

RADIO CORPORATION OF AMERICA, ) IN THE CIRCUIT COURT OF  
a corporation,

Plaintiff

BALDWIN COUNTY,

ALABAMA

VS:

CRAFT COMPANY, INCORPORATED, ) AT LAW  
a corporation,

Defendant

CASE NO. 6097

COUNT ONE

Plaintiff claims of the defendant the sum of \$2,890.06,  
due from it by account on, to-wit, December 31, 1961, which  
sum of money with the interest thereon, is still unpaid.  
This suit is filed on an itemized, verified account,  
which will be offered in evidence at trial.

COUNT TWO

Plaintiff claims of the defendant the sum of \$2,890.06,  
due from it by account on, to-wit, December 31, 1961, which  
sum of money with the interest thereon, is still unpaid.

COUNT THREE

Plaintiff claims of the defendant the sum of \$2,890.06,  
due from it by account stated between plaintiff and defendant  
on, to-wit, December 31, 1961, which sum of money with  
the interest thereon, is still due and unpaid.

GIBBONS & STOKES

BY: E. Graham Gibbons  
E. GRAHAM GIBBONS

Serve the defendant at Daphne, Alabama.

**FILED**

25-64

**FILED** **CLERK**

IMPORTANT: Read over slowly. Fill out very carefully. Attach itemized statement in triplicate showing each debit and credit supported by triplicate invoices of each debit. Do not strike out, change or add to except where indicated.

STATE OF NEW JERSEY

COUNTY OF CAMDEN

Before me, the undersigned authority, on this day personally appeared F. H. Bohlen, known to me, who being duly sworn, upon oath deposes and says that he is Authorized Agent and duly authorized agent of

(Position held)

Radio Corporation of America

(Trade name or name of company)

A corporation duly incorporated and existing under the laws of the State of Delaware a partnership consisting of

Owned and operated by \_\_\_\_\_, a sole trader, residing in the County of Montgomery, State of Pennsylvania, and that as such he makes this affidavit: that he is familiar with the books of said corporation, partnership or sole

trader; that the attached account against Craft Company, Inc., constituting this cause of action, is taken from original books of entry, and is just and true within the knowledge of this affiant; that all just and lawful offsets, payments and credits have been allowed and that the sum of Two Thousand Eight Hundred Ninety and 06/100 - - - - - Dollars (\$ 2890.06), with interest thereon at the legal rate from the 1st day of January next following the date or dates thereof is due, owing and unpaid.

(Affiant)

Subscribed and sworn to before me this 29th day of April A. D. 1964

(SEAL)

Josephine M. Chambers  
Notary Public in and for the County and State first hereinbefore written.

My commission expires Dec. 3, 1968 A. D. 1968

JOSEPHINE M. CHAMBERS

Notary must PRINT name hereon  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Dec. 3, 1968

STATEMENT OF ACCOUNT

Craft Company, Inc.  
Daphne, Ala.

Lease Billings - 2/1/61 thru 12/31/61 @ \$105.33	\$1,158.63
Termination Charges	737.31
Tower Charge	936.00
State Tax	58.12
	<hr/>
Total	\$2,890.06

CRAFT COMPANY INC.

STATEMENT OF ACCOUNT

ARREARS:

CL 99631N & S-1

2/1/1 - 12/1/1

11 at 105.33

\$1158.63

SUMMONS AND COMPLAINT

Moore Ptg. 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 \_\_\_\_\_ Craft Company, Incorporated, ~~xxx~~ 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 \_\_\_\_\_

~~Craft Company, Incorporated, ~~xxx~~ a corp~~ \_\_\_\_\_, Defendant \_\_\_\_\_

by Radio Corporation of America, a corp \_\_\_\_\_

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

Witness my hand this \_\_\_\_\_ 25 \_\_\_\_\_ day of \_\_\_\_\_ June \_\_\_\_\_ 19 64

\_\_\_\_\_  
Alice J. Duck, Clerk

No. 6097-----

Page.-----

The State of Alabama

Baldwin County

CIRCUIT COURT

RADIO CORPORATION OF AMERICA

~~CRAFT COMPANY, INCORPORATED~~

a corp

Plaintiffs

vs.

