

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT
OF ALABAMA, SOUTHERN DIVISION

ALEX LEWIS ADKISON, :
Plaintiff, :
-VS- : CIVIL ACTION
NETHERCUTT LABORATORIES, a : NO: 6217
Corporation and G. L. LIEBAERT, :
II, jointly and severally, :
Defendants. :

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

Honorable John V. Duck
Attorney at Law
319 Magnolia Street
Fairhope, Alabama

Please be advised that on the 5th day of November, 1964,
at Mobile, Alabama, the Defendants in the above entitled matter,
filed in the District Court of the United States for the Southern
District of Alabama, Southern Division thereof, a Petition to re-
move the above entitled cause to said District Court of the United
States from the Circuit Court of Baldwin County, Alabama. True
and correct copies of the Petition and bond filed in said cause
are attached hereto.

This notice is given you in accordance with the provisions of
Title 28, Section 1446(e), United States Code.

FOREMAN & BROWN
Attorneys for the Defendants

By: Alexander Foreman, Jr.
Alexander Foreman, Jr.

OF COUNSEL:

Foreman & Brown
417 First National Bank Building
Mobile, Alabama

FILED
NOV 12 1964
ALICE J. DUCK, CLERK
REGISTER

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DIVISION
OF ALABAMA, SOUTHERN DIVISION

ALEX LEWIS ADKISON, :
 :
Plaintiff, : CIVIL ACTION
 :
-VS- :
 :
NETHERCUTT LABORATORIES, a : NO: _____
Corporation and G. L. LIEBAERT, :
II, Jointly and Severally, :
 :
Defendants. :

PETITION FOR REMOVAL OF CAUSE TO FEDERAL COURT

Appearing specially for the purpose of filing this Petition, and without submitting to the jurisdiction of this Court to take any action other than acting upon this Petition, come now your Petitioners, G. L. Liebaert, II, and Nethercutt Laboratories, a partnership, but referred to in the caption of this cause and in the Complaint filed in the Circuit Court of Baldwin County, Alabama, as "NETHERCUTT LABORATORIES, a Corporation", by and through their attorneys in the above entitled cause, and present and file this, their Petition for Removal of the above entitled cause from the Circuit Court of Baldwin County, Alabama, to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and respectfully show in support thereof the following:

1. This cause was filed by the above named Plaintiff in the Circuit Court of Baldwin County, Alabama, on, to-wit, the 30th day of September, 1964, and was commenced by the filing of the Complaint and the issuance of Summons thereon. The Complaint seeks a recovery of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, which the Plaintiff claims he has suffered as damages as the result of personal injuries received by him in an alleged automotive vehicle accident which occurred on or about December 14, 1963, in the County of Baldwin, State of Alabama.

2. Copies of the Complaint and Summons which were issued in this cause are attached hereto and made a part hereof. Said Complaint and Summons were served on the Petitioner, G. L. Liebaert, II, on October 22, 1964, and on the Petitioner, Nethercutt Laboratories, a partnership, which is referred to in the caption of said Complaint and in said Summons as "NETHERCUTT LABORATORIES, a Corporation", on October

19, 1964, and are the only pleadings, orders and process which have been heretofore served on the Petitioners in this cause.

3. Petitioners further show that the above entitled cause is one of a civil nature and is a suit for the recovery of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages, and that the amount in controversy exceeds the sum of TEN THOUSAND (\$10,000.00) DOLLARS, exclusive of interest and costs.

4. Alex Lewis Adkison, the Plaintiff in this cause, was at the commencement of this suit, and still is, a citizen and resident of the State of Alabama; and Petitioner G. L. Liebaert, was at the commencement of this suit, and still is, a citizen and resident of the State of California; and Petitioner Nethercutt Laboratories, a partnership, consisting of Jack Nethercutt, II, J. B. Nethercutt, Dorothy Nethercutt and Robert C. Nethercutt, was at the commencement of this suit, and still is, a partnership organized and existing and by virtue of the laws of the State of California, with its principle offices and place of business in the City of Los Angeles, California, and each of said members of said partnership was at the commencement of this suit, and still is, a citizen and resident of the State of California, residing in Los Angeles, California.

The suit wherein this Petition is filed is a controversy wholly between citizens of different states, and is one that can be fully determined between them.

5. Petitioners file herewith a good and sufficient bond, such as is required by law, conditioned that Petitioners will pay all costs and disbursements which may be awarded by this Court, if this Court shall determine that this suit was not removable by Petitioners or was wrongfully or improperly removed hereto by Petitioners.

