

FREDDIE MAE JORDAN

Plaintiff

vs

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors,
Inc., Pensacola, Florida

Defendants

X
X
X
X
X
X
X
X
X
X

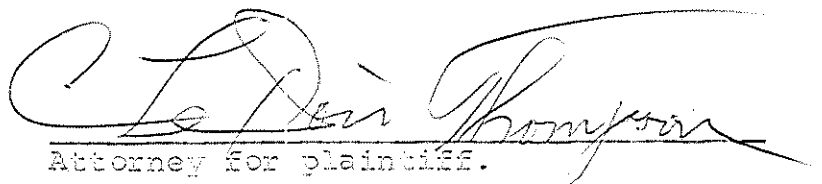
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8222

-1-

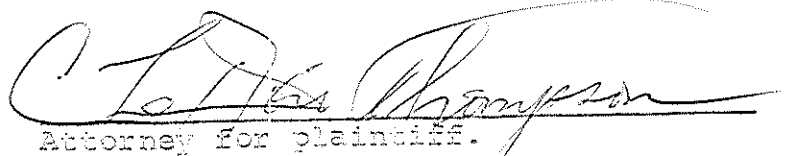
Plaintiff claims of the defendants the sum of Twenty-five Thousand (\$25,000.00) Dollars for that heretofore on to-wit, December 17, 1968, about 4:40 P.M., plaintiff was operating an automobile on a public highway, to-wit, U. S. Highway Number 31 South in the police jurisdiction of the City of Bay Minette, Alabama, where she had a right to be and defendant, James Carl Peterson, an agent, servant or employee of defendant, Saunders Food Distributors, Inc., alias Food Distributors, whose name is to your plaintiff otherwise unknown, while acting within the line and scope of his employment, so negligently operated his motor vehicle, at high speed, to-wit, an automobile which the said James Carl Peterson was then and there operating so as to cause said motor vehicle to run into, over or upon the automobile which your said plaintiff was then and there operating; and plaintiff avers that as a proximate consequence thereof, your said plaintiff was seriously and severely injured with bruises and contusions along her head, neck and back and with particular injuries in the area of her Fifth Lumbar vertebra causing extreme pain from her sciatic nerve and injuring her so that she suffered severe pain in her left leg and foot and that she has permanent injuries and disabilities caused by the said bruises and contusions to the Lumbar spines so that she is disabled and unable to perform her duties as a wife, and as a housekeeper, and unable to do gainful employment. That she was caused to spend great sums of money on doctors and medical attention, all of said damage being the proximate cause of the

negligence of the said defendant, James Carl Peterson, individually and as agent, servant or employee of Saunders Food Distributors, Inc., alias Food Distributors while the said James Carl Peterson was acting within the line and scope of his employment as such agent, servant or employee, in and about the negligent operation of the said motor vehicle at the time and place and on the occasion aforesaid.

And plaintiff further avers that the said defendant Saunders Food Distributors, Inc., alias Food Distributors, is a non-resident of the State of Alabama and that the present post office address of said defendant is Pensacola, Florida, and said defendant, James Carl Peterson is a non-resident of the State of Alabama and that the present post office address of said defendant, James Carl Peterson, is 5534 Lynwood Road, Pensacola, Florida, and the plaintiff prays that service of process upon the defendants may be had in accordance with the provisions of Code of 1940, Title 7, Section 199.


Attorney for plaintiff.

Plaintiff respectfully requests trial by jury.


Attorney for plaintiff.