CRAFT COMPANY, INCORPORATED

a corp

Defendants

Summons and Complaint

Filed 6-25 19 64

Alice J. Duck Clerk

Gibbons & Stokes

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

6/30 19 64

Taylor Wilkins Sheriff

I have executed this summons

this 7-8 19 64

by leaving a copy with

Ann B. Craft

Sheriff claims 54 miles at

Ten Cents per mile Total \$ 5.40

TAYLOR WILKINS, Sheriff

BY Deputy DEPUTY SHERIFF

Taylor Wilkins Sheriff

Leah S. Wilkins Deputy Sheriff

Daphne

RADIO CORPORATION OF AMERICA,  
a corporation,

Plaintiff,

vs.

CRAFT COMPANY, INCORPORATED,  
a corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6097

DEMURRER:

Comes now the Defendant, in above styled cause and files this  
its demurrer to the complaint heretofore filed in this cause on  
the 25th day of June, 1964, and to each and every count thereof,  
separately and severally, and says:

1. The complaint does not state a cause of action.
2. The complaint is vague.
3. The complaint is uncertain.
4. The complaint fails to allege for what the alleged account  
is due.
5. The complaint does not allege that the plaintiff is  
authorized to do business in the State of Alabama.

*Kenneth Cooper*  
Attorney For Defendant

The Defendant respectfully  
demands a trial by jury  
in this cause.

*Kenneth Cooper*  
Attorney of Record for Plaintiff:

Hon. Graham Gibbons  
Attorney At Law  
Mobile, Alabama

FILED

JUL 24 1964

ALICE J. WICK, CLERK  
REGISTER

RADIO CORPORATION OF AMERICA,  
A Corporation,

Plaintiff,

VS:

CRAFT COMPANY, INCORPORATED,  
A Corporation,

Defendant.

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY,  
) ALABAMA  
) AT LAW  
)  
) CASE NO. 6097

OBJECTIONS TO PLEA IN SHORT BY CONSENT

Comes now the plaintiff in the above captioned matter and makes objection to defendant's plea in short by consent heretofore filed, and moves this honorable court to strike the same as prolix.

GIBBONS & STOKES

E. Graham Gibbons  
E. Graham Gibbons,  
Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I certify that on this 16 day of December  
1964 a copy of the foregoing pleading has been  
served upon counsel for all parties to this  
proceeding by mailing the same by registered first class  
U. S. mail, properly addressed and postage prepaid.

E. Graham Gibbons  
ATTORNEY FOR

FILED

12-17-64

AUDIE L. DICK, CLERK  
REGISTER



RADIO CORPORATION OF AMERICA,  
A Corporation,

Plaintiff,

VS:

CRAFT COMPANY, INCORPORATED,  
A Corporation,

Defendant.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY,

) ALABAMA

) AT LAW

) CASE NO. 6097

OBJECTIONS TO PLEA IN SHORT BY CONSENT

Comes now the plaintiff in the above captioned matter and makes objection to defendant's plea in short by consent heretofore filed, and moves this honorable court to strike the same as prolix.

GIBBONS & STOKES

E. Graham Gibbons  
E. Graham Gibbons,  
Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I certify that on this 16 day of Dec 1969 a copy of the foregoing served upon counsel for all adverse proceeding by mailing the same to U. S. mail, properly addressed and

E. Graham Gibbons  
ATTORNEY FOR

RADIO CORPORATION OF AMERICA,  
A Corporation,

Plaintiff,

vs

CRAFT COMPANY, INCORPORATED,  
A Corporation,

Defendant.