FOREMAN & BROWN
Attorneys for Petitioners

By: Alexander Foreman, Jr.

Alexander Foreman, Jr.

OF COUNSEL:
Foreman & Brown
417 First National Bank Building
Mobile, Alabama

STATE OF ALABAMA:

COUNTY OF MOBILE:

Personally appeared before me, the undersigned authority, Alexander Foreman, Jr., whose name is signed above and who is known to me, and who being by me first duly sworn on oath doth depose and say that he is one of the attorneys in the above entitled cause for the above Petitioners; that he is informed and believes that the allegations of said Petition are true and correct; and that upon such information and belief he states the allegations of said Petition are true and correct.

Alexander Foreman, Jr.
Alexander Foreman, Jr.

Subscribed and sworn to before me
this 5th day of November, 1964.

Robert C. Sibley
Notary Public, Alabama State at Large

ALEX LEWIS ADMISON

Plaintiff

-Vs-

NETHERCUTT LABORATORIES,

A Corporation and

G. L. LIEBAERT II

Jointly & Severally.

DEFENDANTS

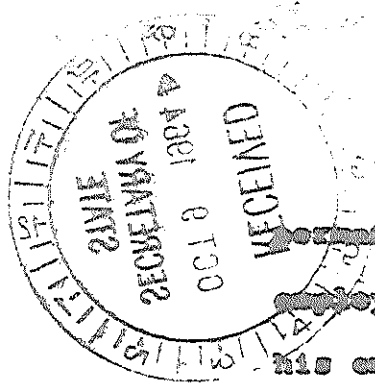
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), as damages for that heretofore, on to-wit, the 14th day of December, 1963, the Defendant G. L. Liebaert II, the agent, servant or employee of the Defendant Nethercutt Laboratories, a Corporation, while acting within the line and scope of his employment, so negligently operated a motor vehicle, as to allow it to run into, upon or against the automobile of the Plaintiff, on Highway Number U. S. 31, at a point nine-tenths(9/20) of a mile from its intersection with U. S. 90, which was then and there a public highway in Baldwin County, Alabama, and as a proximate result and consequence thereof, the Plaintiff was injured in that he suffered severe injuries to the trapezius muscles in his neck, that the suffered multiple ligamentous tears and sprains of the cervical vertebra with trauma to the cervical spine, that the suffered great pain and mental anguish, and will continue in the future to suffer great physical pain and mental anguish, that he was caused to expend great sum of money in and about the treatment of his injuries, which includes doctor bills, etc., that he has suffered great physical pain and mental anguish, and will continue to suffer in the future great physical pain and mental anguish, that his back was injured, and that he was



permanently injured; that he was caused to lose time from his employment, and will in the future be caused to lose time from his employment, that he was rendered less capable of performing his duties, all of which he claims damages as aforesaid, hence this suit.

John V. Duck
Attorney for Plaintiff

Plaintiff respectfully demands
a trial by Jury.

John V. Duck
Attorney for Plaintiff

Defts. can be served through the
Secretary of State Mothergutt Laboratories,
Address is: 9138 Wilman Avenue
Los Angeles, 45 California

The Deft. G. L. Liebert II can
be served at 128 Dender Street
Ontario, California

FILED
OCT 20 1934
ALICE L. DUCK

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 61-17

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Hereby Commanded to Summon **NETHERCUTT LABORATORIES, & Corporation**
and G. L. LIEBAERT II, jointly & severally

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 **Nethercutt**
Laboratories, & Corp. & G. L. Liebaert II, jointly & severally Defendant

by **ALEX LEWIS ADKISON**

Plaintiff

Witness my hand this

30

day of

Sept

1944

Brief Leach

Clerk

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT
OF ALABAMA, SOUTHERN DIVISION

ALEX LEWIS ADKISON, :
Plaintiff, : CIVIL ACTION
-VS- :
NETHERCUTT LABORATORIES, a : NO: _____
Corporation and G. L. LIEBAERT, :
II, jointly and severally, :
Defendants. :

REMOVAL BOND

KNOW ALL MEN BY THESE PRESENTS, that the undersigned G. L. Liebaert, II and Nethercutt Laboratories, a partnership, which is referred to in the Complaint and Summons as "NETHERCUTT LABORATORIES, a Corporation", as Principals and Globe Indemnity Company, as Surety, are held and firmly bound unto Alex Lewis Adkison, Plaintiff in the above entitled cause, in the sum of FIVE HUNDRED (\$500.00) DOLLARS for the payment of which well and truly to be made, the undersigned do bind themselves, their heirs, successors and assigns, jointly, severally and firmly by these presents.

