STANDARD OIL COMPANY OF KENTUCKY, A Corp.,

IN THE CIRCUIT COURT OF

Plaintiff

vs:

ROY E. BUTGEREIT, d/b/a BUTGEREIT CONSTRUCTION CO.

AT LAW, CASE NO. 8210

BALDWIN COUNTY, ALABAMA

Defendant

WRIT OF DISCOVERY

ROY E. BUTGEREIT, d/b/a BUTGEREIT CONSTRUCTION CO. TO.

Take notice, that, whereas the Plaintif in the above ENTITLED CAUSE HAS REQUESTED IN WRITING, THE UNDERSIGNED, AS CLERK OF SAID COURT TO ISSUE NOTICE TO YOU AS DEFENDANT IN THE ABOVE ENTITLED CAUSE AND IN THE JUDGEMENT THEREIN, REQUIRING YOU TO FILE THE STATEMENT IN WRITING UNDER OATH OF ALL YOUR ASSETS. AS PROVIDED IN THE ACT OF THE LEGISLATURE OF ALABAMA. APPROVED SEPTEMBER 28, 1915, "TO PROVIDE FOR THE DISCOVERY OF ASSETS OF JUDGEMENT DEBTORS, AND TO FACILITATE THE ENFORCEMENT OR COLLECTION OF JUDGEMENTS IN COURTS OF LAW AND EQUITY IN THIS STATE," AND HAS FILED SAID REQUEST, IN WRITING, IN THIS CAUSE ENDORSED "NO PROPERTY FOUND" BY THE SHERIFF OF BALDWIN COUNTY, AND THAT YOU RESIDE IN THE STATE OF ALABAMA.

NOW THEREFORE, YOU, THE SAID Roy E. Butgereit, d/b/a Butgereit Construction Co., ARE HEREBY REQUIRED, WITHIN 30 DAYS FROM THE SERVICE HEREOF, TO FILE IN THIS COURT A STATEMENT, IN WRITING, UNDER OATH, OF ALL YOUR ASSETS, INCLUDING MONEY, CHOSES IN ACTION, NOTES, BONDS AND ACCOUNTS, AND ALL OTHER PROPERTY, REAL, PERSONAL OR MIXED, OR ANY INTERESTS THEREIN, WITH A DETAILED DESCRIPTION OF THE SAME, THE LOCATION AND REASONABLE VALUE OF EACH ITEM THEREOF, TOGETHER WITH A DETAILED LIST OR STATEMENT, OF ANY AND ALL LENDS, MORTGAGES OR ENCUMBRANCES THEREON.

WITNESS MY HAND THIS	8th DAY OF August
19_69	
	Click J. Duck
	CLERK

To any sheriff in the State of Alabama: Greetings.

You are HEREBY COMMANDED TO SERVE THE FOREGOING NOTICE UPON THE ABOVED NAMED ROY E. BUTGEREIT, d/b/a BUTGEREIT CONSTRUCTON CO. MAKE DUE RETURN OF YOUR SAID SERVICE AND OF THIS NOTICE.

559 A

Ten Coms per mile Total \$ 7,000

AYLOR MILKINS, Sheriff

SEPUTY SHERIFF

STANDARD OIL COMPANY OF KX. KENTUCKY, A CORP. VS:

ROY E. BUTGEREIT, d/b/a
BUTGEREIT CONSTRUCTION CO.

WRIT OF DISCOVERY OF ASSETS

Gibbons & Stokes, Atty.

