

FILM PROCESSORS, A PARTNERSHIP,
COMPOSED OF H. B. McCLAIM AND
B. S. HAVARD,

PLAINTIFF

VS

C. P. FORREST, D/B/A FORREST
INDUSTRIES, ET AL,

DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
CASE NO: _____

A N S W E R

COMES NOW THE DEFENDANT IN THE ABOVE STYLED CAUSE AND
FOR ANSWER TO THE BILL OF COMPLAINT HERETOFORE FILED IN THIS
CAUSE AND TO EACH COUNT THEREOF, SEPARATELY AND SEVERALLY, ANSWERS
AS FOLLOWS:

1. NOT GUILTY.
2. THE DEFENDANT IS NOT INDEBTED TO THE PLAINTIFF

BAILEY & TAYLOR

By: Lloyd E. Taylor
ATTORNEYS FOR THE DEFENDANT

FOR THE TRIAL IN THIS CAUSE THE
DEFENDANT DEMANDS A TRIAL BY JURY.

Lloyd E. Taylor

FILED

MAR 12 1969

ALICE J. BUCK CLERK
REGISTER

FILM PROCESSORS, A PARTNERSHIP,
COMPOSED OF H. B. McCLAIM AND
B. S. HAVARD,

PLAINTIFF

VS

C. P. FORREST, D/B/A FORREST
INDUSTRIES, ET AL,

DEFENDANT

)

)

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CASE NO: _____

DEMURRER

COMES THE DEFENDANT, C. P. FORREST, D/B/A FORREST INDUSTRIES
AND C. P. FORREST, INDIVIDUALLY, IN THE ABOVE STYLED CAUSE AND
DEMURS TO THE PLAINTIFF'S COMPLAINT, AND TO EACH COUNT THEREOF
SEPARATELY AND SEVERALLY, AND ASSIGNS THE FOLLOWING GROUNDS OF
DEMURRER;

1. IT DOES NOT APPEAR THEREFROM THAT THERE WAS ANY CONSIDERA-
TION FOR DEFENDANT'S ALLEGED PROMISE.
2. SAID COUNT IS VAGUE AND INDEFINITE.
3. IT DOES NOT APPEAR THEREFROM WHAT AMOUNT WAS DUE WITH
REGARD TO THE INTEREST ON THE ALLEGED PROMISSORY NOTE.

BAILEY & TAYLOR

By: Grand M. Bailey
ATTORNEYS FOR THE DEFENDANT

FOR A TRIAL IN THIS CAUSE THE
DEFENDANT DEMANDS A TRIAL BY JURY.

FILED

JAN 28 1969

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ALICE J. DUCK

CLERK
REGISTER

FILM PROCESSORS, a partnership
composed of H.B. McClaim and
B. S. Havard

NO. 25672 JUDGE MAYHALL

C. P. FORREST, dba FORREST
INDUSTRIES, C. P. FORREST &
JOHN DOE co-partners dba
FORREST INDUSTRIES, a
corporation, THE ABC CORPORATION

IN THE CIRCUIT COURT OF

MOBILE COUNTY, ALABAMA

AT LAW 8272

STATE OF ALABAMA) IN THE CIRCUIT COURT OF BALDWIN
COUNTY OF BALDWIN) COUNTY, ALABAMA

I, ALICE J. DUCK, Clerk of the Circuit Court of
Baldwin County, Alabama, do hereby certify that I have this
day received and filed in this office, the complete transcript
of the records and proceedings had in the above entitled cause
in the Circuit Court of Mobile County, Alabama, together with
the bill of costs to date in said Court

DONE this the 20 day of August, 1968.

ATTEST:

Alice J. Duck
CLERK, CIRCUIT COURT, BALDWIN COUNTY, ALABAMA

FILED

AUG 20 1968

ALICE J. DUCK CLERK
REGISTER

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

CASE NO. 25672

PAUL BROCK
HARWELL E. COALE, JR.

FILM PROCESSORS, a partnership, composed of H. B. McCLAIM
and B. S. HAVARD

N.J.

VS. Suit for \$1,476.00 with interest due by promissory note (WAIVER)

ERNEST M. BAILEY
59 North Section
P.O. Box 361
Fairhope, Alabama 36532

C.P. FORREST, doing business as FORREST INDUSTRIES; C.P. FORREST and
JOHN DOE, co-partners doing business as FORREST INDUSTRIES, a corporation;
THE ABC CORPORATION, whose name is otherwise unknown at this time but will
be added by amendment when ascertained; separately and severally

N.J.

