

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

December 17, 1969

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

Re: Laura Price, a minor v. Ronald E. Barrett
and James E. Barrett, Civil Action No. 8675

Dear Judge Mashburn:

The above was a consent settlement wherein the Court at the request of the parties entered a judgment for the plaintiff awarding plaintiff the sum of \$3,000. The defendant paid the judgment and the money was sent down to the Probate Court in accordance with the law.

It was the agreement of the parties and their attorneys, namely, Mr. Galloway and myself, that the Court's judgment should read that of the \$3,000, \$1,000 should be paid to the undersigned, Michael J. Salmon, as plaintiff's attorney.

Mr. Galloway joins me in requesting that the Court amend its order in this case nunc pro tunc to carry out the wishes of the parties so that I can get my attorney's fee out of the Probate Court.

We will appreciate your help in this respect.

Very sincerely yours,


MICHAEL J. SALMON


THOMAS M. GALLOWAY

MJS:jes

December 17, 1969

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

Re: Laura Price, a minor v. Ronald E. Barrett
and James E. Barrett, Civil Action No. 8675

Dear Judge Mashburn:

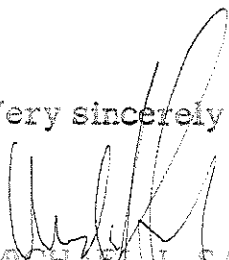
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MICHAEL J. SALMON


THOMAS M. GALLOWAY

MJS:jes

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

April 22, 1969

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

Re: Laura Price, et al v. Ronald G.
Barrett, et al
Lynne L. Price v. Ronald G. Barrett, et al
Carolyn Morcom v. Ronald G. Barrett, et al

Dear Mrs. Duck:

us? Will you kindly file the enclosed complaints for

Very sincerely yours,

Michael J. Salmon
(940)

MICHAEL J. SALMON

jes

Enclosures

LAURA PRICE, a minor suing : IN THE CIRCUIT COURT OF
by and through LYNNE PRICE,
her mother and next friend,

Plaintiff,

: BALDWIN COUNTY, ALABAMA

VS:

RONALD G. BARRETT and JAMES
E. BARRETT, JR., jointly and : AT LAW
severally,

Defendants.

: CASE NO. 8675

Come the defendants jointly and separately and demur
to the complaint heretofore filed and each and every count
thereof jointly and separately upon the following separate
and several grounds:

1. The same fails to state a cause of action against
the defendants.

2. The same attempts to allege wilfull conduct on the
part of the defendant James E. Barrett, Jr. without alleging
sufficient facts in support thereof.


3. The same fails to state a count of wilfull or wanton
conduct against the defendants.

4. The same fails to allege that the injuries as alleged
in the complaint were wilfully inflicted upon the plaintiff.

5. Count Two of the complaint attempts to allege injuries
sustained by the plaintiff but fails to set out that the same
were wilfully inflicted.

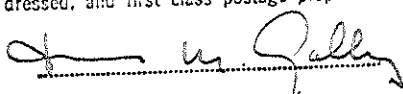
COLLINS, GALLOWAY & MURPHY

By:


THOMAS M. GALLOWAY
ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 12th
day of May, 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 ad-
dressed, and first class postage prepaid.



FILED

MAY 18 1969

ALICE J. BUCK CLERK
REG. 20

LAURA PRICE, a minor, suing)
by and through LYNNE PRICE,)
her mother and next friend,)

Plaintiff,)

vs.)


RONALD G. BARRETT and JAMES)
E. BARRETT, JR., jointly and)
severally,)

Defendants.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW, CASE NO. 8675

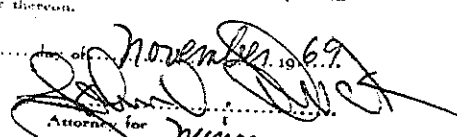
Comes now JOHN V. DUCK, Guardian Ad Litem for RONALD G.
BARRETT, a minor, and for answer to the Bill of Complaint filed
herein, says to each and every count thereof jointly and severally:

1. "Not guilty".


JOHN V. DUCK, Guardian Ad Litem for
RONALD G. BARRETT, a minor.

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 10 day of November, 1969.

