

MERIT FINANCE COMPANY,  
a corporation,

Plaintiff,

vs.

ALFRED BUZBEE and MRS. A.  
E. BUZBEE, jointly and severally,

Defendants.

( IN THE CIRCUIT COURT OF  
( BALDWIN COUNTY, ALABAMA,  
( AT LAW

(

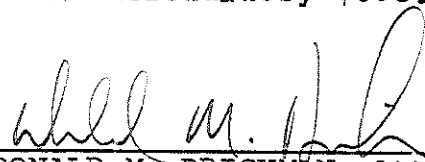
( CASE NO. 8368

Comes now the plaintiff in the above styled cause and  
amends his complaint as heretofore filed to read as follows:

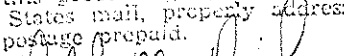
Plaintiff claims of the defendants, jointly and severally,  
the sum of \$698.24 for that heretofore and on to-wit: June 24,  
1968, the defendants executed a written contract wherein the  
defendants agreed to pay to United Agency's the sum of \$523.68,  
in installments of \$21.82 per month, including interest,  
commencing on to-wit: August 5, 1968, which contract was transferred  
and assigned to the plaintiff herein, for value, before default.  
Plaintiff further avers that the terms of said contract provided  
that in the event default was made the entire balance would then  
become due and owing. Plaintiff avers that defendants defaulted  
in payment thereunder on to-wit: August 5, 1968, and pursuant  
to the terms of said contract the plaintiff herein claims the  
entire balance due and owing.

Plaintiff avers that by the terms of said contract the  
defendants waived all right or claim of exemption under the  
Constitution and Laws of the State of Alabama and agreed to pay  
a reasonable attorney's fee in the event employment of an attorney  
was necessary to collect, which said attorney's fee plaintiff  
claims in the amount of \$174.56, which is one-third of \$523.68.

WHEREFORE, plaintiff claims of the defendants, \$698.24,  
plus interest.

  
DONALD M. BRISKMAN, Attorney  
for Plaintiff

Served: Hon. Gary J. Wilters, Jr.

CERTIFICATE OF SERVICE  
I do hereby certify that I have on this 23  
day of April, 1969, filed a  
copy of the foregoing pleading on counsel and all  
parties to this proceeding by mailing the same  
by United States mail, properly addressed, and  
first class postage prepaid.  


FILED

APR 24 1969

ALICE J. DUCK  
CLERK  
REGISTER

MERIT FINANCE COMPANY, a  
Corporation,

Plaintiff,

vs.

ALFRED E. BUZBEE and MRS.  
A. E. BUZBEE, jointly and  
severally,

Defendants.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 8368

Comes now the Defendants in the above styled cause  
and demurs to the Complainants Bill of Complaint, and for  
grounds thereof, says:

1.

That it fails to state a cause of action.

2.

It fails to state the terms and conditions of the  
said written contract.

WILTERS & BRANTLEY

BY:

Defendants demand a trial by  
jury.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12<sup>th</sup> day of November  
1968 served a copy of the foregoing pleading on counsel for all  
parties to this proceeding by mailing the same by United State  
Mail, properly addressed, and first class postage prepaid.

WILTERS & BRANTLEY

By:

FILED

NOV 12 1968

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW  
CASE NO. 8368

Attorneys/ for Defendants

1 VOL 62 PAGE 632

MERIT FINANCE COMPANY,  
a corporation,  
Plaintiff

VS

ALFRED BUZBEE and MRS. A.  
E. BUZBEE, jointly and severally,  
Defendants

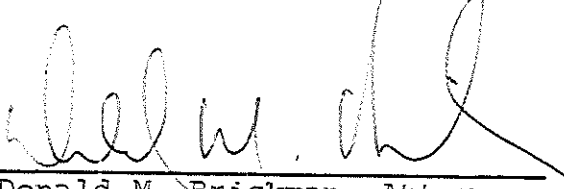
\* IN THE CIRCUIT COURT OF  
\* BALDWIN COUNTY, ALABAMA  
\*  
\*  
\*  
\* CASE NO. 8368

MOTION FOR JUDGMENT NIL DICT

Comes now the Plaintiff in the above styled cause and moves this Honorable Court to render a judgment Nil Dicit against the Defendants herein for their failure to answer or plead in the above styled cause and for reason therefor, says as follows:

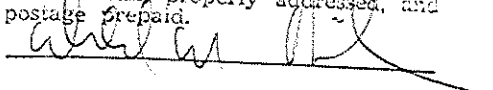
1. An amended complaint was filed herein on the 23rd day of April, 1969.
2. More than four months have elapsed and no answer has been filed by the Defendants herein.

