

STATE OF ALABAMA,
COUNTY OF BALDWIN.

CIRCUIT COURT, BALDWIN COUNTY,
NO. _____

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are Hereby Commanded to Summon **GENE MCKENZIE**, Individually, and
doing business as **FAIRHOPE HEATING & AIR CONDITIONING CO.**,
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~~ **GENE MCKENZIE**, Individually, and
doing business as **FAIRHOPE HEATING & AIR CONDITIONING CO.**, defendant,
by **CLIMATROL INDUSTRIES, INC.**, a Corporation,
Plaintiff.

WITNESS my hand this 4th day of August, 19 69.

Alice J. Duck
ALICE J. DUCK, Clerk.

CLIMATROL INDUSTRIES, INC.,
a Corporation,

Plaintiff,

VS.

GENE MCKENZIE, Ind. & d/b/a FAIRHOPE
HEATING & AIR CONDITIONING CO.,

Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
AT LAW.

8829

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendant **FIVE HUNDRED SIXTY-THREE AND 03/100 (\$563.03)**----- DOLLARS due from him
by account, on, to-wit, the 15th day of April, 19 69, which
sum of money with the interest thereon is still unpaid. The account sued
~~on is evidenced by an itemized and verified statement filed herewith.~~

Count II.


The Plaintiff claims of the Defendant the sum of **FIVE HUNDRED SIXTY-THREE AND 03/100 (\$563.03)**----- DOLLARS due from
him by account stated between the Plaintiff and the Defendant on,
to-wit, the 15th day of April, 19 69, which sum of money
with the interest thereon is still unpaid.

Continued, Summons & Complaint:

Climatrol Ind. vs. Gene McKenzie.

Count III.

The Plaintiff claims of the Defendant the sum of **FIVE HUNDRED SIXTY-THREE AND 03/100-----(\$563.03)-----** DOLLARS due from him for merchandise, goods and chattels sold by the Plaintiff ~~to the Defendant between the~~ 23rd day of August, 19 66, and the 15th day of April, 19 69, which sum of money with the interest thereon is still unpaid.


E. G. RICKARBY, Attorney for
Plaintiff.

Defendant's address is:

405 North Section Street
Fairhope, Alabama 36532

FILED

AUG 4 1969

ALICE J. DUCK

CLERK
REGISTER

Our File No. ____
Your File No. ____

Law Offices
E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

CODE 205
Telephone: 928-9836
Mailing Address
P. O. BOX 471

_____, 1969

I hereby certify that there has been paid on this account
the following amounts which are not shown on the statement,
to-wit:

\$15.00
\$22.00

Paid December 6, 1968
Paid April 15, 1969

leaving a balance of \$563.03.



CLIMATROL INDUSTRIES, INC.

P.O. BOX 401, MILWAUKEE WISCONSIN 53201

FAIRHOPE HTG & A C CO
155 SCHOOL ST
FAIRHOPE

ALA

STATEMENT
TO

MAR 25 1969

1
PAGE

PLEASE RETURN THIS
PORTION WITH YOUR
PAYMENT TO:

P.O. BOX 1598
MILWAUKEE, WISC 53201

ZONE	DATE	ACCOUNT
62	03-25-69	29361 8

PAY BY INVOICE OR STATEMENT AMOUNT ONLY

DATE	INVOICE NO.	CODE*	ORDER/ REFERENCE	YOUR ORDER	CURRENT AMOUNT	PAST DUE AMOUNT	DUE DATE	INVOICE NO.	TOTAL AMOUNT
8-23-66	04962✓	C/M	17593			159.12✓		04962	159.12✓
8-30-66	83977	INV	NO-3543			1,063.23	9-30	83977	1,063.23
9-07-66	37948✓	INV	62-3651			67.05✓	10-07	37948	67.05
9-20-66	40031✓	INV	62-3654			565.36	10-20	40031	565.36
9-23-66	41047✓	INV	62-3654			9.54	10-03	41047	9.54
9-30-66	42087✓	INV	62-3654			121.27	10-30	42087	121.27
10-10-66	43354✓	INV				338.74	11-10	43354	338.74
10-10-66	43355✓	INV	62-3626	031902		8.92	11-10	43355	8.92
10-13-66	44106✓	INV	62-3607			9.45	11-13	44106	9.45
10-13-66	44107✓	INV	62-3625			54.26	11-13	44107	54.26
10-13-66	44187✓	INV	62-3610			27.13	11-13	44187	27.13
11-30-66	75344✓	O/P	62-3987			31.36✓		75344	31.36✓
2-20-67	06097✓	O/P	62-3712	068111		13.28✓		06097	13.28✓
3-13-67	08199✓	INV	62-3712			13.27	4-13	08199	13.27
5-17-67		UNC		231008		650.00✓			650.00✓
5-23-67	16930✓	INV	62-3625			52.51	6-23	16930	52.51
6-12-67		A/P		OK1014		5.98✓			5.98✓
6-20-67	20554✓	COD	62-3731			304.53	7-20	20554	304.53
6-23-67	21371✓	INV	62-3731			1.62✓		21371	1.62✓
6-24-67		A/P	62-3731	080042		308.98✓			308.98✓
7-20-67		A/P		003805		656.75✓			656.75✓
5-25-68		UNC		046353		30.00✓			30.00✓
7-12-68		UNC		049904		25.00✓			25.00✓
8-22-68		UNC		047131		25.00✓			25.00✓
9-16-68		UNC		047464		50.00✓			50.00✓
10-25-68		UNC		048027		40.64✓			40.64✓
12-17-68		UNC		048596		22.50✓			22.50✓
1-09-69		UNC		048905		15.00✓			15.00✓
						600.03	TOTAL DUE →		600.03
						TOTAL CURRENT	TOTAL PAST DUE		

* TRANSACTION CODE

INV - INVOICE
C/M - CREDIT
UNC - UNAPPLIED CASH
RET - UNAUTH. RETAINER
O/P - OVER PAYMENT
A/P - ADVANCE PAYMENT
DED - DEDUCTION

T/F - TAX OR FRT. DEDUCTED
OTH - OTHER
DNA - DISCOUNT NOT ALLOWED
R/C - RETURNED CHECK
COD - C.O.D. SHIPMENT
S/D - S/D/B/L SHIPMENT

I, John de Zutter, Credit Manager of Climatrol Industries, Inc., formerly Worthington Air Conditioning Co., hereby certify that the balance listed herein is true and correct and is justly due Climatrol Industries, Inc. from Fairhope Heating & Air Conditioning Co.

John de Zutter

Michael C. Salas

INTEREST AT 6% PER ANNUM WILL BE CHARGED ON PAST DUE BALANCES

VERIFICATION FOR ITEMIZED STATEMENT OF ACCOUNT

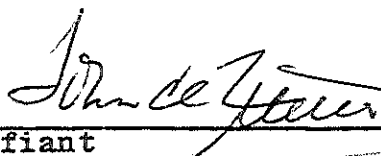
STATE OF WISCONSIN
COUNTY OF MILWAUKEE

Before me, the undersigned Notary Public, in and for said County, in said State, personally appeared John de Zutter, who being first duly sworn, deposes and says that he is the Credit Manager for Climatrol Industries, Inc., which is a corporation, formerly Worthington Air Conditioning Company.

That as such Credit Manager, affiant has knowledge of the account owed to Climatrol Industries, Inc., by Gene McKenzie, who is an individual doing business as Fairhope Heating & Air Conditioning Co.

That the attached itemized statement is a true and correct statement of the account owed by Gene McKenzie, Individually, and doing business as Fairhope Heating & Air Conditioning Co., to Climatrol Industries, Inc.,

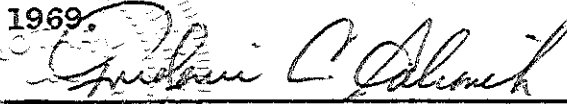
That there is now owing by Gene McKenzie, Individually, and doing business as Fairhope Heating & Air Conditioning Co., to Climatrol Industries, Inc., the sum of Five Hundred Sixty-three and 03/100 (\$563.03) DOLLARS, with interest from the _____ day of _____, 19____, after allowing all credits.


Affiant

Subscribed and Sworn to before me

this the 22 day of July, 1969

1969.