FILED

MAY 28 1969

ALICE J. BUCK CLERK
REGISTER

FREDDIE MAE JORDAN

Plaintiff

vs

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors,
Inc., Pensacola, Florida

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW NO. _____

Comes the plaintiff in the above styled cause and pro-
pounds the following interrogatories to the defendant, James
Carl Peterson:

1. State your name.
2. Are you the James Carl Peterson who was operating
a 1969 Falcon on December 17, 1968, in the police jurisdiction
of Bay Minette, Alabama, and collided with an automobile
operated by Freddie Mae Jordan of Bay Minette, Alabama?
3. If your answer is "yes", give the name and address
of your employer on December 17, 1968.
4. State which lane you were driving in when you first
saw the car operated by Mrs. Jordan.
5. State, if you know, the speed which you were traveling
when you saw Mrs. Jordan.
6. State the speed you were traveling, if you know,
at the time of the impact.
7. State, if you know, whether or not you applied
brakes.
8. If your answer is "yes", state the length of your
skid marks, if you know, before the impact.
9. How far did you travel after the impact?
10. Did your car collide with the car operated by
Mrs. Jordan on a side, corner or directly in the rear.
11. State, if you know, whether or not your employer
does business in Alabama.

12. Were you working for Saunders Food Distributors, Inc., on December 17, 1968?

13. Give the name and address of the person in the car with you at the time of the collision.

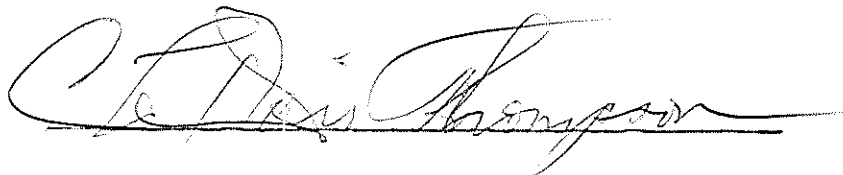

Attorney for plaintiff

STATE OF ALABAMA

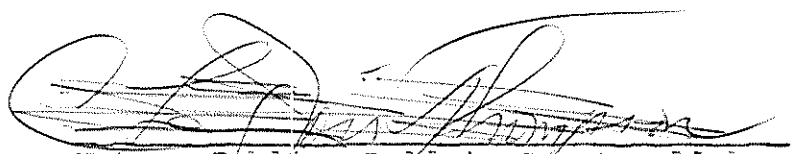
BALDWIN COUNTY

Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. LeNoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. LeNoir Thompson and I am the attorney of record for the plaintiff in the above entitled cause and as such, I am authorized to make this affidavit. I further state that the answer of the defendant to the foregoing ~~interrogatories will, if truthfully made, be material~~ evidence for the plaintiff on the trial of said cause.



Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 28 day of May, 1969.


Notary Public, Baldwin County, Alabama
Helen McDowell
Notary Public

FILED

MAY 29 1969

ALICE J. BUCK CLERK
REGISTER

842

We the jury find in
favor of the defendant
Harry E. Crawford, Foreman



THE COURT: The jury has returned a verdict in favor of the defendant, Harry E. Crawford, and the foreman of the jury is Harry E. Crawford. The jury has found that the defendant is not guilty of the charge against him. The court will now pronounce judgment in accordance with the verdict of the jury. The defendant is discharged. The court adjourns until the next session.

63-843

U. S. Highway 31 South in the police jurisdiction of the City of Bay Minette, Alabama, the said plaintiff, so negligently operated her automobile as to cause the defendant's automobile to collide with it and as a proximate consequence of said negligence the defendant's automobile was damaged by being bent, smashed, broken and the market value thereof was permanently depreciated, for all of which the defendant claims damages.


Taylor Wilkins, Jr.
Attorney for Defendants

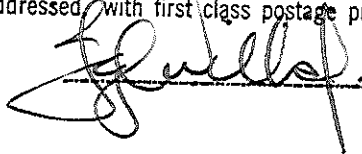
FILED

OCT 2 1969

ALICE J. DUBX CLERK
REGISTER

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 2 day of October
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, with first class postage prepaid.