PLEADINGS, PROCESS, ETC, * FILING DATE *

1. Complaint & Summons * 5-21-68
2. Plea in Abatement * 7-19-68

* C & S served on C.P. Forrest and Forrest Industries, a corp., on June 18, 1968
* by service on C.P. Forrest.

* August 16, 1968 - Cause transferred to Baldwin County on Defendant's Plea
* in Abatement. 37-564
* /s/ Roy Mayhall - Judge

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 19th day of August 1968.

ALICE J. DUCK CLERK
REGISTER

AUG 20 1968

FILED

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FILM PROCESSORS,
a partnership, composed
of H. B. McCLAIM and
B. S. HAVARD,

Plaintiff

vs.

C. P. FORREST, doing
business as FORREST
INDUSTRIES; C. P.
FORREST and JOHN DOE,
co-partners doing business
as FORREST INDUSTRIES;
FORREST INDUSTRIES, a
corporation; THE ABC
CORPORATION, whose name
is otherwise unknown at
this time but will be added
by amendment when ascertained;
separately and severally,

Defendants.

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA

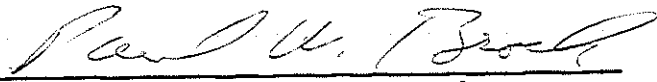
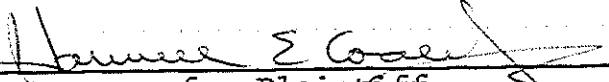
AT LAW

CASE NO. 25672

C O M P L A I N T

The Plaintiff claims of the Defendants the sum of
ONE THOUSAND FOUR HUNDRED SEVENTY-SIX (\$1,476.00) DOLLARS
due by promissory note made by defendants on the 26th
day of December, 1967, and payable on the 25th day of March,
1968, with interest thereon at the rate of eight percent
(8%) and all costs of collecting said note, or attempting
to collect said note including a reasonable attorney's fee.

The Plaintiff further avers that in said note and
as a part thereof, said defendant waived all rights of
exemption under the Constitution and laws of the State of
Alabama or any other state.



Attorneys for Plaintiff
First National Bank Building
Mobile, Alabama

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES AND JOHNSTON

Defendant C. P. Forrest can be served at
Ingleside Avenue, Fairhope, Alabama
or
801 N. Section, Fairhope, Alabama.

Defendant Forrest Industries may be
served by serving a copy on C. P.
Forrest at: Ingleside Avenue,
Fairhope, Alabama or 801 N. Section,
Fairhope, Alabama

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

MAY 21 4 52 PM '68

John Marshall
CLERK

VOL

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THE STATE OF ALABAMA
MOBILE COUNTY

CIRCUIT COURT

To Any Sheriff of the State of Alabama:

You are hereby commanded to summon

C.P. FORREST, doing business as FORREST INDUSTRIES; C.P. FORREST
and JOHN DOE, co-partners doing business as FORREST INDUSTRIES;
FORREST INDUSTRIES, a corporation; THE ABC CORPORATION, whose name
is otherwise unknown at this time but will be added by amendment
when ascertained; separately and severally

to appear within thirty days from service of this process, in the Circuit Court of Mobile County, Alabama,
at the place of holding the same, then and there to answer the complaint of

FILM PROCESSORS, a partnership, composed of H. B. McCLAIM and
B. S. HAVARD

WITNESS: John E. Mandeville, Clerk of said Court, this 21st day of May, 19 68

Attest: *John E. Mandeville* Clerk

SHERIFF'S RETURN

Received _____ day of _____, 19____ and on _____ day
of _____, 19____, I served a copy of
the within _____ on _____
by service on _____

RAY D. BRIDGES, SHERIFF

By _____ D.S.

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

MAY 23 3 33 PM '68

BY _____

Received 27 day of May 1968
and on 18 day of June 1968

served a copy of the within C + S

on C.P. Forrest and

Forrest Industries, a corp

by service on John C. R. Forrest

T. W. Taylor

TAYLOR WILKINS, Sheriff

By Randall D. §

TAYLOR WILKINS, SHERIFF OF BALDWIN

COUNTY, ALABAMA, CLAIM \$1.50 EACH

FOR SERVING 2 PROCESS(ES) AND

TRAVEL EXPENSE ON EACH OF \$ 14.00

PROCESS(ES) OR A TOTAL OF \$ 17.00

mail No. 25672 - 6
JUDGE [Signature] DOCKET
CIVIL DIVISION
CIRCUIT COURT
MOBILE COUNTY

Film Processors, a partnership,
composed of H.B. McClaim and
B.S. Havard

VS. } Complaint and Summons

C.P. Forrest, doing business as
Forrest Industries; C.P. Forrest
and John Doe, co-partners doing
business as Forrest Industries,
etc., et al

Issued 21st day of May, 1968

Defendant's Address

Baldwin Co.
See letter inside, please.