STATI	\equiv	OF	ALABAMA
	Bal	ldwin	County

Circuit Court, Baldwin County	
TERM,	19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby C	Commanded to Summo	on Roy	E. Butgereit		•••••
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to appear and plo	ead, answer or demi	ır, within thirty	days from the servi	te hereof, to the compl	aint
filed in the Circuit	Court of Baldwin Cou	nty, State of Ala	bama, at Bay Minette	, against	
	Roy E.	Butgereit	.,		••••
•					
***************************************	,		***************************************	Plaintiff	
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witness my hand	UII5	uay Oidibb	Mich	iO. c. b	·7 T

\mathcal{J}'		2 who from July 26
6.No. 2210	Page	
STATE	OF ALABAMA	Defendant lives at
Ba	ldwin County	- Jourhone
CIRC	UIT COURT	Received In Office
	APANY OF KENTUCKY, Corporation Plaintiffs	I have executed this summons
	vs.	this LLA 19.4. 19.4. by leaving a copy with
ROY.E., BUTG	GEREIT Defendants	Loy Lo Butgere.
SUMMONS	AND COMPLAINT	Jan Marie Constitution of the Constitution of
Filed	7/9/6819	
Al.iceJDucl	k Clerk	
TAYLOR WILKIN	IS, SHERIFF OF BALDWIN	
COUNTY, ALAB	AMA, CLAIM \$1.50 FACH	
	PROCESS(ES) AND	epopularia de la companya de la comp
TRAVEL EXPEN	se on each of $$200$	
PROCESS(ES) OF	R A TOTAL OF \$ 8,50	
	F. Stokes, III. Plaintiff's Attorney	Sheriff
	Defendant's Attorney	Deputy Sheriff

STANDARD OIL COMPANY OF KENTUCKY, a corporation,)	
Plaintiff)	
VS:)	CIVIL ACTION NO. 8210
ROY E. BUTGEREIT, d/b/a BUTGEREIT CONSTRUCTION COMPANY,)	
Defendant)	

INTERROGATORIES TO JUDGMENT DEBTOR

Comes now the Plaintiff and propounds the following interrogatories to the judgment debtor:

- 1. Please state your name and address.
- 2. Please list any and all real estate owned by you, giving street address, if any, value of such property and a description of any mortgage or other lien against such real estate, giving the name of the mortgage holder, amount due, etc.
- 3. Please list any motor vehicles owned by you, giving a description of each and mortgage indebtedness or other lien against such motor vehicles.
- 4. Please state, or otherwise list, all other personal property owned by you, giving a description of each item and value thereof, and if indicated, any indebtedness against such property.
- 5. Please state the balance in any and all checking or savings accounts maintained by you, also giving the name and address of such banks, or other financial institution.
- 6. Please state whether you have transferred any real or personal property within the last two years and if so, please give information as to the date of the transfer, person to whom transferred, the property transferred, and the consideration paid for transfer.

- 7. Please state whether any person or firm owes you any money and if so, give full particulars.
 - 8. Please state the name and address of your employer.

GIBBONS, STOKES & CLARK

Attorney for Plaintiff P. O. Drawer 889

Mobile, Alabama 36601

Serve the Defendant at Box 547, Fairhope, Alabama. Defendant's Telephone No. 928-7281.

FILED

DEC 1 3 1974

EUNICE B. BLACKMON CIRCUIT

STANDARD OIL COMPANY OF KENTUCKY, A	
CORPORATION	Circuit Court, Baldwin County, Alabama
Plaintiff Vs.	Civil Action No. 8210
ROY E. BUTGEREIT, d/b/a BUTGEREIT	
CONSTRUCTION COMPANY	, 19
Defendant	
-	e 4 (a) (3) of the Alabama Rules of Civil Procedure
to effect service in the State of Alabama:	Interrogatories
You are hereby commanded to serve t	his summons and xxxxxxxxxxxxxxxxxxxxxxix in this action
upon defendant Box 547, Fairhope, Ala	abama
Telepho No. 928-728	Emmo managaria di salah masari masari na pangaria na masari na managaria na managaria na managaria na managari
	Interrogatories
Each defendant is required to serve a	copy of axxixiexxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
Gibbons, Stokes & Clark	attorney of record for the plaintiff whose address is
P. O. Drawer 889, Mobile, Alabama 30	within thirty (30) days after service
of this summons excluding the day of service of t answer with the Clerk of this Court at the time of for the Plaintiff or within a reasonable time there by default may be entered against that defendant	he summons and to file the original of said written if service of the answer upon the attorney of record eafter. If any defendant fails to do so, a judgment
DatedDECEMBER 13, 1974	Clerk of Circuit Court