FREDDIE MAE JORDAN,	:	IN THE CIRCUIT COURT OF
PLAINTIFF,	:	
VS.	:	BALDWIN COUNTY, ALABAMA
SAUNDERS FOOD DISTRIBUTORS, INC.,	:	
alias FOOD DISTRIBUTORS, and	:	AT LAW
JAMES CARL PETERSON, individually,	:	
and as the servant, agent or employee	:	
of Saunders Food Distributors, Inc.,	:	
Pensacola, Florida.	:	
DEFENDANTS.	:	CASE NO. 8722

PLEA

Comes now the defendant, Saunders Food Distributors, Inc., and files the following plea to the plaintiff's complaint and to each count thereof separately and severally:

I.

Not guilty.

II.

At the time and place alleged in the complaint, to-wit: December 17, 1968, on U. S. Highway Number 31 south in the police jurisdiction of the City of Bay Minette, Alabama, the plaintiff, Freddie Mae Jordan, did so negligently operate an automobile on said highway so as to cause or allow the same to collide with the vehicle operated by the defendant, being operated at that time and place and on said highway, and as a proximate result thereof, plaintiff was guilty of negligence in and about the operation of her automobile which proximately contributed to the accident resulting therefrom, and to her alleged injuries and damages; therefore, the plaintiff ought not recover

III.

The defendant, Saunders Food Distributors, Inc., claims of the plaintiff, Freddie Mae Jordan, by way of recoupment, the sum of \$900.00 damages that heretofore on, to-wit, December 17, 1968, on

June 9, 1969

FREDDIE MAE JORDAN, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS

JAMES CARL PETERSON, et al, Defendants

CASE NO. 8722

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on June 2, 1969
I sent by certified mail in an envelope addressed as follows:

"James Carl Peterson
5534 Lynwood Road
Pensacola, Florida 32506"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

"James Carl Peterson
5534 Lynwood Road
Pensacola, Florida 32506"

You will take notice that on June 2, 1969 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: FREDDIE MAE JORDAN, Plaintiff VS JAMES CARL PETERSON, et al, Defendants and Interrogatories

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW and Interrogatories
Case No. 8722 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 2nd
day of June, 1969

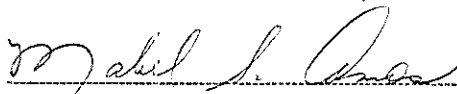
Enclosure (1)

(Signed) Mabel Amos
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on June 6, 1969 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Pensacola, Fla.
on June 5, 1969

WITNESS MY HAND and the Great Seal of the State of Alabama this the 9th day
of June, 1969



Mabel Amos
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.
and Interrogatories
CC: Honorable C. Lenoir Thompson
124 Court House Square
Bay Minette, Alabama 36507

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County
No. 8722

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Saunders Food Distributors, Inc., alias
Food Distributors, and JAMES CARL PETERSON, individually, and as
agent, servant, or employee of Saunders Food Distributors,
Inc., Pensacola, Florida

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 Saunders Food
Distributors, Inc., alias Food Distributors, and James Carl Peterson, in-
dividually, and as agent, servant or employee of Saunders Food Distributors,
Inc., Pensacola, Florida Defendant.....

by Freddie Mae Jordan

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

Witness my hand this.....28.....day of.....

19.69

Alie Duck Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

FREDDIE MAE JORDAN

Plaintiffs

vs.
AUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and JAMES
ARL PETERSON, individually and as the
agent, servant or employe Defendants
Food Distributors, Inc., Pensacola, Fla.