PAUL W. BROCK & HARWELL E. COALE, JR.
Plaintiff's Attorney

ERNEST M. BAILEY
ATTORNEY AT LAW
59 NORTH SECTION
FAIRHOPE, ALABAMA 36532

BOX 361

JULY 13

1968

CLERK OF CIRCUIT COURT
MOBILE COUNTY
MOBILE, ALABAMA

RE: FILM PROCESSORS VS

C. P. FORREST, D/B/A
FORREST INDUSTRIES, ET
AL, CASE No. 25762

25672-2

PLEASE FILE THE ATTACHED PLEA IN ABATEMENT IN
THE ABOVE MATTER. MR. PAUL BROCK, WITH HAND,
ARENDALL, BEDSOLE, GREAVES & JOHNSTON, IS THE
ATTORNEY FOR THE OTHER SIDE.

THANK YOU FOR YOUR COOPERATION. HIS PLEADING
WAS FILED ON

VERY TRULY YOURS,

ERNEST M. BAILEY
EMB/W

INCL: AS NOTED

JUL 19 9 10 AM '68

Paul M. Anderson
CLERK

FILM PROCESSORS, A PARTNERSHIP,
COMPOSED OF H. B. McCLAIM AND
B. S. HAVARD,

PLAINTIFF

VS

C. P. FORREST, D/B/A FORREST
INDUSTRIES, ET AL
DEFENDANT

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA

AT LAW

CASE NO. 25762-8
25672-8

COMES NOW THE DEFENDANT, C. P. FORREST, D/B/A FORREST INDUSTRIES AND C. P. FORREST, INDIVIDUALLY, IN THE ABOVE STYLED CAUSE AND APPEARS SPECIFICALLY FOR FILING THIS PLEA IN ABATEMENT AND FOR REASON THEREFOR SAYS: THAT THE DEFENDANT IS A RESIDENT OF FAIRHOPE, BALDWIN COUNTY, ALABAMA AND HIS PRINCIPAL OFFICE IS IN FAIRHOPE, BALDWIN COUNTY, ALABAMA AND DOING BUSINESS ONLY IN FAIRHOPE, BALDWIN COUNTY, ALABAMA AND WAS SUCH AT THE TIME THE INDEBTEDNESS SUED FOR WAS INCURRED, AND AT THE TIME OF FILING THE SUITE IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA.

FOR REASON HEREIN, SAID SUIT SHOULD BE ABATED IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

C. P. Forrest

C. P. FORREST, D/B/A FORREST
INDUSTRIES

C. P. Forrest

C. P. FORREST, INDIVIDUALLY

STATE OF ALABAMA)

COUNTY OF BALDWIN)

BEFORE ME, PERSONALLY APPEARED C. P. FORREST, WHO HAVING FIRST BEEN DULY SWORN, DEPOSES AND SAYS THAT THE FACTS IN THE FOREGOING ARE TRUE.

C. P. Forrest

C. P. FORREST

SWORN AND SUBSCRIBED TO BEFORE
ME THIS THE 13th DAY OF JULY, 1968

Ernest M. Bailey
NOTARY PUBLIC

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

JUL 19 9 22 AM '68

ERNEST M. BAILEY
ATTORNEY FOR THE DEFENDANT

61 PAGE 368
Ernest M. Bailey
CLERK

FRIDAY, AUGUST 16, 1968

FILM PROCESSORS, a partnership)	
composed of H.B.McClaim and)	
B. S. Havard)	CAUSE TRANSFERRED TO
MAYHALL)	
-vs-)	BALDWIN COUNTY ON DEFENDANTS'
25672)	
C. P. FORREST, dba FORREST)	PLEA IN ABATEMENT
INDUSTRIES, C. P. FORREST &)	
JOHN DOE co-partners dba)	
FORREST INDUSTRIES, a)	
corporation, THE ABC CORPORATION))	

This day in open Court came the parties by their attorneys, and defendant's Plea in Abatement filed July 19, 1968, in this cause, coming on to be heard and being argued by counsel and understood by the Court;

It is ordered and adjudged by the Court that this cause be, and the same is hereby transferred to the Circuit Court of Baldwin County, on defendants' Plea in Abatement.