Attorney for minor

FILED

NOV 12 1969

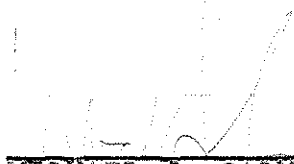
ALICE J. DUCK CLERK
REGISTER

LAURA PRICE, a minor suing : IN THE CIRCUIT COURT OF
 by and through LYNNE PRICE, : BALDWIN COUNTY, ALABAMA
 her mother and next friend, :
 Plaintiff, :
 -vs- : AT LAW
 RONALD G. BARRETT and JAMES :
 E. BARRETT, JR., jointly and :
 severally, : CASE NUMBER 8675
 Defendants. :

TO: Thomas M. Galloway, Esquire
 958 Dauphin Street
 Post Office Box 4492
 Mobile, Alabama 36604

Mr. John V. Duck
 319 Magnolia Avenue
 Fairhope, Alabama 36532

Please take notice that on Monday, September 22, 1969, at 2:30 p.m. in the Conference Room, International Trade Center, Mobile, Alabama, the Plaintiff will take the deposition of Ronald G. Barrett, whose address is Gulf Coast Sub-Station, Robertsdale Highway, Fairhope, Alabama, upon oral examination pursuant to an Act of the Legislature of the State of Alabama, designated as Act No. 375, Regular Session 1955, approved September 8, 1955, before Mrs. Dorothy Leamy, an officer authorized to administer oath in the County of Mobile, State of Alabama, duly authorized to take depositions and swear witnesses in said County in said State. The oral examination will continue from day to day until completed, and you are invited to attend and cross-examine.


 MICHAEL J. SALMON
 Attorney for the Plaintiff

cc: Honorable Alice Duck

FILED

AUG 29 1969

ALICE J. DUCK CLERK
 REGISTER

LAURA PRICE, a minor suing : IN THE CIRCUIT COURT OF
by and through LYNNE PRICE
her mother and next friend,

Plaintiff, : BALDWIN COUNTY, ALABAMA

VS:

RONALD G. BARRETT and JAMES : AT LAW
E. BARRETT, JR., jointly and
severally,

Defendants. : CASE NO. 8615

Comes now Ronald G. Barrett, a minor, over the age of fourteen (14) years, and having received a copy of the complaint in this matter hereby nominates as guardian ad litem to act for him in this case John V. Duck, who is a practicing attorney in Baldwin County, Alabama, and does hereby request that the court appoint John V. Duck as guardian ad litem for said purposes.

Ronald G. Barrett
Ronald G. Barrett

STATE OF ALABAMA:

COUNTY OF BALDWIN:

Before me, the undersigned authority in and for said State and County, personally appeared Ronald G. Barrett, who is a minor over fourteen (14) years of age and he acknowledged before me on this date that he executed the foregoing appointment of guardian ad litem on this the 20 day of May 1969.

Liaa Higbee
Notary Public,

FILED

MAY 21 1969

ALICE J. DUCK CLERK
REGISTER

LAURA PRICE, a minor suing : IN THE CIRCUIT COURT OF
 by and through LYNNE PRICE :
 her mother and next friend, :
 Plaintiff, : BALDWIN COUNTY, ALABAMA
 VS: :
 RONALD G. BARRETT and : AT LAW
 JAMES E. BARRETT, JR., :
 jointly and severally, :
 Defendants. : CASE NO. 8 6 7 5

Comes now the defendants, jointly and separately,
 and for answer to the complaint heretofore filed say as
 follows:

1. Not guilty.

COLLINS, GALLOWAY & MURPHY

BY: Thomas M. Galloway
 ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE
 I do hereby certify that I have on this 28
 day of Aug, 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 ad-
 dressed, and first class postage prepaid.

Thomas M. Galloway

FILED

AUG 28 1969

ALICE J. BUCH CLERK
 REGISTER

LAURA PRICE, a minor suing : IN THE CIRCUIT COURT OF
by and through LYNNE PRICE, :
her mother and next friend, : BALDWIN COUNTY, ALABAMA

Plaintiff, :

-vs-

: AT LAW

RONALD G. BARRETT and JAMES :
E. BARRETT, JR., jointly and :
severally, :

: NUMBER 4675

Defendants. :

COUNT ONE

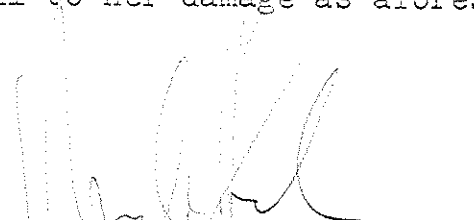
Plaintiff claims of the Defendants, jointly and severally, the sum of FIFTY THOUSAND AND NO/HUNDREDTHS DOLLARS (\$50,000.00) as damages for that heretofore and on, to-wit, December 13, 1968, Plaintiff, a minor aged three (3) years, was a passenger in a motor vehicle proceeding southwardly on U. S. Highway 98 at a point approximately 1.8 miles west of the city limits of Fairhope, Alabama, and at a point where such highway was a public highway in and of the County of Baldwin, State of Alabama, and at such time and place, Defendant Ronald G. Barrett, an agent, servant or employee of James E. Barrett, Jr., while in the line and scope of employment as such, who was driving a motor vehicle northwardly on said U. S. Highway 98, so negligently operated such motor vehicle as to cause or allow the same to run into, upon and against the motor vehicle in which Plaintiff was a passenger. And Plaintiff avers that as a direct and proximate consequence and result of the negligence of Defendant Ronald G. Barrett, an agent, servant or employee of Defendant James E. Barrett, Jr., while acting in the line and scope of employment as such, she suffered a fracture of the right leg; she was broken, bruised, battered and cut about her body; she was caused to be hospitalized for a long period of time; she suffered great pain and mental anguish; she will in the future suffer further pain and mental anguish; and she suffered permanent impairment to her body, all to her damage as aforesaid.

Wherefore this suit.

COUNT TWO

Plaintiff claims of the Defendants, jointly and severally, the sum of FIFTY THOUSAND AND NO/HUNDREDTHS DOLLARS (\$50,000.00) as damages for that heretofore and on, to-wit, December 13, 1968, Plaintiff, a minor aged three (3) years, was a passenger in a motor vehicle being driven southwardly on U. S. Highway 98 at a point approximately 1.8 miles west of the city of Fairhope, Alabama, and at a point where such highway was a public highway in and of the County of Baldwin, State of Alabama, and at such time and place, Defendant Ronald G. Barrett, an agent, servant or employee of James E. Barrett, Jr., while in the line and scope of employment as such, who was driving a motor vehicle northwardly on said U. S. Highway 98, wilfully or wantonly injured Plaintiff by wilfully or wantonly driving such motor vehicle into, upon and against the motor vehicle in which Plaintiff was a passenger. And Plaintiff avers that as a direct and proximate consequence and result of the wilful or wanton conduct of Defendant Ronald G. Barrett, an agent, servant or employee of Defendant James E. Barrett, Jr., while acting in the line and scope of employment as such, she suffered a fracture of the right leg; she was broken, bruised, battered and cut about her body; she was caused to be hospitalized for a long period of time; she suffered great pain and mental anguish; she will in the future suffer further pain and mental anguish; and she suffered permanent impairment to her body, all to her damage as aforesaid.

Wherefore this suit.


MICHAEL J. SALMON
Attorney for Plaintiff

324 International Trade Center
Mobile, Alabama 36602

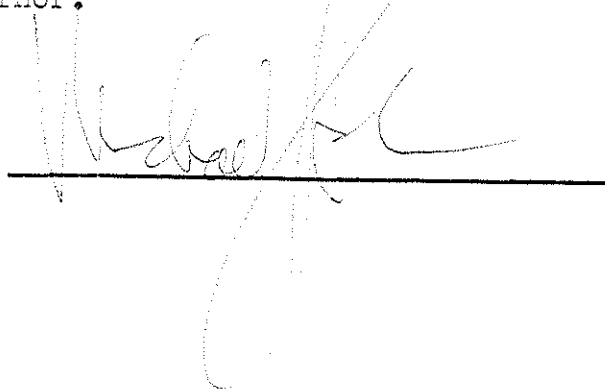
Plaintiff respectfully demands trial by jury.

FILED

APR 23 1969

ALICE J. DUCK CLERK
REGISTER

Plaintiff asks that a guardian be appointed to defend
Defendant Ronald G. Barrett, a minor!



A handwritten signature, possibly "W. Barrett", is written over a horizontal line.

Defendants may be served at:

Gulf Coast Sub-Station
Robertsdale Highway
Fairhope, Alabama

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No. 8675

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

~~Ronald G. Barrett and James E. Barrett, Jr., 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.....

~~Ronald G. Barrett and James E. Barrett, Jr., jointly and~~ ~~severally~~ Defendant.....

by ~~Laura Price~~, a minor suing by and through ~~Lynne Price~~, her mother and next friend

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

Witness my hand this 23rd day of April 1969..

W. J. Price Clerk

E/4-25-69

No. 8675

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

LAURA PRICE, a minor suing by and through
LNYIE PRICE her mother and next friend

Plaintiffs

vs.

RONALD G. BARRETT and JAMES E. BARRETT, Jr.,
Jointly and severally Defendants

SUMMONS AND COMPLAINT

Filed 4-23 19 69

Alice J. Duck Clerk

Michael Salmon
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

4/23 19 69
Sheriff

I have executed this summons
this April 25 19 69
by leaving a copy with

Ronald G. Barrett
and
James E. Barrett

Sheriff claims 70 1/4 miles at
Ten Cents per mile Total \$ 7.00 1/4 00
TAYLOR WILKINS, Sheriff
BY Roy Randall
DEPUTY SHERIFF

Taylor Wilkins Sheriff
Roy Randall Deputy Sheriff

F. J. Sipe