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

FREDDIE MAE JORDAN

Plaintiff

vs

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors,
Inc., Pensacola, Florida

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW NO. 8222

-1-

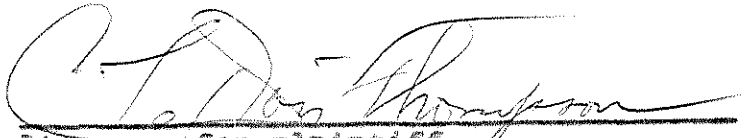
Plaintiff claims of the defendants the sum of Twenty-five Thousand (\$25,000.00) Dollars for that heretofore on to-wit, December 17, 1968, about 4:40 P.M., plaintiff was operating an automobile on a public highway, to-wit, U. S. Highway Number 31 South in the police jurisdiction of the City of Bay Minette, Alabama, where she had a right to be and defendant, James Carl Peterson, an agent, servant or employee of defendant, Saunders Food Distributors, Inc., alias Food Distributors, whose name is to your plaintiff otherwise unknown, while acting within the line and scope of his employment, so negligently operated his motor vehicle, at high speed, to-wit, an automobile which the said James Carl Peterson was then and there operating so as to cause said motor vehicle to run into, over or upon the automobile which your said plaintiff was then and there operating; and plaintiff avers that as a proximate consequence thereof, your said plaintiff was seriously and severely injured with bruises and contusions along her head, neck and back and with particular injuries in the area of her Fifth Lumbar vertebra causing extreme pain from her sciatic nerve and injuring her so that she suffered severe pain in her left leg and foot and that she has permanent injuries and disabilities caused by the said bruises and contusions to the Lumbar spines so that she is disabled and unable to perform her duties as a wife, and as a housekeeper, and unable to obtain employment. That she was caused to spend great sums of money on doctors and medical attention, all of said damage being the proximate cause of the

negligence of the said defendant, James Carl Peterson, individually and as agent, servant or employee of Saunders Food Distributors, Inc., alias Food Distributors while the said James Carl Peterson was acting within the line and scope of his employment as such agent, servant or employee, in and about the negligent operation of the said motor vehicle at the time and place and on the occasion aforesaid.

And plaintiff further avers that the said defendant Saunders Food Distributors, Inc., alias Food Distributors, is a non-resident of the State of Alabama and that the present post office address of said defendant is Pensacola, Florida, and said defendant, James Carl Peterson is a non-resident of the State of Alabama and that the present post office address of said defendant, James Carl Peterson, is 5534 Lynwood Road, Pensacola, Florida, and the plaintiff prays that service of process upon the defendants may be had in accordance with the provisions of Code of 1940, Title 7, Section 199.


Attorney for plaintiff.

Plaintiff respectfully requests trial by jury.


Attorney for plaintiff.

FILED

MAY 26 1938

ALICE J. BUCK CLERK
REGISTER

FREDDIE MAE JORDAN

Plaintiff

vs

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and
JAMES CARL PETERSON, individually,
and as the agent, servant or employee
of Saunders Food Distributors,
Inc., Pensacola, Florida

Defendants

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

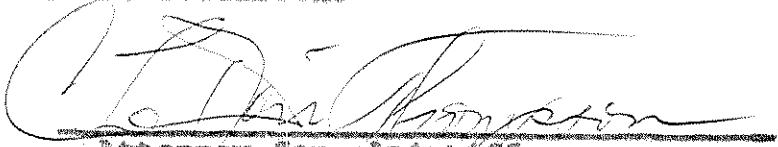
AT LAW NO. _____

Comes the plaintiff in the above styled cause and pro-
pounds the following interrogatories to the defendant, James
Carl Peterson:

1. State your name.
2. Are you the James Carl Peterson who was operating
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3. If your answer is "yes", give the name and address
of your employer on December 17, 1968.
4. State which lane you were driving in when you first
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5. State, if you know, the speed which you were traveling
when you saw Mrs. Jordan.
6. State the speed you were traveling, if you know,
at the time of the impact.
7. State, if you know, whether or not you applied
brakes.
8. If your answer is "yes", state the length of your
skid marks, if you know, before the impact.
9. How far did you travel after the impact?
10. Did your car collide with the car operated by
Mrs. Jordan on a side, corner or directly in the rear.
11. State, if you know, whether or not your employer
does business in Alabama.