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA

) AT LAW

) CASE NO. 6097

PLEA IN SHORT BY CONSENT

Comes now the defendant, Craft Company, Incorporated, A Corporation, and without waiving the demurrers heretofore filed in this cause and insisting on such demurrers, and for answer to the complaint in this cause, and to each and every count thereof, separately and severally, pleads in short by consent, the general issue, with leave to give in evidence matters which if well pleaded would be admissible in defense of the action, to have effect as if so pleaded, and with leave to the plaintiff to give in evidence any matter which if well pleaded would be admissible in replying to such defensive matter, and to have effect as if so pleaded.

  
Attorney For Defendant

Attorney of Record For Plaintiff:

Hon E. Graham Gibbons

P. O. Box 293

Mobile, Alabama

FILED

DEC 2 1964

ALICE J. DIXON, CLERK  
REGISTER

RADIO CORPORATION OF AMERICA, Ø  
A Corporation, Ø

Plaintiff, Ø

vs. Ø

CRAFT COMPANY, INCORPORATED, Ø  
A Corporation, Ø

Defendant. Ø

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW


CASE NO. 6097

ANSWER

1. Comes now the Defendant in above styled cause, by his attorney, and for answer to the Allegation of the Complaint is untrue.

2. Comes the Defendant in above styled cause, and for further answer to the Complaint heretofore filed in this cause avers and alleges that he entered into a written or oral agreement with the Plaintiff, through the Plaintiff's agent or agents, servant or servants, or employee or employees, whereby it was agreed that certain communication equipment would perform certain services for the Plaintiff but that such communications equipment did not perform nor transmit in the manner represented that it would do, and that your defendant makes this known unto the plaintiff, its agents, servants or employees of such failures, but that nothing was ever done to correct these deficiencies.

3. General issue.

  
Attorney for Defendant

Attorney of Record For Plaintiff:

Hon E. Graham Gibbons

Attorney at Law  
P. O. Box 293  
Mobile, Alabama

FILED

APR 19 1936

WEE J. DUCK, CLERK  
REGISTER

RADIO CORPORATION OF AMERICA,	)	IN THE CIRCUIT COURT OF
a corporation,	)	
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	
	)	AT LAW
VS.	)	
	)	
CRAFT COMPANY, INCORPORATED,	)	
a corporation,	)	
	)	
Defendant.	)	CASE NO. 6097

DEMURRERS

Comes now the Plaintiff and demurs separately and severally to the answer heretofore filed by the Defendant in the above captioned matter and as grounds therefor says as follows, separately and severally:

1. For that said plea is so vague, indefinite and uncertain that the Plaintiff is not apprised of any defense presented by the Defendant.
2. For that said plea is not a defense to the complaint heretofor filed.
3. For that said plea is so ambiguous that the Plaintiff is not apprised of the defenses attempted to be presented by the Defendant.
4. For that said plea attempts to set up breach of contract, negligent breach of contract and breach of warranty all in the same plea.
5. For that said defense is so vague, indefinite and uncertain that the Plaintiff is not aware of whether the Defendant is presenting a defense to a written contract or an oral contract or both.
6. For that said plea is an accumulation of general ascertions without specifically delineating or defining the defense attempting to be presented by the defendant.

7. For that said plea is a mere conclusion of the pleader and presents no defense to Plaintiff's action.

GIBBONS & STOKES

E. Graham Gibbons  
E. GRAHAM GIBBONS

CERTIFICATE OF SERVICE

I certify that on this 26 day of May,  
1965 a copy of the foregoing pleading has been  
served upon counsel for all adverse parties to this  
proceeding by mailing the same to each by first class  
U. S. mail, properly addressed and postage prepaid.

E. Graham Gibbons  
ATTORNEY FOR

FILED

JUN 21 1965

FILED IN 100-100000-100000  
RECEIVED

62

RADIO CORPORATION OF AMERICA,  
A Corporation,

Plaintiff,

Vs.

CRAFT COMPANY, INCORPORATED,  
A Corporation,

Defendant.

