

MICHAEL J. SALMON  
LAWYER  
SUITE 324  
INTERNATIONAL TRADE CENTER  
250 N. WATER STREET  
MOBILE, ALABAMA 36602  
433-5595

November 17, 1969

Honorable Telfair Mashburn  
Judge, Circuit Court  
County Courthouse  
Bay Minette, Alabama

Re: B. E. Hagan, D.M.D. v. W. L. Tyler  
At Law, Number 8595

Dear Judge Mashburn:

The above referenced has been settled between the parties and this is to advise for the file the concurrence of the writer, as attorney for the defendant, to the entry of a judgment by Mrs. Nesbit for the plaintiff when the matter is set November 19, 1969, in the amount of \$2,000.

Very sincerely yours,

MICHAEL J. SALMON

jes

cc: Mrs. Phyllis Nesbit

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November 17, 1969

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

Re: B. E. Hagan, D.M.D. v. W. L. Tyler  
At Law, Number 8595

Dear Mrs. Duck:

The above referenced, which is set for trial Wednesday, November 19, 1969, has been settled between the parties with an agreement for consent judgment in the amount of \$2,000 and payment arrangements thereafter.

I enclose a letter directed to the Court advising of this so that Mrs. Nesbit may have the judgment entry made when the matter comes up.

Very sincerely yours,

MICHAEL J. SALMON

jes

Enclosure


cc: Mrs. Phyllis Nesbit

B. E. HAGAN, D.M.D., : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY, ALABAMA  
-vs- :  
W. L. TYLER, : AT LAW  
Defendant. : CASE NUMBER 8595

ANSWER

Comes now the Defendant, and for answer to the complaint heretofore filed, and to each and every count thereof, files the following separate and several pleas:

1. Not guilty.
2. The allegations of the complaint are untrue.
3. The Defendant, on information and belief, denies the correctness of the verified account set forth as Plaintiff's Exhibit A and B to the bill of complaint, denies liability thereon and disputes the entire account. Defendant attaches hereto an affidavit in denial of the same.

  
MICHAEL J. SALMON  
Attorney for Defendant

324 International Trade Center  
Mobile, Alabama 36602

Defendant respectfully demands trial by jury.

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the foregoing Answer upon Wilters and Brantley, Attorneys for the Plaintiff in this cause, by depositing the same in the United States mail, properly addressed and first class postage prepaid, this 19 day of April, 1969.

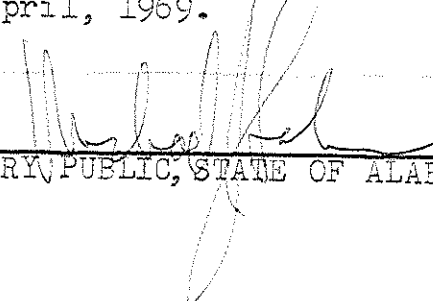
STATE OF ALABAMA  
COUNTY OF BALDWIN

Before me, the undersigned Notary Public in and for the State of Alabama at large, personally appeared W. L. TYLER, known to me, who, being by me duly sworn, deposes and says as follows:

Affiant says he is informed and believes, and on such information and belief states, that the account attached to Plaintiff's bill of complaint as Exhibits A and B is not correct; that he is not indebted to such Plaintiff, as reflected by this account, and that the correctness of the same is disputed.

  
W. L. TYLER

Subscribed and sworn to  
before me this 16 day  
of April, 1969.

  
NOTARY PUBLIC, STATE OF ALABAMA AT LARGE

**FILED**

APR 17 1969

**ALICE J. DUCK** CLERK  
REGISTER

B. E. HAGAN, D.M.D.

Plaintiff

VS.

W. L. TYLER

Defendant

I

I

I

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 85-95

1.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND DOLLARS (\$2,000.00) due from him by account on the 24th day of July, 1968, which sum of money with the interest thereon, is still unpaid.

2.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND DOLLARS (\$2,000.00) due on account stated between the Plaintiff and Defendant on the 24th day of July, 1968, which sum of money with the interest thereon is still unpaid.

3.

The Plaintiff claims of the Defendant the sum of TWO THOUSAND DOLLARS (\$2,000.00) due from him by account on, to-wit, July 24, 1968 which sum of money with the interest thereon is still unpaid.

An itemized statement of the account sued on, verified by the affidavit of a competent witness, is attached hereto as Exhibit "A" and "B" and made a part hereof.

WILTERS, BRANTLEY & NESBIT

BY:

*Thelma J. Nesbit*  
Attorney for Plaintiff

**FILED**

MAR 6 1969

**ALICE J. DUCK**

CLERK  
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.....

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon W. L. Tyler

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.....

W. L. Tyler Defendant.....

by B. E. Hagan, D.M.D. Plaintiff.....

Witness my hand this 6<sup>th</sup> day of March 1969

Chie J. Week Clerk

24/ 3-19-69

No. 85-95

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

B. E. Hagan, D.M.D.

Plaintiffs

vs.

W. L. Tyler

Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

MAR 6 1969 Clerk

ALICE J. DUCK

CLERK  
REGISTER

WILTERS, BRANTLEY & NESBIT

BY:

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Gulf Hacienda, Gulf Shores,  
Alabama

Received In Office

MAR 6 1969

19.....

~~W. L. Tyler~~

Sheriff

I have executed this summons

this 19 March 1969

by leaving a copy with

W. L. Tyler

Sherriff clerk 100

Costs per mile Total 4

10.00

BY Cliff

SHERRIFF CLERK

Gayle Wick Sheriff

Charles Chace Deputy Sheriff

Gulf Shores

STATE OF Alabama

COUNTY OF Baldwin

Personally appeared before me, the undersigned authority,  
in and for said County and State, Carrie Cresap  
who after first being duly sworn deposes and says that  
she is the bookkeeper of ~~the~~ B.E.Hagan, DMD

and as such officer he has the supervision and custody of  
all the records of the said B.E.Hagan, DMD

including the accounts. Affiant further says that on the  
24th day of July, 1968, that  
W.L.Tyler was indebted to said  
B.E.Hagan, DMD

in the amount of \$2,000.00. Further that this in-  
debtedness is still due and unpaid.

Carrie Cresap

Sworn to and subscribed before me this 24 day of

February, 1969.

Notary Public, State of Texas

My Commission Expires Aug 5, 1972