

FRUIT DISTRIBUTING	:	IN THE CIRCUIT COURT OF
COMPANY, INC., A	:	
Corporation,	:	BALDWIN COUNTY, ALABAMA
	:	
Plaintiff,	:	AT LAW
-vs-	:	
KIPRINE'S RESTAURANT,	:	CASE NO. <u>45524</u>
and LaVERN COX, indivi-	:	
dually and d/b/a KIPRENE'S	:	
RESTAURANT, separately and	:	
severally,	:	
	:	
Defendants.	:	

COUNT ONE

The Plaintiff claims of the Defendants, separately and severally, the sum of to-wit, ONE HUNDRED NINETY AND 18/100 (\$190.18) DOLLARS due from them by account from to-wit the 1st day of September, 1965, to to-wit the 3rd day of April, 1965, which sum of money with interest thereon is still unpaid.

COUNT TWO

The Plaintiff claims of the Defendants, separately and severally, the sum of to-wit, ONE HUNDRED NINETY AND 18/100 (\$190.18) DOLLARS for merchandise, goods and chattels sold by the Plaintiff to the Defendants from to-wit the 1st day of February, 1965 to to-wit the 3rd day of April, 1965, which sum of money with the interest thereon is still unpaid.

LYONS, PIPES AND COOK
Attorneys for the Plaintiff

By: Gordon B. Kahn
Gordon B. Kahn

An itemized, verified statement of account is attached hereto and made a part hereof by reference as if fully set out, herein.

Gordon B. Kahn
Gordon B. Kahn

Defendants may be served at: Kiprine's Restaurant, Fairhope, Alabama.

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for aforesaid county and state, who as a notary public under my seal of office, which seal of office is hereto attached, personally appeared H. W. Thurber, Jr.

known to me, who being duly sworn, upon his oath stated he is

Vice President of Fruit Distributing Company, Inc.,

a corporation, organized and doing business under the laws of Alabama,

that as such he makes this affidavit; that he is familiar with the books and business of

Fruit Distributing Company, Inc., that

the attached account against Kiprene Restaurant, Fairhope, Alabama

is just and correct within the knowledge of this affiant; that he has authority to make this affidavit and that

he has personal knowledge of the matters contained herein; that the items thereon stated and composing

the said account were sold and delivered to the said Kiprene Restaurant, Fairhope, Alabama

at the special instance and request of the debtor and that

credit has been duly given for all payments and just and lawful offsets to which said account is entitled as

thereon stated and that the balance thereon amounting to the sum of One Hundred Ninety Dollars and
eighteen cents

Dollars (\$190.18) with interest from April 22, 1965, 1965

is just due and remains unpaid.

H. W. Thurber, Jr.

Sworn to, subscribed, acknowledged, signed and sealed before me, as a notary public under my seal of office, with my seal hereto affixed on this the 15th day of June, 1965.

R. B. Wheeler
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 6554

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

Kirpines Restaurant and Lavern Cox

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
Kirpines Restaurant and Lavern Cox Ind, and d/b/a Kerpen's Restaurant, Defendant.

by Fruit Distributing Company, INC. a corp

Plaintiff

Witness my hand this 17th day of June 19 65

EX-7-3-65-

Alcie J. Smith

Clerk

No. 6554

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

FRUIT DISTRIBUTING COMPANY, inc. a corp

vs. Plaintiffs

KIRPINES RESTAURANT and

LAVERN COX

Defendants

SUMMONS and COMPLAINT

Filed 6-17, 1965

Alice J. Duck, Clerk

Lyons, Pipes & Cook

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

6/17, 1965

I have executed this summons

this July 3, 1965

by leaving a copy with

Gordon Cop

Costs \$70.00

LYONS, PIPES & COOK, Sheriff

BY Roy R. Dale

Deputy Sheriff

Taylor Wilburn Sheriff

Roy R. Dale Deputy Sheriff

G. R. Dale

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

JOSEPH H. LYONS (1900-1957)
SAM W. PIPES, III
WALTER M. COOK
GORDON B. KAHN
IRWIN W. COLEMAN, JR.
G. SAGE LYONS
WILLIAM F. HORSLEY

36601

August 6, 1965

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

Re: Fruit Distributing Company, Inc., a
corporation vs. Kiprene's Restaurant
and Laverne Cox, individually & d/b/a
Kiprene's Restaurant, separately and
severally, Case No. 6554. Circuit Court
of Baldwin County, Alabama.

Dear Mrs. Duck:

We enclose herewith a Non-Military Affidavit against
Laverne Cox and request that a judgment in the amount
of \$190.18 be entered by default on an itemized verified
account against Mrs. Cox, individually and doing business
as Kiprene's Restaurant. If it is necessary for us to
come into Court, kindly advise and we shall do so. If
it is not, kindly enter the judgment and send us a
Certificate of Judgment.

Very truly yours,

LYONS, PIPES & COOK


Gordon B. Kahn

GBK:mb

Encl.

LYONS, PIPES & COOK

ATTORNEYS AT LAW

517 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

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August 6, 1965

Honorable Alice J. Duck
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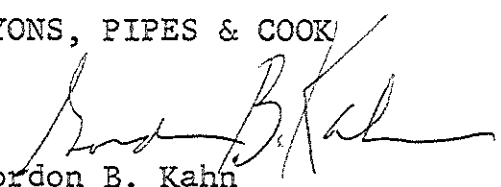
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Encl.

FRUIT DISTRIBUTING COMPANY,
INC., A Corporation,

Plaintiff.

KIPRINE'S RESTAURANT, & LaVERN COX,
individually & d/b/a KIPRENE'S
RESTAURANT, separately & severally

Defendant.

IN THE CIRCUIT COURT
OF
BALDWIN
~~MOBILE~~ COUNTY, ALABAMA.
NO. 6554

NON-MILITARY AFFIDAVIT

STATE OF ALABAMA

COUNTY OF MOBILE

NOW comes, Gordon B. Kahn

who being first duly sworn, deposes and says that the defendant
herein, LaVern Cox

was not at the time of the filing of this suit, and is not now
in the Military or Naval Service of the United States.

The Defendant resides at 311 Fairhope Avenue, Fairhope,
Alabama.

Sworn to and subscribed before me,
this 6th day of August,

1965.

W. Davis Black
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

FILED

CLERK