12. Were you working for Saunders Food Distributors, Inc., on December 17, 1968?

13. Give the name and address of the person in the car with you at the time of the collision.


Attorney for plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

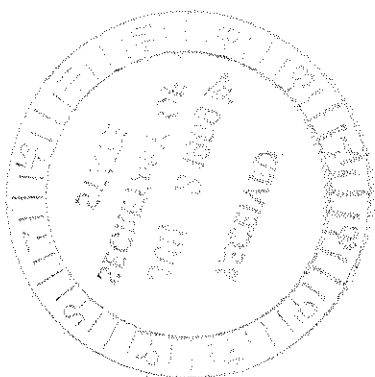
Before me, the undersigned Notary Public, in and for said State and County, personally appeared C. LeNoir Thompson, who being by me first duly sworn, deposes on oath and says as follows:

My name is C. LeNoir Thompson and I am the attorney of record for the plaintiff in the above entitled cause and as such, I am authorized to make this affidavit. I further state that the answer of the defendant to the foregoing interrogatories will, if truthfully made, be material evidence for the plaintiff on the trial of said cause.



Subscribed and sworn to before me by the said C. LeNoir Thompson on this the 28 day of May, 1969.


Notary Public, Baldwin County, Alabama



FILED

MAY 28 1969

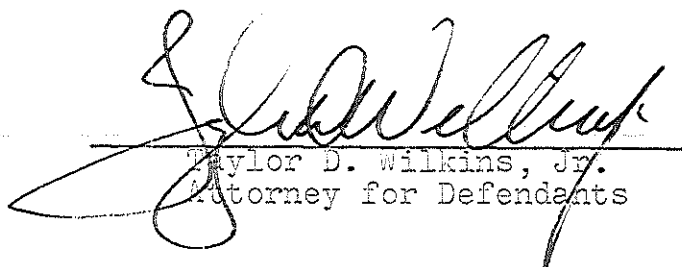
ALICE J. BUCK CLERK
REGISTER

FREDDIE MAE JORDAN,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
VS.	X	AT LAW
SAUNDERS FOOD DISTRIBUTORS, INC.,	X	
alias FOOD DISTRIBUTORS, and	X	
JAMES CARL PETERSON, individually,	X	CASE NO. 8722
and as the servant, agent or	X	
employee of Saunders Food Distributors,	X	
Inc., Pensacola, Florida	X	
Defendants.	X	

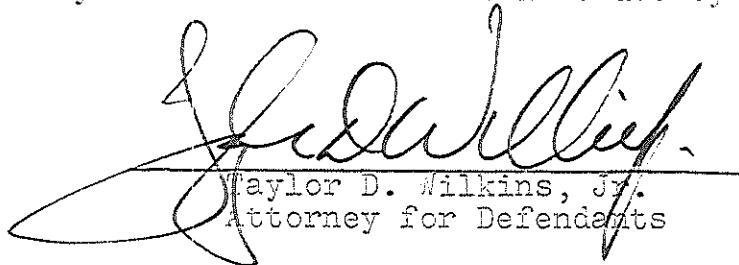
DEMURRER

Comes now SAUNDERS FOOD DISTRIBUTORS, INC., and files this demurrer to the plaintiff's complaint and set down and assigns the following grounds separately and severally:

1. Plaintiff has failed to show any duty owing from the defendant to the plaintiff arising out of this transaction.

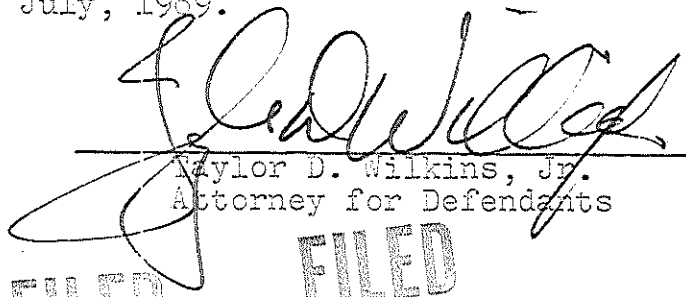

Taylor D. Wilkins, Jr.
Attorney for Defendants

The defendant respectively demands a trial of this cause by a jury.