Y  
Y  
Y  
Y  
Y  
Y

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6097

SUGGESTION OF BANKRUPTCY

Comes now the Defendant in the above-styled cause and makes known unto this Honorable Court as follows, to-wit:

1. That there is pending in the Bankruptcy Court of United States Federal Court, Mobile, Alabama, a Petition For Bankruptcy filed by the Defendant in this cause.

2. That said bankruptcy proceedings is still on the active docket of the Bankruptcy Court in Mobile and no decision has been reached in that matter yet.

THE PREMISES CONSIDERED, the Defendant herein respectfully requests that the cause now pending on the Circuit Court docket of Baldwin County, Alabama, be continued generally until there is a final decision in the aforementioned bankruptcy proceedings now pending in the Federal Court, Mobile, Alabama.

*Kenneth G. Goss*  
ATTORNEY FOR DEFENDANT

ORDER

The aforementioned SUGGESTION OF BANKRUPTCY having been made known unto this Court, the said case is continued generally until there has been a final decision in the Bankruptcy Court in Mobile, Alabama.

Dated this 6<sup>th</sup> day of June, 1967.

*James A. Mass. Owen*  
CIRCUIT JUDGE,  
BALDWIN COUNTY, ALABAMA

JUN 6 1967

RADIO CORPORATION OF AMERICA,  
A Corporation,

Plaintiff,

Vs.

CRAFT COMPANY, INCORPORATED,  
A Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6097

SUGGESTION OF BANKRUPTCY

Comes now the Defendant in the above-styled cause and makes known unto this Honorable Court as follows, to-wit:

1. That there is pending in the Bankruptcy Court of United States Federal Court, Mobile, Alabama, a Petition For Bankruptcy filed by the Defendant in this cause.

2. That said bankruptcy proceedings is still on the active docket of the Bankruptcy Court in Mobile and no decision has been reached in that matter yet.

~~THE PREMISES CONSIDERED, the Defendant herein respectfully~~  
requests that the cause now pending on the Circuit Court docket of Baldwin County, Alabama, be continued generally until there is a final decision in the aforementioned bankruptcy proceedings now pending in the Federal Court, Mobile, Alabama.

*Kenneth Coon*  
ATTORNEY FOR DEFENDANT

ORDER

The aforementioned SUGGESTION OF BANKRUPTCY having been made known unto this Court, the said case is continued generally until there has been a final decision in the Bankruptcy Court in Mobile, Alabama.

Dated this 6<sup>th</sup> day of June, 1967.

*Jeffery J. Moore*  
CIRCUIT JUDGE,  
BALDWIN COUNTY, ALABAMA

JUN 6 1967

AUDIE J. NICK, CLERK  
REGISTER

RADIO CORPORATION OF AMERICA,	)	IN THE CIRCUIT COURT OF
a corporation,	)	
	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	
	)	AT LAW
VS.	)	
	)	
CRAFT COMPANY, INCORPORATED,	)	
a corporation,	)	
	)	
Defendant.	)	CASE NO. 6997

Comes now the Plaintiff in the above captioned matter and with leave of Court first had and obtained respectfully moves for a continuance in this cause and as reasons therefor says as follows:

1. For that said parties are not at issue.
2. For that the attorney for the Plaintiff is in the process of preparing a deposition by interrogatories for out of state witnesses intended to be called as witnesses for the Plaintiff and also is preparing a deposition by interrogatories of the Defendant.

GIBBONS & STOKES

E. Graham Gibbons  
E. GRAHAM GIBBONS  
Attorney for the Plaintiff

CERTIFICATE OF SERVICE

I certify that on this 26 day of May, 1965, a copy of the foregoing pleading has been served upon counsel for all adverse parties to this proceeding by mailing the same to each by first class U. S. mail, properly addressed and postage prepaid.

E. Graham Gibbons  
ATTORNEY FOR

FILED

MAY 27 1965

ALICE J. DUCK, CLERK  
REGISTER