Minute book 37

Page 564

STATE OF ALABAMA, }
COUNTY OF MOBILE }

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

I, JOHN E. MANDEVILLE, Clerk of the Circuit Court of Mobile County, Alabama, do hereby
certify that the foregoing is a full, true and correct copy of Cause transferred to
Baldwin County on Defendants' Plea in Abatement

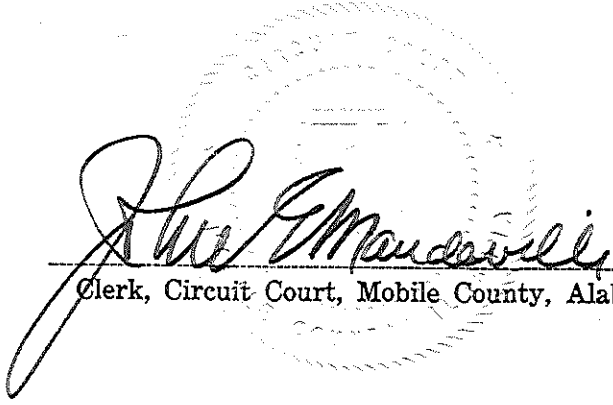
as rendered by the said Circuit Court on the 16th day of August, 19 68, in the cause
entitled No. 25672 - FILM PROCESSORS, a partnership composed of H. B.
McClaim and B. S. Havard, Plaintiff,

— versus — C.P. FORREST, d/b/a FORREST INDUSTRIES, C.P. FORREST &
JOHN DOE co-partners dba FORREST INDUSTRIES, a corporation
and THE ABC CORPORATION

Defendant, ~~(together with the cancellation thereof)~~, as the same remains of record in this office in
Minute Book No. 37, Page No. 564

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at office
in the City of Mobile, Alabama, on this the 19th day of August, 19 68.

ATTEST:


Clerk, Circuit Court, Mobile County, Alabama.

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

No.

25672

FILM PROCESSORS, a partnership etc.

VS.

C.P. FORREST, doing business as FORREST INDUSTRIES, etc.

Plaintiff

Defendant

BILL OF COST

(Act No. 740, Reg. Session Ala. Legislature 1957
Appvd. Sept. 20, 1957)
(Amend Sec. 21, Title 11, Code Ala. 1940)

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES	Plff.	Deft.	SHERIFF'S FEES	Plff.	Deft.
Suits for \$100 or less \$ 6.00			Mileage \$14.00	17 00	
Suits for over \$100 but less than \$1,000 10.00			Serving Summons & Complaint \$ 1.50		
Suits for \$1,000 and over 20.00	20 00		Serving Writ of Garnishment 1.50		
Suits in detinue, ejectment, etc. 10.00			Serving Sci Fa.-Notices 1.50		
Suits not otherwise provided 10.00			Levying Attachment & Return 6.25		
Writs, Mandamus, Prohibition, etc. 15.00			Executing Writ Possession 5.00		
Appeals from Court General Sessions 15.00			Seizing personal property under Writ of Detinue 6.00		
Appeals from Probate Court 20.00			Serving subpoenas, each .75		
Appeals from JP Courts 6.00			Impanelling Jury .75		
Appeals from State Dept of Pub. Safety, and other State Agencies 10.00			Taking & Approving Bond 2.00		
Workmen's Compensation Settle. 10.00			Collecting Costs Execution 1.50		
Garnishment on Judgment 6.00			Serving Contempt Writ 1.50		
Order of Sale, Motions to sell. 6.00			Making Deed for Property sold 2.50		
Recording executions from State Agencies 3.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3% \$		
Cert. Copy of Record - per 100 words .15					
Taking Appeal Bond .75			Total \$	17 00	
Record for Supreme Court etc., per 100 words .15					
Add'l Copies of Record for Supreme Court, per 100 words .05			RECAPITULATION		
Checking - including Reporters Transcript of Evidence 10.00			Clerk	20 00	
Certifying Abstract in lieu of Transcript on Appeal 5.00			Sheriff Taylor Wilkins, Baldwin County	17 00	
Collecting Money on Judgments over 30 days old, ½ the percentage allowed Sheriffs \$			Inferior Civil Court		
			Justice Peace fees		
			Witness fees		
			Commissioner's fees	80	
			Certified Copy		
			Judgment		
			10% Damages		
			Interest		
			Stenographer's fees (\$10.00 Day)		
			Library fee 1.50	1 50	
			Trial Tax (County) 1.50	1 50	
			Trial Tax (State) 1.50	1 50	
			Advertisement		
			Garnishee's fees		
Total \$	20 00				

I respectfully beg to advise that if this bill for costs is not paid before _____ 19_____, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk

Filed August 19, 1968
John E. Mandeville, Clerk

\$42.30

CIVIL DIVISION, CIRCUIT COURT, MOBILE COUNTY

FILM PROCESSORS, a partnership etc.

No. 25672

VS.