DATED this 5th day of November, 1964.

The condition of this obligation is such that whereas the undersigned Principals have applied to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, to remove a cause from the Circuit Court of Baldwin County, Alabama, wherein the said Alex Lewis Adkison is Plaintiff and the Petitioners are the Defendants, to the District Court of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and that all further action in the Circuit Court aforesaid be stayed.

NOW, THEREFORE, if the Undersigned Petitioners and Principals shall pay all costs and disbursements that may be awarded by the United States District Court if the said District Court shall hold that such suit was not removable or was wrongfully removed therein, then this obligation shall be void, otherwise to be and remain in full force and effect.

G. L. LIEBAERT, II, and
NETHERCUTT LABORATORIES

By: *Richard L. Thomas*
As one of their attorneys

GLOBE INDEMNITY COMPANY

By:

THOMAS J. SANDER

As its Attorney-in-Fact

SURETY

ACCEPTED AND APPROVED on this, the _____ day of November, 1964.

U. S. DISTRICT JUDGE

Power of Attorney

8645
No. _____

KNOW ALL MEN BY THESE PRESENTS: That the GLOBE INDEMNITY COMPANY, a corporation of the State of New York, pursuant to the following By-Law, which was adopted by the Directors of the said Company on September 20, 1950, to wit:

Article V, Section I, Provides "The President, any Vice-President, or any other Officer designated by the Board of Directors shall have power and authority to appoint Resident Vice-Presidents, Resident Secretaries, Resident Assistant Secretaries, and Attorneys in fact, and to give such appointees full power and authority to sign, and to seal with the Company's seal, where required, all policies, bonds, recognizances, stipulations and all underwriting undertakings, and he may at any time in his judgment remove any such appointees and revoke any authority given to them."

hath made, constituted and appointed and by these presents does make, constitute and appoint H. H. SANDS

its true and lawful ATTORNEY(s)-IN-FACT,
at _____, in the State of _____, to make, execute and deliver on its behalf as Surety, bonds and undertakings, the penal sum of no one of which is in any event, to exceed ONE HUNDRED THOUSAND - - - - - (\$ 100,000.) Dollars and to be given for the following purposes only, to wit:—

GUARANTEEING THE FIDELITY OF PERSONS HOLDING PLACES OF PUBLIC OR PRIVATE TRUST. GUARANTEEING THE PERFORMANCE OF CONTRACTS OTHER THAN INSURANCE POLICIES: GUARANTEEING THE PERFORMANCE OF INSURANCE CONTRACTS WHERE SURETY BONDS ARE ACCEPTED BY STATES AND MUNICIPALITIES IN LIEU OF ACTUAL DEPOSITS; AND EXECUTING OR GUARANTEEING BONDS AND UNDERTAKINGS REQUIRED OR PERMITTED IN ALL ACTIONS OR PROCEEDINGS OR BY LAW REQUIRED.

Such bonds and undertakings for said purposes, when duly executed by one of the aforesaid Attorney(s)-in-Fact shall be binding upon the said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

IN WITNESS WHEREOF, the GLOBE INDEMNITY COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed duly attested by its Assistant Secretary, this 12 day of April, 1956, at the City of New York, New York.
GLOBE INDEMNITY COMPANY

Attest: ELEANOR CHRISTIANSEN By M. W. SLAWSON
Assistant Secretary Vice-President

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

On this 12 day of April, 1956, before me personally appeared
M. W. SLAWSON

_____, Vice-President of the GLOBE INDEMNITY COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said: that he resides in the State of New York; that he is Vice-President of the GLOBE INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.

(SEAL)

ROBERT F. KIRCHERT
NOTARY PUBLIC, State of New York
No. 24-7277375
Qualified in Kings County
Cert. Filed in New York County
Term Expires March 30, 1958

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.:

I, W. D. CHESON Assistant Secretary of the GLOBE INDEMNITY COMPANY, a corporation of the State of New York, do hereby certify that the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Globe Indemnity Company, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original. Said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, at the City of New York, this _____ day of _____, 19____

October 26, 1964

ALEX LEWIS ADKISON, Plaintiff
 VS
 NETHERCUTT LABORATORIES, A Corporation,
 et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
 COUNTY, ALABAMA, AT LAW

CASE NO. 6217

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW:

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on October 9, 1964
 I sent by certified mail in an envelope addressed as follows:

"Nethercutt Laboratories
 9130 Bellanca Ave.
 Los Angeles, Calif."

"Certified 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:

"
 Nethercutt Laboratories
 9130 Bellanca Ave.
 Los Angeles, Calif."

You will take notice that on October 9, 1964 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: ALEX LEWIS ADKISON, Plaintiff VS NETHERCUTT LABORATORIES, A Corporation, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW
 Case No. 6217 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 9
 day of October 1964

Enclosure (1)

(Signed) Mrs. Agnes Baggett
 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 Oct 23 1964 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Los Angeles, Calif.
 on Oct 17 1964 Westchester Sta.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 26 day
 of October 1964

Mrs. Agnes Baggett
 Mrs. Agnes Baggett
 Secretary of State

Enclosures: Return Receipt Card and copy
 of Summons and Complaint.
 cc: Hon. John V. Duck
 Fairhope, Ala.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, Baldwin County

No. 6217

.....TERM. 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon WETHERCUTT LABORATORIES, Corporation
and C. L. LEBBERT II, jointly & severally

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 Wethercutt
Laboratories, et al. Lebbert II, jointly & severally Defendant.....

by Wethercutt Laboratories
..... Plaintiff.....

Witness my hand this 30 day of Sept 19 64
W. J. H. H. H. Clerk

No..... Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

ALEX LEWIS ADKISON

Plaintiff

-VS-

NETHERCUTT LABORATORIES,

A Corporation and

G. L. LIEBAERT II

Jointly & Severally.

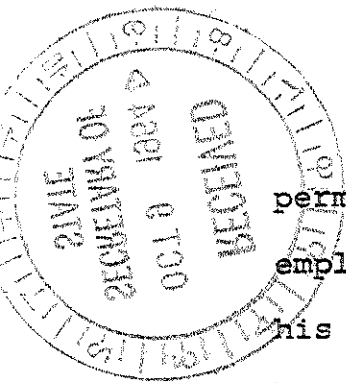
DEFENDANTS

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA,

) AT LAW.
)
)
)
)
)
)

COUNT ONE:

The Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), as damages for that heretofore, on to-wit, the 14th day of December, 1963, the Defendant G. L. Liebaert II, the agent, servant or employee of the Defendant Nethercutt Laboratories, a Corporation, while acting within the line and scope of his employment, so negligently operated a motor vehicle, as to allow it to run into, upon or against the automobile of the Plaintiff, on Highway Number U. S. 31, at a point nine-tenths(9/20) of a mile from its intersection with U. S. 90, which was then and there a public highway in Baldwin County, Alabama, and as a proximate result and consequence thereof, the Plaintiff was injured in that he suffered severe injuries to the trapezius muscles in his neck, that the suffered multiple ligamentous tears and sprains of the cervical vertebra with trauma to the cervical spine, that the suffered great pain and mental anguish, and will continue in the future to suffer great physical pain and mental anguish, that he was caused to expend great sums of money in and about the treatment of his injuries, which includes doctor bills, etc., that he has suffered great physical pain and mental anguish, and will continue to suffer in the future great physical pain and mental anguish, that his back was injured, and that he was



permanently injured; that he was caused to lose time from his employment, and will in the future be caused to lose time from his employment, that he was rendered less capable of performing his duties, all of which he claims damages as aforesaid, hence this suit.

John V. Duck

Attorney for Plaintiff

Plaintiff respectfully demands
a trial by Jury.

John V. Duck

Attorney for Plaintiff

Defts. can be served through the
Secretary of State Nethercutt Laboratories,
Address is: 9130 Bellanca Avenue
Los Angeles, 45 California

The Deft. G. L. Liebaert II can
be served at 128 Deodar Street
Ontario, California

FILED

SEP 29 1964

ALICE J. DUCK, CLERK
REGISTER

October 26, 1964

ALEX LEWIS ADKISON, Plaintiff
 VS
 G. L. LIEBAERT II, et al, Defendants

IN THE CIRCUIT COURT OF BALDWIN
 COUNTY, ALABAMA, AT LAW

CASE NO. 6217

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW:

I, Mrs. Agnes Baggett, Secretary of State, hereby certify that on October 9, 1964
 I sent by certified mail in an envelope addressed as follows:

"G. L. Liebaert II
 128 Deodar St.
 Ontario, Calif."

"Certified 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:

" G. L. Liebaert II
 128 Deodar St.
 Ontario, Calif.

