

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 7159

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon D.V. Williams

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

D.V. Williams

Defendant

by

S.H. Cochran, Jr.

Plaintiff

Witness my hand this 2nd day of September 19.66

Alice J. [Signature] Clerk

24.9-9-66

STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

S.H. COCHRAN, JR.

Plaintiffs

vs.

D.V. WILLIAMS

Defendants

SUMMONS AND COMPLAINT

Filed Sept. 2, 1966

Alice J. Duck Clerk

Moore, Moore, Downing & Layden
P.O. Box 4483 Plaintiff's Attorney
Mobile, Alabama

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office
SEP 2 1966

TAYLOR WILKINS 19.....
SHERIFF

I have executed this summons

this Sept. 9 1966

by leaving a copy with

D. V. Williams
Spanish Fort

44 miles at
Total \$ 4.40
TAYLOR WILKINS, Sheriff
BY Roy Randall DEPUTY SHERIFF

Taylor Wilkins Sheriff

Roy Randall Deputy Sheriff

THE STATE OF ALABAMA,
BALDWIN COUNTY

} CIRCUIT COURT

Eunice Blackmon

Personally appeared before me, ~~W. C. XXXXX~~, Clerk of the Circuit Court in and for Baldwin County and

State aforesaid James R. Owen

who being duly sworn, on oath says, that a regular _____ Term

of the Circuit Court of Baldwin County, to-wit: on the 19th day of November

19 69, S. H. Cochran, Jr.,

recovered a judgment against D. V. Williams

_____ for the sum of

---FOUR THOUSAND TWO HUNDRED--- Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

Diamondhead Corporation, Lake Forest, Spanish Fort, Alabama, is

supposed to be indebted to or have effects of the said D. V. Williams

in its possession, or under its control, and that he believes process of

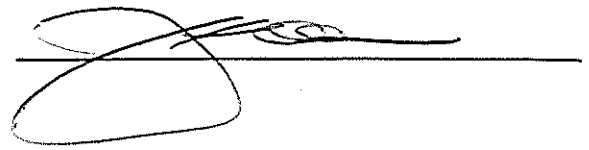
Garnishment against said Diamondhead Corporation, Lake Forest

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this 13

day of March A. D. 19 73

Eunice B. Blackmon
Clerk.



NO. 2159 1/3

CIRCUIT COURT

VS.

**AFFIDAVIT
Garnishment on Judgment**

Filed this _____ day of _____, 19____

Clerk.

STATE OF ALABAMA
Baldwin County

}

TO Diamondhead Corporation, Lake Forest, Defendant.....;
Spanish Fort, Alabama

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

..... S. H. COCHRAN, JR., Plaintiff.....

versus D. V. WILLIAMS Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Diamondhead Corporation, Lake Forest
.....

has... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the.....

13...day of March 1973.

Emile B. Blackmon
.....
Clerk of the Circuit Court.

Received 14 day of March 1973
and on 15 day of March 1973
I served a copy of the within Return
on D. V. Williams
By service on D. V. Williams

Sheriff claims 44 miles to
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff
BY J. Nesbitt

TAYLOR WILKINS, Sheriff
BY J. Nesbitt

65.30
4,200.00
7159 1/2

6530

**NOTICE
TO DEFENDANT OF GARNISHMENT
BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
TO**

D. V. Williams
J. H. Cochran, Jr.
Plaintiff...

VS.

D. V. Williams

RECEIVED

MAR 14 1973

TAYLOR WILKINS
SHERIFF

Defendant...

James R. Cochran, Atty

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19⁶⁹....., of the Circuit Court of Baldwin County, to-wit: On the 19th day of November, 19⁶⁹, being a regular day of said term, S. H. Cochran, Jr.,

recovered judgment against D. V. Williams

for the sum of -FOUR THOUSAND TWO HUNDRED- Dollars, and cost of suit,

and affidavit having been made by James R. Owen

that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

Diamondhead Corporation, Lake Forest

has or is believed to have in its possession, or under its control money or effects belonging to said defendant or that it is, or

is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Comanded to Summon Diamondhead Corporation, Lake Forest

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from

the service of the garnishment, or at the making of its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant

..... and whether it will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing

is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its

control money or effects belonging to the defendant.....

