

FEIBELMAN & SILVER

ATTORNEYS AT LAW

2103 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA 36601

HERBERT P. FEIBELMAN, JR.
IRVING SILVER

P. O. BOX 2082
TELEPHONE 205 433-1597

December 23, 1970

Circuit Court of Baldwin County
Bay Minette, Alabama

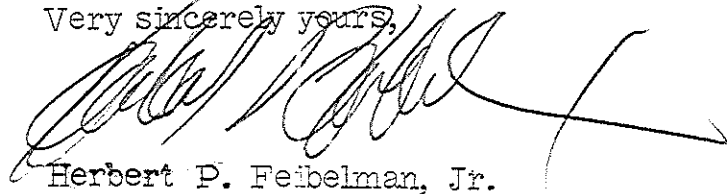
Re: T. Dwight Reid, as Trustee
Vs: Spanish Fort Furniture Sales
Case No. 8196

Gentlemen:

We have received your docket setting the above case for January 11. It has been my understanding with Mr. John Duck that the above matter has been dismissed at its last hearing. If it has not, I represent the plaintiff, I should appreciate it if you would cause the same to be dismissed at my request.

Thanking you, I am,

Very sincerely yours,



Herbert P. Feibelman, Jr.

hpf/fmt

cc: Mr. John Duck

HERBERT P. FEIBELMAN, JR.
ATTORNEY AT LAW
2103 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA 36601

TELEPHONE 433-1597

P. O. BOX 2082

June 24, 1968

Circuit Court of Baldwin County
Baldwin County Courthouse
Bay Minette, Alabama 36507

Re: T. Dwight Reid, as Trustee, etc.
Vs: Spanish Fort Furniture Sales, Inc.

Gentlemen:

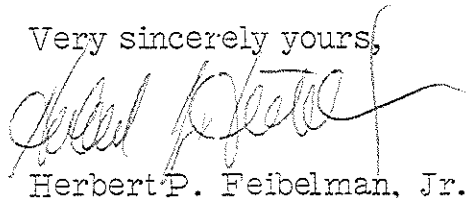
You will find enclosed herewith the original of my motion to strike the defendant's demand for a jury trial, as the law is quite clear that this demand must be made within thirty (30) days from the original service of process, which such period has long expired.

I have received a demurrer to my complaint. All of the counts thereof are in Code form, so I see nothing demurrable.

If it would be possible for you to rule on both my motion and the demurrer without my physical presence, I should appreciate it. If not, please advise me of the setting date, and I will be happy to orally argue these matters.

Thanking you, I am,

Very sincerely yours,



Herbert P. Feibelman, Jr.

hp:fir
encl.

cc: John V. Duck, Esquire

T. DWIGHT REID, as Trustee in Bankruptcy for JOHN LEMMIE HARRIS, JR., Bankrupt,	:	IN THE CIRCUIT COURT OF
	:	
	:	BALDWIN COUNTY, ALABAMA
	:	
Plaintiff,	:	AT LAW
	:	
vs.	:	
	:	
SPANISH FORT FURNITURE SALES, INC., a corporation,	:	
	:	
Defendant	:	CASE NO. 8196

MOTION TO REINSTATE

TO THE HONORABLE TELFAIR MASHBURN, JUDGE OF SAID COURT:

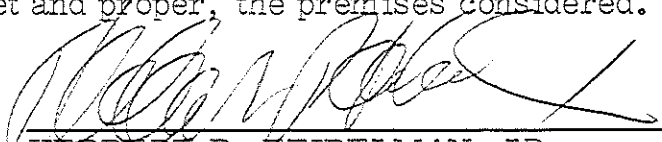
Comes now Plaintiff in the above captioned matter, and respectfully shows unto Your Honor as follows:

1. That the above entitled case was set for trial before Your Honor on, to-wit, the 13th day of March, 1970.
2. At such time, Plaintiff's attorney did not appear through a mistake. Plaintiff's attorney confused this case with another case involving the same parties set the following Friday in the United States District Court in Mobile.
3. When Plaintiff's attorney found out about this mistake, he attempted to rectify the matter and has discussed the same with the Defendant's counsel, Honorable John V. Duck.
4. In view of the said mistake, the said John V. Duck has agreed to not contest an order from Your Honor setting aside Your Honor's dismissal and re-instating this matter to the trial docket to be set at Your Honor's next jury term.

WHEREFORE, the premises considered, Plaintiff respectfully prays that Your Honor's order of dismissal be set aside and that this matter be reinstated to the trial docket for setting; and Plaintiff prays for such other, further and different relief as to Your Honor may seem meet and proper, the premises considered.

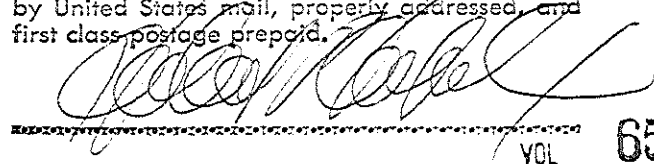
CERTIFICATE OF SERVICE

I do hereby certify that I have on this 16th day of March, 1970, 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.


