count thereof, separately and severally, say as follows:

1. The allegations of the Complaint fail to state a cause of action.
2. The allegations of the Complaint are mere conclusions of the pleader.
3. The allegations of Count 1 of the Complaint fail to state a cause of action.
4. The Allegations of Count 2 of the Complaint fail to state a cause of action.

Defendant demands a trial
by jury in this cause.

Kenneth Cooper
Attorney for Defendant

Kenneth Cooper
Attorney for Defendants

Attorney of Record for Plaintiff
Phyllis S. Nesbit
Attorney at Law
Robertsdale, Alabama

FILED

JAN 4 1962

ALICE J. DUCK, CLERK
REGISTER

Harry

R & M KAUFMANN INC., a Corp.

Plaintiff,

 V_S

EDMUND R. CIMINO, Individually and Edmund R. Cimino, d/b/a Town & Country Shops,

Defendant.

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In The Circuit Court of

Baldwin County, Alabama

At Law.

DEMURRER

FILED

JAN 4 1962

CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Edmund R. Cimino, to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, by R. & M. Kaufmann, Inc., a Corporation.

Witness my hand this the 14 day of Dec, 1961.

Alice J. Duck
Alice J. Duck, Clerk

R. & M. KAUFMANN, INC.
a Corporation

Plaintiff

VS

EDMUND R. CIMINO, individually
and EDMUND R. CIMINO d/b/a
TOWN AND COUNTRY SHOPS

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4972

1.

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED DOLLARS (\$400.00), due from him by account on the 17th day of July, 1961, which sum of money with the interest thereon, is still unpaid.

2.

The Plaintiff claims of the Defendant the sum of FOUR HUNDRED DOLLARS (\$400.00), due from him by account on, to-wit, July 17, 1961, which sum of money with the interest thereon is still unpaid.

An itemized statement of the account sued on, verified by the affidavit of a competent witness, is attached hereto as Exhibit "A" and made a part hereof.

WILTERS, BRANTLEY & NESBIT

BY: Phyllis L. Nesbit
Attorneys for the Plaintiff

FILED

DEC 14 1961

ALICE J. DUCK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

NO. _____

R. & M. KAUFMANN, INC.
A Corporation

Plaintiff

VS

EDMUND R. CIMINO, individually
and EDMUND R. CIMINO d/b/a
TOWN AND COUNTRY SHOPS

Defendant

WILTERS, BRANTLEY & NESBIT
Attorneys at Law
Robertsdale, Alabama

vicky vaughn
JUNIORNEW YORK SHOWROOM
1457 BROADWAY
NEW YORK, NEW YORK**R. & M. Kaufmann, Inc.**
41 HOLBROOK STREET AURORA, ILLINOIS**TONI TODD**CHICAGO SHOWROOM
318 W. ADAMS ST.
CHICAGO, ILLINOISSOLD
TOTOWN AND COUNTRY SHOPS
P O BOX 1124
FAIRHOPE ALASHIP
TO

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87300

CUSTOMER NO.

DATE

1 11 61
MO DAY YR

1946

INVOICE NO.

* * (DENOTES
NET BILL)

YOUR ORDER NO.	DEPT.	SHIPPED VIA	OUR ORDER NO.	SALESMAN	TERMS-F.O.B. FACTORY
		EXPRESS	18055	16 1	% 10 DAYS E.O.M.-NET 30
STYLE NO.	DOZENS	DESCRIPTION	DOZEN PRICE	AMOUNT	
1804 H	4/12		81.00	27.00	
1702	2/12		81.00	13.50	
1703	4/12		81.00	27.00	
6081 H	3/12		81.00	20.25	
5082	4/12		69.00	23.00	
6045	4/12		81.00	27.00	
5075 H	4/12		69.00	23.00	
5029	4/12		69.00	23.00	
1750	3/12		105.00	26.25	
7012	4/12		93.00	31.00	
6079	4/12		81.00	27.00	
6023	4/12		81.00	27.00	
6032	4/12		81.00	27.00	
1854	4/12		81.00	27.00	
1759	4/12		69.00	23.00	
5024	4/12		69.00	23.00	
1760	3/12		81.00	20.25	
1882 H	4/12		69.00	23.00	
1802	3/12		81.00	20.25	
			INVOICE TOTAL	\$	
			NO ANTICIPATION ALLOWED		

ALL CLAIMS MUST BE MADE WITHIN 5 DAYS AFTER RECEIPT OF GOODS.