WHEREFORE, the Plaintiff moves that a judgment Nil Dicit be entered against the Defendants for their failure to answer.

  
Donald M. Briskman, Attorney  
for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 2  
day of Sept, 1969, 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.



*Law Offices of*  
**PERLOFF & REID**  
SUITE 205 - VAN ANTWERP BLDG.  
MOBILE, ALABAMA 36602

MAYER W. PERLOFF  
T. DWIGHT REID  
DONALD M. BRISKMAN

AREA CODE 205  
TELEPHONE 433.5412

November 20, 1969

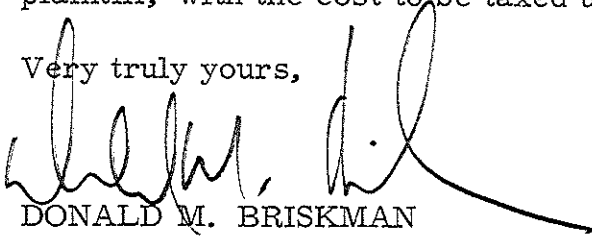
Mrs. Alice J. Duck, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: #8368 - Merit Finance Co. v. Alfred E. Buzbee, et al

Dear Mrs. Duck:

Please dismiss the above captioned suit with prejudice on motion of the plaintiff, with the cost to be taxed upon the defendant, per agreement.

Very truly yours,



DONALD M. BRISKMAN

DMB/rms

CC: Mr. Harry J. Wilters  
Bay Minette, Alabama

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 43646

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ALFRED E. BUZBEE and MRS. ~~AK~~ A. E. BUZBEE,  
jointly and severally,

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint  
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....them.....

....., Defendants.....

by Merit Finance Company, a corporation.....

....., Plaintiff.....

Witness my hand this 12 day of Oct 1968  
Alvin J. Smith, Clerk

Ex 110-18-68

No. 8368

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Merit Finance Company

Plaintiffs

vs.

Alfred E. Buzbee and Mrs.

A. E. Buzbee

Defendants

SUMMONS AND COMPLAINT

Filed **FILED** 19.....

OCT 12 1968 Clerk

**ALICE J. DUCK**

CLERK  
REGISTER

PERLOFF & REID, 205 Van Antwerp  
Building, Mobile Plaintiff's Attorney

Defendant's Attorney

Defendant lives at  
Route 1, Box D-A, Daphne, Ala.  
His emp-self, Buzbee's  
Fishing Camp, Causeway

Received at Office  
**RECEIVED**

OCT 12 1968 19.....

~~TAYLOR WILKINS~~ Sheriff  
~~SHERIFF~~

I have executed this summons

this Oct 18 1968

by leaving a copy with

Alfred E. Buzbee  
A. E. Buzbee  
Sp. Port

Sheriff claims 84 miles At

Ten Cents per mile Total \$ 8.40

TAYLOR WILKINS, Sheriff

BY Roy Randall DEPUTY SHERIFF

Layla Wilkins Sheriff  
Roy Randall Deputy Sheriff

MERIT FINANCE COMPANY, a  
corporation,

Plaintiff,

)

vs.

ALFRED E. BUZBEE and MRS.  
A. E. BUZBEE, jointly and  
severally,

Defendants.

( IN THE CIRCUIT COURT OF  
( BALDWIN COUNTY, ALABAMA,  
( AT LAW

CASE NO. 8361

Plaintiff claims of the defendant, jointly and severally,  
the sum of \$698.24 for that heretofore on to-wit: June 24, 1968,  
the defendants executed a written contract wherein the defendants  
agreed to pay to United Agency's the sum of \$523.68, in install-  
ments of \$21.82 per month, including interest, commencing on  
to-wit: August 5, 1968, which contract was transferred and assigned  
to plaintiff herein before default in payment thereunder on  
to-wit: August 5, 1968, and pursuant to the terms of said contract  
the plaintiff herein claims the entire balance due and owing.

Plaintiff avers that by the terms of said contract the  
defendants waived all right or claim of exemption under the  
Constitution and Laws of the State of Alabama and agreed to pay  
a reasonable attorney's fee in the event employment of an attorney  
was necessary to collect, which said attorney's fee plaintiff  
claims in the amount of \$174.56, which is one-third of \$523.68.

WHEREFORE, plaintiff claims of the defendants, \$698.24,  
plus interest.

PERLOFF & REID

*J. Dwight Reid*  
Attorney for Plaintiff

Defendants May be served:

Route 1, Box 10-A  
Daphne, Ala.

He: self-employed, Buzbee's Fishing Camp  
on the Mobile Bay Causeway, Mobile

FILED

OCT 12 1968

ALICE J. DUCK

CLERK  
REGISTER