HERBERT P. FEIBELMAN, JR.
Attorney for Plaintiff

FILED

MAR 17 1970



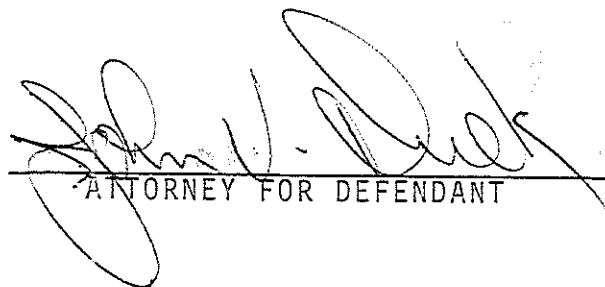
T. DWIGHT REID, as Trustee in)
Bankruptcy for JOHN LEMMIE)
HARRIS, JR., Bankrupt,)
Plaintiff,)
vs.)
SPANISH FORT FURNITURE SALES,)
INC., a corporation,)
Defendant.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CIVIL CASE NO. 8196

ANSWER

Comes now the Defendant, SPANISH FORT FURNITURE SALES, INC.,
a corporation, and for answer to each and every count of the Bill
of Complaint says:

"Not guilty".


ATTORNEY FOR DEFENDANT


FILED

MAR 11 1970

ALICE J. DUCK CLERK
REGISTER

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel
for the opposing party in the foregoing matter with a copy
of this pleading by depositing in the United States Mail
a copy of same in a properly addressed envelope with
adequate postage thereon.

This 9 day of March 1970

Attorney for Defendant

T. DWIGHT REID, as Trustee in
Bankruptcy for JOHN LEMMIE
HARRIS, JR., Bankrupt,

Plaintiff,

vs.

SPANISH FORT FURNITURE SALES,
INC., a corporation,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. _____

MOTION TO STRIKE

Comes now Plaintiff in the above matter and moves to strike the jury demand made by the Defendant, and as grounds therefor says as follows; separately and severally:

1. For that said jury demand was made more than thirty (30) days after the initial service of process in this case on the Defendant.
2. For that said jury demand was not made on the initial pleading filed in this matter, there having been two prior pleadings filed by the Defendant.
3. For that the time for requesting a jury has expired.


HERBERT P. FEIBELMAN, JR.
Attorney for Plaintiff

FILED

JUN 20 1963

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 21st
day of June, 1963, 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.


ALICE J. BECK CLERK
REGISTER

T. DWIGHT REID, as Trustee in
Bankruptcy for JOHN LEMMIE
HARRIS, JR., Bankrupt,

Plaintiff,

vs.

SPANISH FORT FURNITURE SALES,
INC., a corporation,

Defendant.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

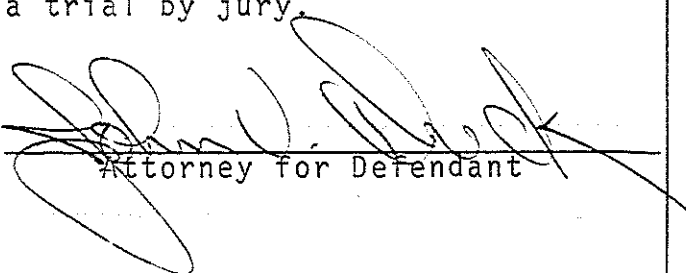
DEMURRER

Comes now the Defendant in the above styled cause, and demurs to the Bill of Complaint filed herein, and for grounds thereof assigns the following separately and severally:

1. That the said Bill of Complaint does not state a cause of action.
2. That the said counts to the Bill of Complaint are mere conclusions of the pleader.
3. That Count Three of the Bill of Complaint fails to allege what merchandise, goods and chattels were sold by the Plaintiff to the Defendant.


ATTORNEY FOR DEFENDANT

Defendant respectfully demands a trial by jury.


Attorney for Defendant

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This.....18..... day of..... June..... 1968.....


Attorney for Defendant

FILED

JUN 20 1968

ALICE J. DUCK CLERK
REGISTER

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA, AT LAW

CASE NO. 25307 - GAILLARD

HERBERT P. FEIBELMAN, JR.

T. DWIGHT REID, as Trustee in Bankruptcy for JOHN LEMMIE HARRIS, JR.,
Bankrupt

N.J.

VS. Suit for \$1,299.47 due by account.

HUBERT P. ROBERTSON

SPANISH FORT FURNITURE SALES, INC., a corporation

N.J.

PLEADINGS, PROCESS, ETC,

FILING DATE

1. Complaint & Summons

4-8-68

C & S served on Spanish Fort Furniture Sales, Inc., a Corp. on April 13, 1968
by service on Sadie Harris (Owner).

2. Plea in abatement and
Motion to quash

5-7-68

Defendant's Plea in Abatement and Motion filed May 7, 1968 for court to
quash the service.

3. Amended Plea in
Abatement

6-7-68

June 7, 1968 - Plea in Abatement sustained and case ordered transferred to
Circuit Court of Baldwin County, Alabama.

/s/ Roy Mayhall, Judge

37-327

I, JOHN E. MANDEVILLE, 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
County, Alabama, on this the 12th day of June 19 68.

Clerk

CLERK
REGISTER