

KINGSTON SUPPLY CO., INC.,
a corporation,

Plaintiff,

vs.

McCAW & CAMPBELL CONTRACTORS,
INC., a corporation,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8189

MOTION FOR JUDGMENT NIL DICT


Comes now Plaintiff in the above matter and says as follows:

1. That heretofore and on, to-wit, the 17th day of April, 1968, Defendant appeared in the above matter by filing a Plea in Abatement in Mobile County, Alabama, such case having previously been filed in that County.

2. That subsequent thereto and on, to-wit, the 25th day of April, 1968, Plaintiff consented to the granting of said Plea in Abatement and the transferring of said cause to the Circuit Court of Baldwin County, Alabama.

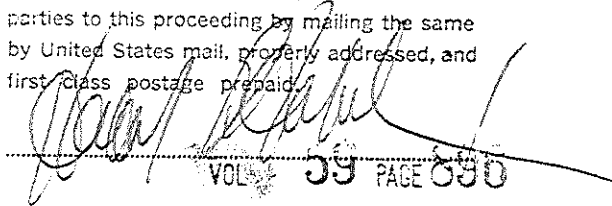
3. That since such date, no plea, answer or demurrer has been filed by Defendant, contrary to the rules and practices of this Honorable Court and the statutes and laws of the State of Alabama.

WHEREFORE, the premises considered, Plaintiff respectfully prays that this matter be set for a hearing, that, upon such hearing, Your Honor will grant unto Plaintiff a judgment nil dicit against Defendant, and Plaintiff prays for such other, further and different relief as to Your Honor may seem meet and proper, the premises considered.


HERBERT P. FEIBELMAN, JR.
Attorney for Plaintiff
Post Office Box 2082, Mobile, Ala. 36601

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12th
day of August, 1968, 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.


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FILED

AUG 12 1968

ALICE J. DUCK CLERK
REGISTER