Taylor D. Wilkins, Jr.
Attorney for Defendants

I hereby certify that I have on this 2nd day of July, 1969, forwarded a true and exact copy of this foregoing demurrer to Mr. C. Le Noir Thompson, 124 Courthouse Square, Bay Minette, Alabama, Attorney for Plaintiff, by mailing the same in the United States Post Office, properly addressed, with the postage paid thereon.

Done this the 2nd day of July, 1969.


Taylor D. Wilkins, Jr.
Attorney for Defendants

FILED

FILED

JUL 2 1969

JUL 2 1969

VOL

63 PAGE 846

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 Saunders Food Distributors, Inc., alias
Food Distributors, and JAMES CARL PETERSON, individually, and as
agent, servant, or employee of Saunders Food Distributors,
Inc., Pensacola, Florida

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 Saunders Food
Distributors, Inc., alias Food Distributors, and James Carl Peterson, in-
dividually, and as agent, servant or employee of Saunders Food Distributors,
Inc., "Pensacola, Florida" Defendant.....

by Freddie Mae Jordan

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

Witness my hand this 28 day of May

19 69

Alice J. Luck Clerk

24/6/2/69

No. 8722 Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

FREDDIE MAE JORDAN

Plaintiffs

vs.

SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, and JAMES
LARE PETERSON, individually and as the
agent, servant or employee of Saunders
Food Distributors, Inc., Pensacola, Fla.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving 1 process(es) and \$1.00
travel expense on each of 1
process(es) or a total of 5.00

W. Z. Moran
Deputy Sheriff
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

JUN 2 1969

Received In Office

M. S. BUTLER, Sheriff

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Executed by serving 6 copies of
the within on Mable Ames
Secretary of State of The State of
Alabama.

[This the 2 day of June 1969

Sheriff of Montgomery County

M. S. Butler,

By W. Z. Moran D. S.

Sheriff

Deputy Sheriff

June 9, 1969

FREDDIE MAE JORDAN, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS

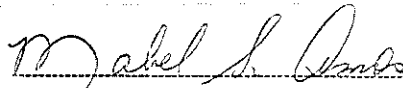
SAUNDERS FOOD DISTRIBUTORS, INC., alias
FOOD DISTRIBUTORS, et al, Defendants

CASE NO. 8722

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on June 2, 1969
I sent by certified mail in an envelope addressed as follows:"Saunders Food Distributors, Inc.,
alias Food Distributors
5534 Lynwood Road
Pensacola, Florida 32506""Certified Mail—
Return Receipt Requested
~~Deliver to Addressee Only~~"bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of
the State of Alabama in words and figures as follows:"Saunders Food Distributors, Inc.
alias, Food Distributors
5534 Lynwood Road
Pensacola, Florida 32506You will take notice that on June 2, 1969 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: FREDDIE MAE JORDAN, Plaintiff VS SAUNDERS FOOD DISTRIBUTORS, INC.,
alias FOOD DISTRIBUTORS, et al, Defendantsin the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW and Interrogatories
Case No. 8722 a true copy of which summons and complaint/is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.WITNESS MY HAND and the Great Seal of the State of Alabama this the 2nd
day of June, 1969

Enclosure (1)

(Signed) Mabel Amos
Secretary of StateI further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint/in the above-styled
cause.I further certify that on June 6, 1969 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Pensacola, Fla.
on June 5, 1969WITNESS MY HAND and the Great Seal of the State of Alabama this the 9th day
of June, 1969Mabel Amos
Secretary of StateEnclosures: Return Receipt Card and copy
of Summons and Complaint.
and InterrogatoriesCC: Honorable C. Lenoir Thompson
124 Court House Square
Bay Minette, Alabama 36507