

FRED H. COESENS,	)	
	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	
	)	
vs:	)	BALDWIN COUNTY, ALABAMA
	)	
DIXIE FURNITURE COMPANY,	)	
INC., A Corporation, and	)	AT LAW
RUFUS WOODARD,	)	
	)	
Defendants.	)	

6352

AMENDED COMPLAINT

The Plaintiff claims of the Defendants TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) as damages for that on, to-wit, the 31st day of December, 1963, on Alabama Highway 59, a public highway in the State of Alabama, at a point approximately 150 feet south of the South City Limit line of the City of Foley in Baldwin County, Alabama, the Defendant, Rufus Woodard, who was then and there operating a vehicle belonging to the Defendant, Dixie Furniture Co., Inc., acting within the line and scope of his employment as such, negligently ran said vehicle into the rear end of the vehicle owned and operated by the Plaintiff at this time and place, and as a proximate consequence and result of the negligence of the Defendant, Rufus Woodard, then and there acting within the line and scope of his employment in and about the operation of said motor vehicle at said time and place negligently bent and damaged the rear portion of the vehicle of the Plaintiff; caused the Plaintiff serious bodily injury in that he suffered a structural spinal disorder of the cervical and upper dorsal regions; caused injury to his back and muscles, tendons, ligaments and nerves; caused his neck to be bruised, wrenched, sprained, torn and injured; caused him to be made sick and sore and to suffer great physical pain; caused him to lose time and therefore, to lose income from his usual and customary occupation as a farmer; caused him to expend sums for treatment of his injuries, all to the Plaintiff's damage as aforesaid.


 Attorney for Plaintiff

FILED

MAY 7 1965

332

C. G. C.

ALICE L. DICK, CLERK
 REGISTER

FRED H. COESENS,

Plaintiff,

vs.

DIXIE FURNITURE COMPANY,
INC., a corporation, and
RUFUS WOODARD,

Defendants.

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

PLEAS:

Come the Defendants in the above styled cause and for
plea to the amended complaint filed in said cause, say:

1. Not guilty.
2. That at the time and place alleged in the complaint
the Plaintiff himself was guilty of negligence which was the
proximate cause of his injuries and damages, hence he cannot
recover in this suit.

FILED

MAY 13 1963

ALICE J. DICK, CLERK
REGISTER

James Stone & Chas. L. Chas. L.
Attorneys for Defendants

6352

FRED H. COESENS,
Plaintiff,

vs.

DIXIE FURNITURE COMPANY, INC.,
a corporation, and
RUFUS WOODARD,

Defendants.

PLEAS

FILED

MAY 18 1968

ALICE J. DUCK, CLERK
REGISTER

FRED H. COESENS,

Plaintiff,

vs.

DIXIE FURNITURE COMPANY,
INC., A Corporation, and
RUFUS WOODARD,

Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

DEMURRER:

Come the Defendants in the above styled cause and demur to the complaint filed in said cause and assigns the following separate and several grounds viz:

1. That said complaint does not state a cause of action.
2. That said complaint does not allege any duty owing by the Defendants to the Plaintiff.
3. That said complaint does not allege that the accident referred to occurred in Baldwin County, Alabama.
4. That said complaint does not sufficiently set out the damages to the Plaintiff's motor vehicle.
5. That said complaint does not sufficiently set out the personal injuries to the Plaintiff.
6. That the said complaint claims damages for loss of time without alleging that the Plaintiff was gainfully employed at the time of his injuries.
7. That said complaint fails to allege how much time the Plaintiff lost from his usual and customary duties and activities.