You will take notice that on October 9, 1964 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: ALEX LEWIS ADKISON, Plaintiff VS G. L. LIEBAERT II, et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW
 Case No. 6217 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 9
 day of October 1964

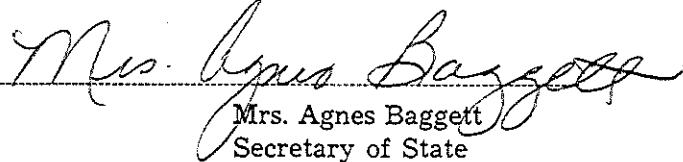
Enclosure (1)

(Signed) Mrs. Agnes Baggett
 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 Oct 23 1964 I received the return card, showing
 receipt by the designated addressee of the aforementioned matter at Upland Calif.
 on 10-20-64

WITNESS MY HAND and the Great Seal of the State of Alabama this the 26 day
 of October 1964


 Mrs. Agnes Baggett
 Secretary of State

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

cc: Hon. John V. Duck
 Fairhope, Ala.

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Circuit Court, Baldwin County

STATE OF ALABAMA
BALDWIN COUNTY

No. 62-17

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon WETHERCUTT MANUFACTURING, .. Corporation

and G. L. LEBLANC II, jointly & severally

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 Wethercutt
Manufacturing, .. Corporation, .. LEBLANC II, jointly & severally Defendant.....

by

..... Plaintiff.....

Witness my hand this 30 day of Sept 1964

Cliff J. French Clerk

No..... Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received the Sec. of State
Peterson Lab. 9130 Bellanca
Ave. S.W. Robert at
the order of, Officer, Calif.
Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

ALEX LEWIS ADEKISON

Plaintiff

-vs-

NETHERCUTT LABORATORIES,

a Corporation and

G. L. LIEBAERT II

Jointly & Severally.

DEFENDANTS

IN THE CIRCUIT COURT OF

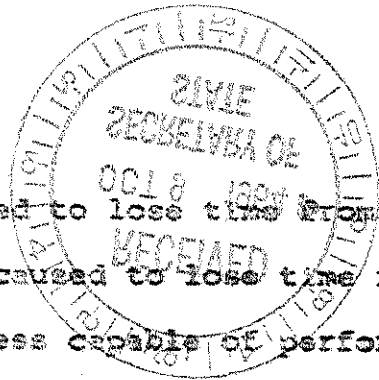
BALDWIN COUNTY, ALABAMA,

AT LAW.

COUNT ONE:

The Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), as damages for that heretofore, on to-wit, the 14th day of December, 1963, the Defendant G. L. Liebaert II, the agent, servant or employee of the Defendant Nethercutt Laboratories, a Corporation, while acting within the line and scope of his employment, so negligently operated a motor vehicle, as to allow it to run into, upon or against the automobile of the Plaintiff, on Highway Number U. S. 31, at a point nine-tenths(9/10) of a mile from its intersection with U. S. 90, which was then and there a public highway in Baldwin County, Alabama, and as a proximate result and consequence thereof, the Plaintiff was injured in that he suffered severe injuries to the trapezius muscles in his neck, that the suffered multiple ligamentous tears and sprains of the cervical vertebra with trauma to the cervical spine, that the suffered great pain and mental anguish, and will continue in the future to suffer great physical pain and mental anguish, that he was caused to expend great sums of money in and about the treatment of his injuries, which includes doctor bills, etc., that he has suffered great physical pain and mental anguish, and will continue to suffer in the future great physical pain and mental anguish, that his back was injured, and that he was

permanently injured; that he was caused to lose time from his employment, and will in the future be caused to lose time from his employment, that he was rendered less capable of performing his duties, all of which he claims damages as aforesaid, hence this suit.



John V. Duck
Attorney for Plaintiff

Plaintiff respectfully demands
a trial by Jury.

John V. Duck
Attorney for Plaintiff

Defts. can be served through the
Secretary of State Nethercutt Laboratories,
Address is: 9130 Bellanca Avenue
Los Angeles, 45 California

The Deft. G. L. Liebner II can
be served at 128 Deodar Street
Ontario, California

FILED

SEP 30 1984

ALICE J. DUCK, CLERK
REGISTER

**JOHN V. DUCK
& RICHARD C. LACEY**
Attorneys At Law
319 Magnolia Avenue
FAIRHOPE, ALABAMA

Message
Reply

DATE:

September 25th, 1964

FILE NO:

PRIORITY

- ☐ URGENT!
☐ SOON AS POSSIBLE
☐ NO REPLY NEEDED

ATTENTION:

SUBJECT:

Bill of Complaint

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

Alex Lewis Adkinson -vs-
Nethercutt Lab. & G. L. Liebaert II

Dear Mrs. Duck"

Enclosed you will find original and 6 copies of the bill of complaint on the above.