STATE (OF ALA	
	IIT. COL	
ANDARD OIL (
CORPORATION	The second secon	
		Plaintiffs
	VS.	. Dimarrie
OY E. BUTGER	, j	Defendants
SU	MMONS	
ed		19,
		Clerk

EUNICE B. BLACKMON GIRCOLL

GIBBONS, STOKES & CLARK Plaintiff's Attorney Defendant's Attorney

2Nd Right	
MAT NOV Defendant lives at	
Leg 542 . Auchogae.	
Received In Office	
Dec. 16 th	19.74
Laylor Wieking	
I have executed this summo	ns
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by leaving a copy with	

Roy	e i	B.c.L.epe.	ges T	
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	Ų.				<i>7</i>) : :	

Deputy Sheriff

STANDARD OIL COMPANY OF	IN THE CIRCUIT COURT OF
(
KENTUCKY, a corporation	*
	MOBILE COUNTY,
)	
(
PLAINTIFF,)	ALA BAMA
-versus-	
(AT LAW
ROY E. BUTGEREIT (AI DAW
	A service of the serv
)	
ן מונה א ניון זרד מדים כדי (C : CT: NO
DEFENDANT.)	CASE NO.
NON-HILITARY	APPTI HTT
	APP IDAVII
STATE OF ALABAMA)	
COUNTY OF MOBILE)	
Now comes, B. F. Stokes,	TTT
who being first duly sworn, dep	oses and says that the defendant
herein, Roy E. Butgereit	
was not at the time of filing of	,
in the Military or Naval Service	e of the United States.
The Defendant resides at	
Baldwin County, Alab	dina •
	1. 2 15 O S
<u>//</u>	9-1 Molien da
Sworn to and Subscribed before	
Sworn to and Substitued before	70.0
	·
this 27 day of September	·
this 27 day of September	·
Milled & Book	
AKKAKEKAKEK, KAKEKAKEKE	,19 <u>68</u> .
Milled & Book	,19 <u>68</u> .
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	,19 <u>68</u> .
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REP 3 0 1908	,19_68. XXXXX AT LARGE
REP 3 0 1908	,19 68. XXXXXX AT LARGE

GIBBONS & STOKES

ATTORNEYS AT LAW

160 CONGRESS STREET

MOBILE, ALABAMA

TELEPHONE 433-2611

August 4, 1969

E. GRAHAM GIBBONS B. F. STOKES, III WILLIAM L. HOWELL

MAILING ADDRESS
P. O. BOX 293
MOBILE, ALABAMA 3660:

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

RE: Standard Oil Company of Kentucky, a corporation vs Roy E. Butgereit, Case No. 8210

Dear Mrs. Duck:

Enclosed is a copy of a letter received from Sheriff Taylor Wilkins. Since the execution has now been returned "no property found", please issue a writ of discovery to the defendant commanding him to file in Court a sworn answer as to his assets and liabilities, etc.

Sincerely yours,

B. F. Stokes, III

BFS/cs

FILLS

MIGE J. BUCK STER

issued 8-8-69

TAYLOR WILKINS

SHERIFF
BALDWIN COUNTY
BAY MINETTE ALABAMA
36507
July 30, 1969

Honorable B. F. Stokes, 111 Attorney At Law P. O. Box 293 Mobile, Alabama 36601

Re: Standard Oil Company
Vs: Roy E. Butgereit d/b/a
Butgereit Construction Co.

Dear Mr. Stokes:

The execution regarding the above styled case was returned to the court on December 16, 1968 marked "No Property Found of the Defendant".

Sincerely yours,

Taylor Wilkins, Sheriff

GIBBONS & STOKES

ATTORNEYS AT LAW

160 CONGRESS STREET

MOBILE. ALABAMA

TELEPHONE 433-2611

September 27, 1968

E. GRAHAM GIBBONS
B. F. STOKES, III

JOHN S. GONAS, JR.