C.P. FORREST, doing business as FORREST INDUSTRIES, etc.

Plaintiff

Defendant

(Act No. 740, Reg. Session Ala. Legislature 1957
Appvd. Sept. 20, 1957)
(Amend Sec. 21, Title 11, Code Ala. 1940)

BILL OF COST

(Act No. 571, Reg. Ses. Leg. 1955)
(Amend Sec. 34 and 100, Title 11, Code Ala. 1940)

CLERK'S FEES		Pltff.	Deft.	SHERIFF'S FEES		Pltff.	Deft.
Suits for \$100 or less	\$ 6.00			Mileage \$14.00			
Suits for over \$100 but less than \$1,000	10.00			Serving Summons & Complaint	\$ 1.50	17 00	
Suits for \$1,000 and over	20.00	20 00		Serving Writ of Garnishment	1.50		
Suits in detinue, ejectment, etc.	10.00			Serving Sci Fa.-Notices	1.50		
Suits not otherwise provided	10.00			Levying Attachment & Return	6.25		
Writs, Mandamus, Prohibition, etc.	15.00			Executing Writ Possession	5.00		
Appeals from Court General Sessions	15.00			Seizing personal property under Writ of Detinue	6.00		
Appeals from Probate Court	20.00			Serving subpoenas, each	.75		
Appeals from JP Courts	6.00			Impanelling Jury	.75		
Appeals from State Dept of Pub. Safety, and other State Agencies	10.00			Taking & Approving Bond	2.00		
Workmen's Compensation Settle.	10.00			Collecting Costs Execution	1.50		
Garnishment on Judgment	6.00			Serving Contempt Writ	1.50		
Order of Sale, Motions to sell.	6.00			Making Deed for Property sold	2.50		
Recording executions from State Agencies	3.00			Commission, collecting money on executions, 1st \$200 5%; \$200 to \$500 4%; over \$500 3%			
Cert. Copy of Record - per 100 words	.15				\$		
Taking Appeal Bond	.75			Total	\$	17 00	
Record for Supreme Court etc., per 100 words	.15						
Add'l Copies of Record for Supreme Court, per 100 words	.05			RECAPITULATION			
Checking - including Reporters Transcript of Evidence	10.00			Clerk		20 00	
Certifying Abstract in lieu of Transcript on Appeal	5.00			Sheriff	Taylor Wilkins, Baldwin County	17 00	
Collecting Money on Judgments over 30 days old, ½ the percentage allowed Sheriffs	\$			Inferior Civil Court			
	\$			Justice Peace fees			
Total	\$ 20 00			Witness fees			
				Commissioner's fees		80	
				Certified Copy			
				Judgment			
				10% Damages			
				Interest			
				Stenographer's fees (\$10.00 Day)			
				Library fee	1.50	1 50	
				Trial Tax (County)	1.50	1 50	
				Trial Tax (State)	1.50	1 50	
				Advertisement			
				Garnishee's fees			

I respectfully beg to advise that if this bill for costs is not paid before _____ 19_____, it will be my unpleasant duty to issue execution for same.

JOHN E. MANDEVILLE, Clerk

\$42.30

Filed August 19, 1968 \$42
John E. Mandeville, clerk

MR. PAUL W. BROCK & MR. HARWELL E. COALE, JR.,
OF HAND, ARENDALL, BEDSOLE, GREAVES & J^Y HNSON

P.O. DRAWER C
MOBILE, ALABAMA 36601

ERNEST M. BAILEY
ATTORNEY AT LAW
59 NORTH SECTION
FAIRHOPE, ALABAMA 36532
BOX 361

JANUARY 27 1969

MRS. ALICE J. DUCK
CLERK OF CIRCUIT COURT
BAY MINETTE, ALABAMA

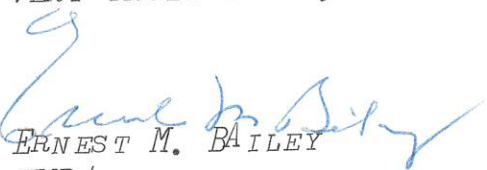
RE: FILM PROCESSORS, ET AL
VS. ~~C. P. FORREST D/B/A FORREST~~
INDUSTRIES, ET AL

DEAR MRS. DUCK:

I WILL APPRECIATE YOU FILING THE ATTACHED
DEMURRER IN THE ABOVE CAUSE. MR. PAUL W.
BROCK & HARWELL E. COALE, JR., ARE THE
ATTORNEYS FOR THE PLAINTIFF.

THANKING YOU IN ADVANCE, I AM

VERY TRULY YOURS,


ERNEST M. BAILEY
EMB/W