Herein fail not, and have you then and there this Writ.

Witness, Eunice B. Blackman Clerk of said Court, this 13 day of March, A. D., 19⁷³.

Issued 13 day of March, A. D., 19⁷³.

ATTEST:

Eunice B. Blackman Clerk

6980

CIRCUIT COURT, BALDWIN COUNTY

No. 7159 1/2

J. A. Cochran, Jr.

VS. } GARNISHMENT ON JUDGMENT

D. V. Williams

Diamondhead Corp - Lake Forest
Glenview
Issued 13 day of March 1973

Returnable _____ day of _____ 19____

RECEIVED

MAR 14 1973

TAYLOR WILKINS

SHERIFF

James R. Owen Attorney

Moore Printing Co. - Bay Minette, Ala.

Received 14 day of March 1973
and on 15 day of March 1973
I served copy of this writ on
Diamondhead Corp

By service on J. A. Cochran, Jr.
Tom Gray - Sabananger
TAYLOR WILKINS, Sheriff
D. S.

Sheriff claims _____ miles of
Ten Cents per mile Total \$ 4.40
TAYLOR WILKINS, Sheriff

ARMBRECHT, JACKSON & DeMOUY
LAWYERS

MERCHANTS NATIONAL BANK BUILDING
P. O. BOX 290
MOBILE, ALABAMA
36601

TELEPHONE
AREA CODE 205
432-6751
CABLE ADDRESS
SEALAW

WM. H. ARMBRECHT
THEODORE K. JACKSON
MARSHALL J. DeMOUY
WM. H. ARMBRECHT, III
RAE M. CROWE
BROOK G. HOLMES
W. BOYD REEVES
FRANK B. McRIGHT
CLIFFORD FOSTER, III
T. K. JACKSON, III
E. B. PEEBLES, III
F. M. KEELING
GEOFFREY V. PARKER
WILLIAM B. HARVEY
KIRK C. SHAW
NORMAN E. WALDROP, JR.
CONRAD R. ARMBRECHT, II
A. DANNER FRAZER, JR.

March 28, 1973

Mrs. Eunice Blackmon, Clerk
Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama 36507

Re: S. H. Cochran, Jr. vs. D. V. Williams;
Case No. 7159 1/2

Dear Mrs. Blackmon:

Will you kindly file the enclosed Answer in the above styled cause on our behalf. Also, we would appreciate it if you would mark the date this Answer is filed on a copy of this letter and return the same in the self-addressed envelope provided.

Thank you for your cooperation.

Yours very truly,

ARMBRECHT, JACKSON & DeMOUY

By


A. Danner Frazer, Jr.

ADF, Jr/lr

Enclosure

James R. Owen to get an order

S. H. COCHRAN, JR.,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	
D. V. WILLIAMS,)	
Defendant.)	CASE NO. 7159 1/2

ANSWER

Comes now the Garnishee, Diamondhead Corporation, and in answer to the Garnishment on Judgment issued in the above styled cause says that it was indebted to D. V. Williams at the time of the service of this Garnishment on Judgment and is still so indebted to him, but that it has in its possession or under its control no personal or real property or things in action belonging to said D. V. Williams other than the above described debt. Diamondhead Corporation further says that it expects to incur further indebtedness to D. V. Williams in the future in an unknown amount to be determined by commissions to be earned by D. V. Williams in the future.

And now having fully answered, the Garnishee, Diamondhead Corporation, shows unto the Court that under applicable statutes the amount of a debtor's earnings that are to be withheld pursuant to a garnishment can vary according to the nature of the debt for which the garnishment is issued and the Garnishee respectfully requests that this Court issue an order determining the proper amount to be withheld from the Defendant's commissions, if any, and ordering the Garnishee herein to pay the amounts to be withheld into the Court on a regular basis acceptable to the Court.