MAILING ADDRESS P. O. BOX 293 MOBILE, ALABAMA, 36601

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

Re: Standard Oil Company of Kentucky, a corporation, vs Roy E. Butgereit, Case No. 8210

Dear Mrs. Duck:

I enclose a motion for judgment by default and non-military affidavit in the above case. Please present this matter to Judge Mashburn for his consideration of judgment by default. Also, please either send me a certificate of judgment so that I might record the same in Baldwin County Probate Court or if it is within your usual procedure, please issue and record such certificate of judgment. Please advise me of the amount of the charges and I will make prompt remittance.

The amount of the judgment should be \$7,082.97 plus \$910.00 interest for a total judgment of \$7,992.97.

Sincerely yours,

B. F. Stokes, III

BFS:fo Enclosures

GIBBONS & STOKES

ATTORNEYS AT LAW

160 CONGRESS STREET

MOBILE, ALABAMA

TELEPHONE 433-2611

E. GRAHAM GIBBONS B. F. STOKES, III

JOHN S. GONAS, JR.

July 5, 1968

MAILING ADDRESS P. O. BOX 293 MOBILE, ALABAMA, 36601

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

no. 8210

Re: Standard Oil Company of Kentucky vs Roy E. Butgereit

Dear Mrs. Duck:

I enclose a complaint as styled above. Please file and process the same.

Thanking you for your kind attention, I am

Sincerely yours,

B. F. Stokes, III

BFS:fo Enclosure <u>July 11</u>, 1966

Standard Oil Company (Ky)

Gentlemen:

In consideration of your granting credit to Matting 1/1 13 topical Carst whose address is 120 1300 (hereinafter Collection) referred to as the "Customer"), and other valuable consideration, the undersigned hereby guarantees the payment when due of all your charges for the account of said customer of whatever nature, including all charges pursuant to the terms of credit cards issued by you to said customer for goods sold and delivered on or after this date. The under signed horeby waives diligence, demand and notice from you or on your part, and authorizes you to change the time for payment by the customer without notice to the undersigned. This guaranty is a continuing one and shall remain in force until such time as you receive at your office, written notice of the termi-Marilo nation thereof from the undersigned and for such further time after the receipt of such written notice of the termination thereof from the undersigned until credit cards issued by you to said customer have been returned to you or have expired according to their terms.

Dated July 11, 1960, Address & Bulgaria

STANDARD OIL COMPANY OF KENTUCKY,)
a corporation,

Plaintiff,

vs. ROY E. BUTGEREIT, d/b/a
BUTGEREIT CONSTRUCTION CO.,

Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 8210

Comes now ROY E. BUTGEREIT, and for answer to the Writ of Discovery filed herein, shows as follows:

1. Cash on hand

\$134.00

- 2. One lot of personal clothing 200.00
- 3. One lot of sporting equipment 150.90
 TOTAL \$484.00

No real estate.

Owns no automobiles or trucks.

ROY E. BUTGEREIT

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, the undersigned authority, ROY E. BUTGEREIT, who being by me first duly and legally sworn, doth depose and say that the above listed is all of the assets, including money, choses in action, notes, bonds, real and personal property that he owns or has any interest in at the time of the filing of the Writ of Discovery.

ROY E. BUTGEREIT

Sworn to and subscribed before me on this the 12th day of

September, 1969.

NOTARY PUBLIC

SEP 15

ALBE JOSEPH SALE

559 B

STANDARD OIL COMPANY OF) IN THE CIRCUIT COURT KENTUCKY, a corporation) OF BALDWIN COUNTY,

Plaintiff) ALABAMA

VS) AT LAW

ROY E. BUTGEREIT) Case No. 8210

Defendant

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows unto the Court that the defendant herein was served with the complaint and summons more than thirty days ago and has failed to file an answer thereto.

