

RICH PLAN OF MOBILE, a
corporation,

Plaintiff,

vs.

CLAUDE BYRD and JOANNE
BYRD, jointly and individually,

Defendants.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) AT LAW

) No. 6333

Plaintiff claims of the Defendants the sum of TWO HUNDRED
AND NO/100 (\$200.00) DOLLARS due by promissory note made by them
on the 23rd day of January, 1964 and payable on the 23rd day of
September, 1964, with interest thereon.

That in and by the terms of said note, the Defendants
agreed that if said note was placed in the hands of an attorney for
collection, that they would pay a reasonable attorney's fee, and
the Plaintiff now claims the further and additional sum of FIFTY
AND NO/100 (\$50.00) DOLLARS from the Defendants as a said reason-
able attorney's fee.

That in and by the terms of the said note, the Defendants
waived all rights under the exemption laws of the State of Alabama,
and the Plaintiff now claims the benefit of said waiver.


ATTORNEY FOR PLAINTIFF

The Defendants can be served on
Hand Avenue in Bay Minette, Alabama.

FILED

DEC 9 1964

ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

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 CLAUDE BYRD and JOANNE BYRD, jointly
and individually,

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.....
.....CLAUDE BYRD and JOANNE BYRD, jointly & individually, Defendant.....

by RICH PLAN OF MOBILE, a corporation,
....., Plaintiff.....

Witness my hand this 9 day of Dec 1964

EX-12-9-64

Reece J. Wacker Clerk

No. 6333

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

RICH PLAN OF MOBILE, a

corporation,

Plaintiffs

vs.

CLAUDE BYRD and JOANNE

BYRD, jointly & individually
Defendants

SUMMONS AND COMPLAINT

Filed 19.....

FILED

..... Clerk

DEC 9 1904

ALICE L. DUCK, CLERK
REGISTER

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Hand Avenue

Bay Minette, Alabama

RECEIVED
Received In Office

..... 19.....
DEC 9 1904

..... Sheriff
I have executed this summons

this Dec 9 1904
by leaving a copy with

Claude Byrd
Joanne Byrd

Sheriff claims 8 miles at

Ten Cents per mile totals 80¢

TAYLOR WILKINS, Sheriff

BY T. A. Talbot

Taylor Wilkins Sheriff

T. A. Talbot Deputy Sheriff

2 miles north of Bm

RICH PLAN OF MOBILE, a
Corporation

Plaintiff

VS

CLAUDE BYRD and JOANNE
BYRD, jointly and individually

Defendants

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO 6333

Comes now the Defendants in the above styled cause and for
answer to the Complainants Complaint, says:

1.

That they are not guilty of the matters alleged therein.

WILTERS & BRANTLEY

BY:

[Signature]
Attorneys for the Defendants

FILED

JAN 12 1965

ALICE I. DICK, CLERK
REGISTER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6333

RICH PLAN OF MOBILE, a
Corporation

Plaintiff

VS

CLAUDE EYRD and JOANNE
EYRD, jointly and individually

Defendants

FILED

JAN 12 1965

ANSWER

ALICE L. DUCK, CLERK
REGISTER

WILTERS & BRANTLEY
Attorneys at Law
Bay Minette, Alabama

RICH PLAN OF MOBILE, a	X	
Corporation,		
	X	
Plaintiff,		IN THE CIRCUIT COURT OF
	X	
vs.		BALDWIN COUNTY, ALABAMA
	X	
CLAUDE BYRD and JOANNE		AT LAW
BYRD, jointly and	X	
individually,		CASE NO. 6333
	X	
Defendants		
	X	

Comes now the Defendants in the above styled cause and amends their answer to the Complainants Bill of Complaint by adding the following plea, to-wit:

2.

The Defendants allege that before and at the time and subsequent to the signing of the instrument which the Plaintiff alleges to be a promissory note the Plaintiff's agent, servant or employee guaranteed the Defendants that the membership in the Plaintiff's organization would cause the Defendants to pay 30% less for their groceries except for staple articles and relying upon this representation this instrument was signed and the Defendants say that after a period of time they found that the representation as to the 30% reduction in the groceries was untrue.

Defendants further allege that the agent, servant or employee of the Plaintiff represented to them that they could drop their membership in the organization at the end of a three month period any time they desired. Defendants say that they asked, after the three months, that their membership be dropped and the Plaintiff refused to allow them to do so.

The Defendants further allege that they have paid for all of the groceries which they received under the Plaintiff's food plan, and that they had paid for these groceries in full prior to bringing of this suit.

Defendants further allege that the Plaintiff ought not recover under the action which they are bringing because the Defendants have received no benefits thereunder.

WILTERS & BRANTLEY

BY: 

Attorneys for the Defendants

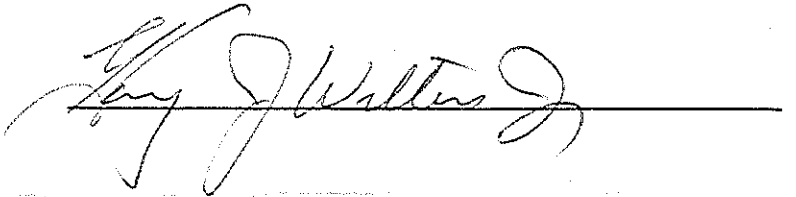
I, Harry J. Wilters, Jr., hereby certify that I have mailed a copy of the foregoing answer to John V. Duck, Attorney for the Plaintiff on this the 4th day of February, 1966, at the following address:

Mr. John V. Duck,
Attorney at Law
Fairhope, Alabama

FILED

FEB 4 1966

ALICE L. DUCK, CLERK
REGISTER



IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 6333

RICH PLAN OF MOBILE, a
Corporation,

Plaintiff,

vs.

CLAUDE BYRD and JOANNE
BYRD, jointly and
individually,

Defendants

AMENDED ANSWER

WILTERS & BRANTLEY
Attorneys at Law
Bay Minette, Alabama

FILED
FEB 4 1968

ALICE J. DICK, CLERK
REGISTER

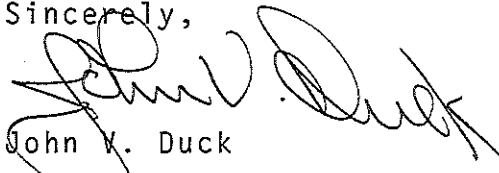
JOHN V. DUCK
ATTORNEY AT LAW
P. O. BOX Y
FAIRHOPE, ALABAMA 36532
October 4, 1967

Mrs. Alice J. Duck
P. O. Box 239
Bay Minette, Alabama

Dear Mrs. Duck:

Would you please have the Judge enter a non-suit
in Civil Case No. 6333, Rich-Plan of Mobile vs.
Claude and Joann Byrd.

Sincerely,



John V. Duck

JVD:lh