DIAMONDHEAD CORPORATION

By A. Danner Frazer, Jr.
A. DANNER FRAZER, JR.
As its Attorney

FILED

MAR 29 1973

EUNICE B. BLACKMON CIRCUIT CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 28th day of March, 1973, served a copy of the foregoing pleading on counsel for all parties to this proceeding, by mailing the same by United States mail properly addressed, and first class postage prepaid.

A. Danner Frazer, Jr.

STATE OF ALABAMA)

COUNTY OF MOBILE)

Personally appeared before me the undersigned authority in and for said county in said state, A. DANNER FRAZER, JR., who being by me first duly sworn did depose and say:

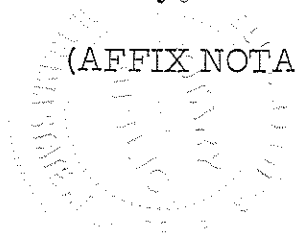
I am the Attorney for Diamondhead Corporation, and am an authorized agent of said corporation to make this Answer. I am informed and believe and based upon such information and belief, state that the foregoing Answer to the Garnishment on Judgment is true and correct.

A. Danner Frazer, Jr.
A. DANNER FRAZER, JR.

SWORN TO and SUBSCRIBED
before me this 28th day of
March, 1973.

Donnell B. Robinson
Notary Public

(AFFIX NOTARIAL SEAL)



7129 1/2

THE STATE OF ALABAMA
Baldwin County

Circuit Court

Eunice Blackmon

Personally appeared before me, ~~Shirley Duck~~, Clerk of the Circuit Court in and for Baldwin County and State

aforesaid James R. Owen

who being duly sworn, on oath says, that a regular Term

of the Circuit Court of Baldwin County, to-wit: on the ...19th..... day of ...November.....

19...69..... S. H. Cochran, Jr.,

recovered a judgment against D. V. Williams

..... for the sum of

--FOUR THOUSAND TWO HUNDRED ----- Dollars

besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect: that

..... Bay Development Corporation, 1111 Beltline Highway, South, Mobile,

..... Alabama, is

supposed to be indebted to or have effects of the said ...D. V. Williams.....

inits..... possession, or underits..... Control, and that he believes process of

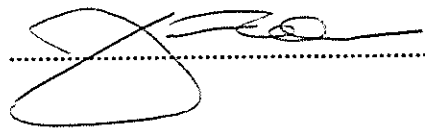
Garnishment against said ..Bay Development Corporation.....

is necessary to obtain satisfaction of said judgment.

Sworn to and subscribed this10.....

day ofOctober..... A. D. 19...72.....

Eunice B. Blackmon
Clerk.



THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19.....

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19⁶⁹..... of the Circuit Court of Baldwin County, to-wit: On the 19th day of November, 19⁶⁹, being a regular day of said term, S. H. Cochran, Jr.

recovered judgment against D. V. Williams

for the sum of Four Thousand Two Hundred Dollars, and cost of suit,

and affidavit having been made by James R. Owen

that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

Bay Development Corporation

has or is believed to have in its possession, or under its control money or effects belonging to said defendant or that it is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Comanded to Summon Bay Development Corporation

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from the service of the garnishment, or at the making of its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant and whether it will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant.....

Herein fail not, and have you then and there this Writ.

Witness, Eunice B. Blackman, Clerk of said Court, this 10 day of October, A. D., 19⁷².

Issued 10 day of Oct, A. D., 19⁷²

ATTEST:
Eunice B. Blackman, Clerk

Guthrie Baldwin
Gann

S.H. Cochran Jr.

via

D.V. Williams

Gann:

Bay Development Corp.

111 Belline Hwy So.

Mobile moved

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

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

To any Sheriff of the State of Alabama, Greeting:

WHEREAS, at a regular..... Term, 19⁶⁹....., of the Circuit Court of Baldwin County, to-wit: On the 19th day of November, 19⁶⁹., being a regular day of said term, S. H. Cochran, Jr.,

recovered judgment against D. V. Williams

for the sum of Four Thousand Two Hundred Dollars, and cost of suit, and affidavit having been made by James R. Owen that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, vis:

Bay Development Corporation

has or is believed to have in its possession, or under its control money or effects belonging to said defendant or that it is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon Bay Development Corporation

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from the service of the garnishment, or at the making of its answer, or at any time intervening the time of serving the garnishment, and making the answer it was indebted to said defendant and whether it will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing is, or are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and whether it has not in its possession or under its control money or effects belonging to the defendant.....

Herein fail not, and have you then and there this Writ.

Witness, Eunice B. Blackmon, Clerk of said Court, this 10 day of October, A. D., 19⁷².

Issued 10 day of Oct, A. D., 19⁷²

ATTEST:
Eunice B. Blackmon Clerk

CLERK OF SUPERIOR COURT
BALDWIN COUNTY, ALA.

NOV 11 8 42 AM '72

BY _____

Bulle

9593

CIRCUIT COURT, BALDWIN COUNTY

R

No. *7159 1/2*

A. H. Cochran, Jr.

VS. } GARNISHMENT ON JUDGMENT

D. V. Williams

Issued _____ day of _____ 19____

Returnable _____ day of _____ 19____

RECEIVED

OCT 10 1972

LARRY WILKINS
SHERIFF

J. R. Owen

Attorney

Moore Printing Co. - Bay Minette, Ala.

*Bay Development Corp.
1111 So. Bellina Hwy.*

RETURNED *10-16-72*
Not found in my County after dili-
gent search and inquiry. *Bay Development Corp.*
By *J. Bridges* Sheriff D.S.

STATE OF ALABAMA

Baldwin County

TO D. V. Williams, C/o Bay Development Corporation, 1111 Beltline Highway, South, Mobile, Alabama Defendant.....:

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

..... S. H. Cochran, Jr. Plaintiff.....

versus D. V. Williams Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

Bay Development Corporation

has.. been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the

10 day of October, 19 72.

Ernie B. Blackburn
Clerk of the Circuit Court.

NOTICE
TO DEFENDANT OF GARNISHMENT
BY
CLERK OF CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

TO

S. H. Cashman, Jr.

.....

.....

.....

.....

Plaintiff....

VS.

D. V. Williams

.....

.....

.....

.....

Defendant....

STATE OF ALABAMA

Baldwin County

}

TO D. V. Williams, C/o Bay Development Defendant.....:
Corporation, 1111 Beltline Highway, South, Mobile, Alabama

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of..

..... S. H. Cochran, Jr. Plaintiff.....

versus D. V. Williams Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

..... Bay Development Corporation

has... been named as Garnishee.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the

10 day of October 1972.

Ernie S. Blackmer
.....
Clerk of the Circuit Court.

7159 1/2

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

D. V. Williams

S. H. Cochran, Jr.

Plaintiff....

VS.

D. V. Williams

RECEIVED

OCT 10 1972

TAYLOR WILKINS Defendant....

Attorney

J. R. Owens
RETURNED 10-16-72

Not found in my County after diligent search and inquiry. *D. V. Williams*

RELEASE OF GARNISHMENT

Circuit Court of Baldwin County, Alabama

RE: S. H. COCHRAN, JR. vs. Plaintiff.

D. V. WILLIAMS Defendant.

To: DIAMONDHEAD CORPORATION GARNISHEE

I, Eunice B. Blackmon, Clerk of the Circuit Court of Baldwin County, Alabama, do hereby certify that in the above styled case, Garnishment has been released and Garnishee has been discharged.

Witness my hand, this the 5th day of July, 1973

 CLERK.