RETURNS NOT AUTHORIZED BY FACTORY WILL NOT BE ACCEPTED

SHIPMENTS MADE PRIOR TO THE 25th DUE 10th OF FOLLOWING MONTH.

CONTINUING GUARANTY UNDER THE FLAMMABLE FABRICS ACT WITH THE FEDERAL TRADE COMMISSION.

ACCOUNTING DEPT.

vicky vaughn
JUNIOR

NEW YORK SHOWROOM
1407 BROADWAY
NEW YORK, NEW YORK

R. & M. Kaufmann, Inc.
41 HOLBROOK STREET AURORA, ILLINOIS

FORM 1

CHICAGO SHOWROOM
318 W. ABRAHAM ST.
CHICAGO, ILLINOIS

SENT
TO

TOWN & COUNTRY SHOPS
P O BOX 1124
FAIRMORE ALA

CUSTOMER NO.

DATE		
MO.	DAY	YR.

INVOICE NO.

YOUR ORDER NO	DEPT	SHIPPED VIA	OUR ORDER NO	SALESMAN	TERMS-F.O.B. FACTORY
					% 10 DAYS E.O.M.-NET 30
STYLE NO	DOZENS	DESCRIPTION	DOZEN PRICE	AMOUNT	
1806	4/12		\$1.00	27.00	
1801 H	4/12		\$1.00	27.00	
1802 H	3/12		\$1.00	20.25	
1805	3/12		\$1.00	20.25	
1803	3/12		\$1.00	20.25	
				579.25*	
			INVOICE TOTAL → \$		579.25*
			NO ANTICIPATION ALLOWED		

ALL CLAIMS MUST BE MADE WITHIN 5 DAYS AFTER RECEIPT OF GOODS.

RETURNS NOT AUTHORIZED BY FACTORY WILL NOT BE ACCEPTED.

SHIPMENTS MADE PRIOR TO THE 25TH DUE 10TH OF FOLLOWING MONTH.

CONTINUING GUARANTY UNDER THE FLAMMABLE FABRICS ACT FILED WITH THE FEDERAL TRADE COMMISSION.

ACCOUNTING DEPT.

STATE OF Illinois

COUNTY OF Kane

Before me, Evelyn Schneider, a Notary Public, in
and for said County and State, personally appeared Albert D. McCoy,
who being by me duly sworn, deposes and says, that he is Credit
Manager for the firm of R&M Kaufmann, Inc.;
that the annexed statement of the account of said firm against
Town & Country Shops of Fairhope, Alabama, in the State
, is just, true and correct; that there is now due
on said account the sum of \$ 400.00, after deducting all credits,
set-offs or counter-claims.

Albert D. McCoy

Sworn to and subscribed before me this 30th day of November,

1961.

Evelyn Schneider
Notary Public,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4972

R. & M. KAUFMANN, INC.
A Corporation

Plaintiff

VS

EDMUND R. CIMINO, individually
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TOWN AND COUNTRY SHOPS

Defendant

FILED

DEC 14 1961

ALICE J. DUCK, CLERK
REGISTER

WILTERS, BRANTLEY & NESBIT
Attorneys at Law
Robertsdale, Alabama

By service on _____

Received 14 day of Dec 1961
and on 15 day of Dec 1961
I served copy of the within
on Edmund R. Cimino

TAYLOR WALKINS, Sheriff
By W. L. Roberts S.

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