CASE NO. 25103 - CAFFEY

COMPANION CASE #25104

JOHNSTONE, ADAMS, MAY, HOWARD & HILL

GREGORY JAMES YESTADT, A MINOR, SUING BY AND THROUGH HIS FATHER AND NEXT FRIEND, JAMES YESTADT

JURY

BY: William H. Hardie, Jr.

Suit for \$40,000.00 damages for personal injuries. VS. (TORT)

| JERRY A, McDOWELL | RICHARD SM | YER | | N.J. | PAGE |
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| 1. Complaint & Summons | *3-14 - 68 | * C & S served on | Defendant on March 21, 1968. | | 0. |
| 2. Plea in Abatement | * 4-5-68 | * | | | |
| | * * | * May 17, 1968 - | Plea in Abatement sustained, and case transferred to Baldwin County, Alabama for further proceedings. /s/ Will G. Caffey, Jr., Judg | | |
| | * | * | /s/ Will G. Caffey, Jr., Judg | e 37 | 7-203 |

I, JOHN E. MAN DEVILLE, in my capacity as Clerk of the Circuit Court of Mobile County, Alabama, hereby certify that the above is a true and correct transcript of all the minutes, orders and other proceedings in the above styled case in this Court.

In Witness whereof I have hereunto set my hand and attached my Official Seal as such Clerk of said Court at Mobile, Mobile ty, Alabana, on this the 21st day of May County, Alabama, on this the 21st day of

JUN 25 1968

GREGORY JAMES YESTADT, a minor, suing by and through his father and next friend, JAMES YESTADT,

Plaintiff,

Vs.

RICHARD SMYER,

Defendant.

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA
AT LAW

CASE NO. 25/03

Plaintiff, Gregory James Yestadt, a minor, suing by and through his father and next friend, James Yestadt, claims of the defendant the sum of Forty Thousand and No/100 Dollars (\$40,000.00) as damages for that on, to-wit, the 29th day of December, 1967, the defendant so negligently operated a motor vehicle on or along a public highway in the County of Baldwin, State of Alabama, to-wit, on U.S. Highway No. 98 approximately two miles south of the center of Spanish Fort, Alabama, so as to cause or allow said motor vehicle to run into or collide with plaintiff's motor vehicle which was then and there being operated on said public highway, and as a direct and proximate result of the aforesaid negligence of the defendant the plaintiff was injured about the back, legs, knees and body, plaintiff's right ankle was broken, plaintiff suffered torn cartilage and tendons in his left knee, plaintiff suffered abrasions on his legs and thighs; and plaintiff further avers that as a direct and proximate result of the aforesaid negligence of the defendant the plaintiff's motor vehicle was badly bent, broken, smashed and otherwise damaged and injured; for all of which plaintiff claims damages. Plaintel demands a triol by Jury

Defendant's address:

366 S. Summit Street Fairhope, Alabama

STATE OF ALA. MOSILÉ CO. I CERTIFY THIS PLEADING WAS FILED ON

Attorneys for

JOHNSTONE, ADAMS, MAY, HOWARD & HILL

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