Chas Stone & Cruser
Attorneys for Defendants

FILED

JAN 14 1965

ALICE L. DUCK, CLERK
REGISTER

6352

FRED H. COESENS,

Plaintiff

VS

DIXIE FURNITURE COMPANY, INC.,
A Corporation, and RUFUS
WOODARD,

Defendant

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

DEMURRER

* * * * *

FILED

JAN 14 1965

ARL J. NICK, CLERK
REGISTER

CECIL G. CHASON
ATTORNEY-AT-LAW
FOLEY, ALABAMA

December 28, 1964

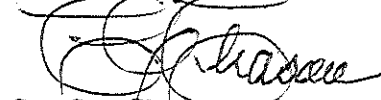
Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Re: Fred H. Coesens
vs: Dixie Furniture Co., Inc.
a corporation, and Rufus
Woodard

Dear Mrs. Duck:

Enclosed is Summons and Complaint in the case mentioned
above. Please deliver to the Sheriff for service.

Yours very truly,



C. G. Chason

CGC:jc

Encls.

STATE OF ALABAMA)
BALDWIN COUNTY) . . . IN THE CIRCUIT COURT . . . LAW SIDE

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:-

You are hereby commanded to summon DIXIE FURNITURE CO., INC., a corporation, and RUFUS WOODARD to appear before the Circuit Court of Baldwin County, in and for said County, at the place of holding same, within thirty (30) days from the service of this summons and complaint, then and there to demur to or to plead to the complaint of FRED H. COESENS.

You are hereby commanded to execute this process instanter and make return as required by law.

WITNESS my hand this 29 day of December, 1964.

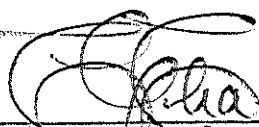
Alice J. Duck
Clerk

COMPLAINT

FRED H. COESENS,	)	
	)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
	)	
- vs -	)	BALDWIN COUNTY, ALABAMA
	)	
DIXIE FURNITURE CO., INC.,	)	LAW SIDE
a corporation, and RUFUS	)	
WOODARD,	)	<u>no. 6352</u>
	)	
Defendants.	)	

The Plaintiff claims of the Defendants the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) as damages for that on, to-wit, the 31st day of December, 1963, while operating a motor vehicle near the South City Limits of the City of Foley, on Alabama Highway 59, a public highway in the State of Alabama, the Defendant, Rufus Woodard, who was then and there operating a vehicle belonging to the Defendant, Dixie Furniture Co., Inc., and was the servant, agent or employee of said Dixie Furniture Co., Inc., acting within the line and scope of his employment as such, negligently ran said vehicle into the rear end of the vehicle of

the Plaintiff, and as a proximate consequence of the negligence of the Defendant, Rufus Woodard, then and there acting within the line and scope of his employment, in and about the operation of said motor vehicle at said time and place bent and broke the rear portion of the vehicle of the Plaintiff and caused Plaintiff serious injury in that he suffered a structural spinal disorder of the cervical and upper dorsal regions resulting in injury to his back and muscles, tendons, ligaments and nerves and that his neck was bruised, wrenched, sprained, torn and injured and his whole physical being was shaken and shocked and he was made sick and sore and caused to suffer great physical pain and he was caused to lose time from his usual and customary duties and activities and he was caused to spend sums for treatment of his injury, all to Plaintiff's damage as aforesaid.


Attorney for Plaintiff

Plaintiff demands trial
by jury.


Attorney for Plaintiff

EX-12-31-64

FILED
DEC 29 1964
U.S. DIST. CT.
SOUTHERN DIST. OF CALIF.

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW

FRED H. COESENS,

Plaintiff

- VS -

DIXIE FURNITURE CO., INC.,
a corporation, and RUFUS
WOODARD,

Defendants

Delivered 29 day of Dec 1964
d on 31 day of Nov 1964
served a copy of the within 29
Rufus Woodard 12-30-64
Dixie Furniture
service on Bob Guya Pres
of Dixie Furniture Co
TAYLOR WILKINS, Sheriff
By [Signature]
Do for

Sheriff claims 144 miles at
Ten Cents per mile Total \$ 14.40
TAYLOR WILKINS, Sheriff
BY [Signature]
Deputy Sheriff

FILED

DEC 29 1964

ALICE L. DUCK, CLERK
REGISTER

CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA