

EDWARD H. SUTTON,

X

Plaintiff,

X

IN THE CIRCUIT COURT OF

vs.

X

BALDWIN COUNTY, ALABAMA

BLUE CROSS - BLUE SHIELD
OF ALABAMA,

X

AT LAW

NO. 8709

Defendant.

X

X

DEMURRER

Comes now the Defendant in the above styled cause, by its attorneys, and demurs to the complaint heretofore filed against it and in support thereof assigns the following grounds, separately and severally:

1. The complaint fails to state a cause of action.
2. The allegations contained in the complaint are mere conclusions of the pleader.
3. The complaint fails to allege a breach of a contract by the Defendant.
4. The allegations of the complaint are vague, indefinite and uncertain.

Respectfully submitted,

CHASON, STONE & CHASON

By: Richard E. Ball
Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 3rd day of JUNE, 1969.

Richard E. Ball

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FILED

JUN 4 1969

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Blue Cross-Blue Shield of Alabama, a Corporation to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the complaint of Edward H. Sutton.

Witness my hand this the 20 day of May, 1969.

Alice J. Duck
CLERK

EDWARD H. SUTTON)	IN THE CIRCUIT COURT OF
)	
PLAINTIFF)	BALDWIN COUNTY, ALABAMA
)	
VS)	AT LAW
)	
BLUE CROSS-BLUE SHIELD OF)	NUMBER: _____
ALABAMA, a Corporation)	
)	
DEFENDANT)	

.-.-.

The Plaintiff claims of the Defendant FIFTEEN-HUNDRED and NO/100 (\$1500.00) DOLLARS, due on a policy of insurance, to-wit, Contract Number 1334367, whereby the Defendant on the 1st day of January, 1968 insured the Plaintiff against loss for hospital and medical bills incurred by Plaintiff's family including his wife, Patricia Sutton, and that Plaintiff did on the 1st day of February 1969 and divers days thereafter, suffer damages and loss for hospital and medical bills incurred for medical treatment and hospitalization for Plaintiff's wife, the said Patricia Sutton, of all of which the Defendant has had notice. Said policy is the property of the Plaintiff.

W. H. Hay
Attorney for Plaintiff

Defendant may be served:

903 South 20th Street
Birmingham, Alabama 35205

FILED

MAY 20 1969

ALICE J. DUCK CLERK
REGISTER

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2/5-21-69

NUMBER: 8709

EDWARD H. SUTTON

PLAINTIFF

VS

BLUE CROSS-BLUE SHIELD OF
ALABAMA, a Corporation

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

FILED

MAY 20 1969

ALICE J. DUCK CLERK
REGISTER

SUMMONS AND COMPLAINT

RECEIVED

MAY 20 1969

MAY 21 1969

Executed this the _____ day of _____ 1969

Blue Cross-Blue Shield
of Alabama, a Corp.

by leaving a copy of within with
Mr. B. B. Yates
agt.
of said co

MELVIN BAILEY, Sheriff
Jefferson County, Alabama
By J. E. Moore

Melvin Bailey, Sheriff of
Jefferson County, Alabama,
claims \$1.50 each for serving

1 process(es) and \$1.00
travel expense on each of

1 process(es) or a total of

\$ 2.50
J. E. Moore
Deputy Sheriff.

Moore

Yates