Also check in the amount of three dollars (\$3.00). Please have this served through the Secretary of State.

Sincerely,

JVD/oq
Encl:

SIGNED:

DATE OF REPLY:

REPLY TO:

John

SIGNED:

SENDER: MAIL RECIPIENT WHITE AND PINK SHEETS

ALEX LEWIS ADKISON

Plaintiff

-VS-

NETHERCUTT LABORATORIES,

A Corporation and

G. L. LIEBAERT II
Jointly & Severally.


DEFENDANTS

) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA,
)
) AT LAW.
) No. 62-17
)
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COUNT ONE:

The Plaintiff claims of the Defendant the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), as damages for that heretofore, on to-wit, the 14th day of December, 1963, the Defendant G. L. Liebaert II, the agent, servant or employee of the Defendant Nethercutt Laboratories, a Corporation, while acting within the line and scope of his employment, so negligently operated a motor vehicle, as to allow it to run into, upon or against the automobile of the Plaintiff, on Highway Number U. S. 31, at a point nine-tenths(9/20) of a mile from its intersection with U. S. 90, which was then and there a public highway in Baldwin County, Alabama, and as a proximate result and consequence thereof, the Plaintiff was injured in that he suffered severe injuries to the trapezius muscles in his neck, that the suffered multiple ligamentous tears and sprains of the cervical vertebra with trauma to the cervical spine, that the suffered great pain and mental anguish, and will continue in the future to suffer greal physical pain and mental anguish, that he was caused to expend great sums of money in and about the treatment of his injuries, which includes doctor bills, etc., that he has suffered great physical pain and mental anguish, and will continue to suffer in the future great physical pain and mental anguish, that his back was injured, and that he was

permanently injured; that he was caused to lose time from his employment, and will in the future be caused to lose time from his employment, that he was rendered less capable of performing his duties, all of which he claims damages as aforesaid, hence this suit.


Attorney for Plaintiff

Plaintiff respectfully demands
a trial by Jury.


Attorney for Plaintiff

FILED

SEP 30 1964

AUG 1 1964

Defts. can be served through the
Secretary of State Nethercutt Laboratories,
Address is: 9130 Bellanca Avenue
Los Angeles, 45 California

The Deft. G. L. Liebaert II can
be served at 128 Deodar Street
Ontario, California

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Circuit Court, Baldwin County

STATE OF ALABAMA
BALDWIN COUNTY

No.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon NETHERCUTT LABORATORIES, A Corporation
and G. L. LIEBAERT II, jointly & severally

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 Nethercutt
Laboratories, A Corp. & G. L. Liebaert II, jointly & Severally Defendant.....
by ALEX LEWIS ADKISON

Plaintiff.....

Witness my hand this 30 day of Sept. 19 64

Clerk

No. 4217

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ALEX LEWIS ADKISON

Plaintiffs

vs.

NETHERCUTT LABORATORIES, a Corp.& G. L. LIEBAERT II, jointly
& severally Defendants

SUMMONS AND COMPLAINT

Filed SEP 30 1964 19.....CLERK Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at
THROUGH the Sec. of State
Nethercutt Lab. 9130 Bellanca
Ave. & G. L. Liebaert II at
128 Deodar St. Ontario. Calif.

RECEIVED IN OFFICE

OCT 9 1964

19.....

M. S. BUTLER, Sheriff

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 6 copies of
the within on Copies Baggett
Secretary of State of The State of
Alabama.This the 9 day of Oct 1964

Sheriff of Montgomery County

M. S. Butler,

By J. M. M. D.S.The Sheriff claims 2

miles at 10c per mile for a total

of \$ 20

M. S. Butler, Sheriff

Montgomery County, Ala.

Sheriff

..... Deputy Sheriff

ALMA L. THOMAS ADKISON VS C. L. LEEBAERT JR. et al

INSTRUCTIONS TO DELIVERING EMPLOYEE

☒ Deliver ONLY to addressee ☐ Show address where delivered
(Additional charges required for these services) 6217

RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

[Signature]

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

[Signature]

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

10-10-64

GR-10-75A-55-1 GPO

ALMA L. THOMAS ADKISON VS NEIGHBOURHOOD LABOR MOVING, et al

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OCT 12 1964

GR-10-75A-55-1 GPO