

MARY BELL HARPER,)
 PLAINTIFF,) IN THE CIRCUIT COURT OF
 -vs-) BALDWIN COUNTY, ALABAMA
 PHYLLIS S. NESBIT, as Admin-) AT LAW
 istratrix of the Estate of)
 STEPHEN D. RADA, deceased,) CASE NO. 8812
 DEFENDANT.)

COUNT ONE

Plaintiff claims of the Defendant the sum of FIFTY THOUSAND (\$50,000.00) DOLLARS, damages, for that heretofore and on, to-wit, March 30, 1969, the Defendant's intestate negligently operated a motor vehicle on U. S. Highway 90 at a point, to-wit, nine tenths miles west of Taylor Still Road, at which point the said U. S. Highway 90 is a public road in Baldwin County, Alabama, so as to cause the same to collide with a motor vehicle operated by Plaintiff on U. S. Highway 90, and as a direct and proximate result of the negligence of the Defendant's intestate as aforesaid, Plaintiff suffered the following injuries and damages: She was made sick, sore and lame; she was caused to suffer severe mental and physical pain and anguish, still so suffers and will so suffer in the future; she was permanently injured; she suffered lacerations and bruises over her head, face and body; her back and legs were injured; she was caused to lose time from her employment and her ability to work and earn money in the future has been permanently impaired.

CUNNINGHAM, BOUNDS & BYRD
 ATTORNEYS FOR PLAINTIFF

BY: Richard Bounds
 RICHARD BOUNDS

Plaintiff demands a trial by jury.

FILED

JUL 23 1969

ALICE J. DUCK CLERK
 REGISTER

EVOL

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Trial Attorney:

Richard Bounds

Address of Defendant:

Phyllis S. Nesbit
Attorney at Law
Robertsdale, Alabama

FILED

JUL 22 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. 8812

TERM, 19.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Phyllis S. Nesbit, as Administratrix of the
Estate of Stephen D. Rada, deceased

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 Phyllis S. Nesbit,
as Administratrix of the Estate of Stephen D. Rada, deceased Defendant.

by Mary Bell Harper

Plaintiff.

Witness my hand this 22nd day of July 1969.

Oliver J. Tucker Clerk

No. 8812.....

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STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MARY BELL HARPER

Plaintiffs

vs.

PHYLLIS S. NESBIT, As Administratrix
of the Estate of Stephen
D. Rada, deceased

Defendants

SUMMONS AND COMPLAINT

Filed July 22, 19. 69.

Alice J. Duck Clerk

Cunningham, Bounds & Byrd
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED

Received In Office

JUL 22 1969

19.....

~~TAYLOR WILKINS~~

~~SHERIFF~~

Sheriff

I have executed this summons

this 22-July 19. 69
by leaving a copy with

Phyllis S. Nesbit, As Adm.
of the Est. of Stephen
D. Rada, Deceased

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY

H. Brown
DEPUTY SHERIFF

Taylor Wilkins, Sheriff

H. Brown Deputy Sheriff

50 miles R.T.
R. Rada

MARY BELL HARPER,	X		
	X		
Plaintiff,	X	IN THE CIRCUIT COURT OF	
	X		
vs.	X		
	X	BALDWIN COUNTY, ALABAMA	
	X		
PHYLLIS S. NESBIT, as	X	AT LAW	NO: 8812
Administratrix of the	X		
Estate of STEPHEN D.	X		
RADA, Deceased,	X		
	X		
Defendant.	X		

DEMURRER

Comes now the Defendant in the above styled cause and demurs to the Complaint filed in said cause and assigns the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That said Complaint does not allege any duty owing by the Defendant's intestate to the Plaintiff.
3. That the place where the accident occurred is not sufficiently set out.
4. That said Complaint claims speculative damages.
5. That said Complaint does not allege in what manner the Plaintiff was permanently injured.
6. That said Complaint does not allege that the Plaintiff was gainfully employed at the time of her injury.
7. That said Complaint does not allege in what manner the ability of the Plaintiff to work and earn money in the future has been permanently impaired.

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 12 day

of Nov. 1969

CHASON, STONE & CHASON

By: [Signature]
Attorneys for Defendant

FILED

NOV 12 1969

ALICE J. DICK CLERK REGISTER

EVOL

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