WHEREFORE, plaintiff moves the Court to enter judgment by default.

Attorney for Plaintiff

B. F. Stokes, III P. O. Box 293 Mobile, Alabama STANDARD OIL COMPANY OF
KENTUCKY, a corporation

Plaintiff

ALABAMA

VS

ROY E. BUTGEREIT

Defendant

) IN THE CIRCUIT COURT

AT LAW

Case No. 4110

Plaintiff claims of defendant the sum of \$7,082.97 due from defendant for that heretofore on, to-wit, July 11, 1966, the defendant executed a guaranty agreement to the plaintiff under the terms of which the defendant promised and agreed that if the plaintiff would extend credit to Mattingly Butgereit Construction Company, Inc., defendant would guarantee payment of all charges on the account of the said Mattingly Butgereit Construction Company, Inc. and plaintiff avers that pursuant to said guaranty agreement, the plaintiff did, indeed, extend credit to said Mattingly Butgereit Construction Company, Inc. to the extent of \$7,082.97, which sum is due and unpaid by the said Mattingly Butgereit Construction Company, Inc. to the plaintiff and plaintiff avers that defendant breached said guaranty agreement dated July 11, 1966 in that he has failed and refused to honor said guaranty agreement and has not paid the said balance of \$7,082.97 to the plaintiff. Plaintiff has attached hereto "Exhibit A", being a true facsimile copy of said guaranty agreement dated July 11, 1966 and the same is incorporated herein and by reference made a part hereof, as though fully set out in this complaint.

WHEREFORE, plaintiff sues and demands judgment in the sum of \$7,082.97, plus interest as provided by law.

Attorney for Plaintiff

Serve the defendant at Fairhope, Alabama, phone 928-7281

JUL 9 1968

1 copy

MOSS-THORNTON COMPANY, INC.



General Contractors

P. O. DRAWER 486 · LEEDS. ALABAMA 35094



November 27, 1973

J. P. MOSS, Chairman of the Board W. W. MOSS, President JAMES H. PATTERSON, Exec. Vice President E. J. THORNTON, SR. Vice President

Circuit Court, Baldwin County Bay Minette, Alabama

Re: Standard Oil Company of Kentucky, a corp.

vs. GARNISHMENT ON JUDGMENT

Roy E. Butgereit

Moss-Thornton Company, Inc., garnishee

Gentlemen:

Enclosed is ANSWER OF GARNISHEE in connection with the above case.

Yours very truly

Jane Culbreth, Duly Authorized

Agent for Said Garnishee

encl.

Subscribed and sworn to before me this 27th day of November 1973.

Notary Public

Commission expires 2-29-76

Tax Receipt for Year 1973 City & Hospital Coca BOOK DESTRUCTION AND Steller (Coloncy Control City Toxos "Denote": Harvett Tax Collector of fishion County log toxonosy reav Marchin Alo, 86907 BEAT 13 ASSESSOR FEE SCHOOL DISTRICT CITY TOTAL TAX DUE BECEPT NUMBER City Tox And Valuation Pers Valuation Rate Valuation Valuation: 400.40 15,400 15,400 1,123 SUB TOTAL Pd. by Ck. Property Pd. by Cash Transfer Pd. by M.O. PENALTY LEXINOTEN (1 1502) ... -17. Interest C-O A.D. SHITH Decree THE MODILE ALA. Advertising Cost Total Tax, Fees and Cast

, ",

STANDARD OIL COMPANY OF KENTUCKY, a corporation)	IN THE CIRCUIT COURT
)	OF BALDWIN COUNTY,
Plaintiff)	ALABAMA
VS)	AT LAW
ROY E. BUTGEREIT)	Case No. 8210
Defendant	F	

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows unto the Court that the defendant herein was served with the complaint and summons more than thirty days ago and has failed to file an answer thereto.

WHEREFORE, plaintiff moves the Court to enter judgment by default.

Attorney for Plaintiff B. F. Stokes, III P. O. Box 293 Mobile, Alabama