Notary Public

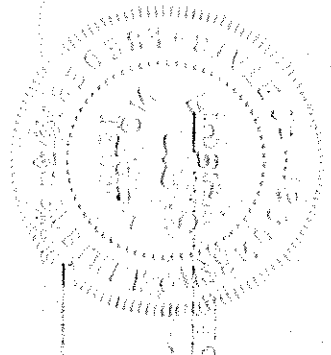
FILED

AUG 4 1969

ALICE J. DUCK
CLERK
REGISTER

VOL 64 PAGE 242

Ex 8-8-69



Subscribed and sworn to before me

City of Oregon

and from me on the 18th day of August, 1969

Witness my hand and the seal of the County of Clatsop, Oregon, this 18th day of August, 1969

and I, the undersigned, being a duly qualified and acting Sheriff of the County of Clatsop, Oregon, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Clatsop, Oregon.

Witness my hand and the seal of the County of Clatsop, Oregon, this 18th day of August, 1969

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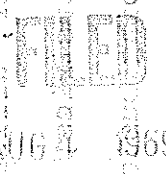
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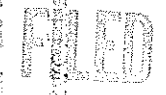
Witness my hand and the seal of the County of Clatsop, Oregon, this 18th day of August, 1969

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8829
Climatrol Industries
Inc. a corp.
Pltz.
vs.
Gene McKenzie
Ind. & d/b/a Fairhope
Heating & Air Conditioning
Co.



CLERK REGISTER



AUG 19 1969

ALICE J. DICK

CLERK REGISTER

C. G. Rickaby

Received 4 day of August 1969
and on 18 day of August 1969

I served a copy of the within on
Gene McKenzie

By service on

Sheriff claims 20 miles at
Ten Cents per mile Total \$ 2.00
TAYLOR WILKINS, Sheriff
BY Randall
DEPUTY SHERIFF
TAYLOR WILKINS, Sheriff
BY Randall
DEPUTY SHERIFF

Our File No. 67-478
Your File No. 65745

Law Offices
E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

CODE 285
Telephone: 928-9836
Mailing Address
P. O. BOX 471

July 30, 1969

Mrs. Alice J. Duck
Clerk of the Circuit Court
Bay Minette, Alabama 36507

8829

Dear Mrs. Duck:

Inre: Climatrol Industries, Inc. vs. Gene McKenzie,
Individually & d/b/a Fairhope Heating & Air Cond.

Enclosed find Summons & Complaint in the above styled cause, together with itemized and verified statement of account and check for \$25.00 costs.

Please process and oblige, and have Sheriff advise when debtor has been served. Thanks!

Yours very truly,



EGR/jlb
Encl.
Dup.
8-15-69

Our File No. 67-468
Your File No. 65745

Law Offices
E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

Code 205
Telephone: 928-9836
Mailing Address
P.O. Box 471

July 23, 1970

Honorable Telfair J. Mashburn
Circuit Judge, Baldwin County
Bay Minette, Alabama 36507

Dear Judge Mashburn:

Inre: Climatrol Industries, Inc.
vs. Fairhope Heating & Air Cond.
Case No. 8829

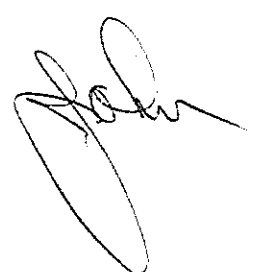
This case comes up Thursday, July 30th. Request you enter Judgment for the Plaintiff on an itemized and verified for \$513.03, plus costs.

I am sending a copy of this letter to Mr. John Duck, and asking that he verify the balance with his client and send it forward to you as his consent.

Yours very truly,



EGR/jc
cc: Mr. John V. Duck
7-30-70

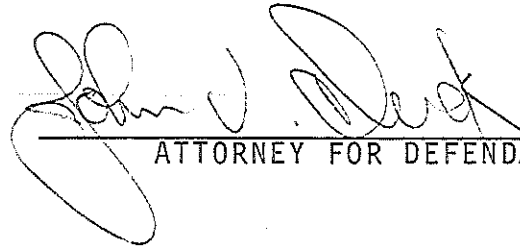
OK for Consent Judgment
in above amount


CLIMATROL INDUSTRIES, INC.,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
vs.)	AT LAW, CASE NO. 8829
GENE MCKENZIE, d/b/a FAIRHOPE)	
HEATING & AIR CONDITIONING,)	
Defendant.		

DEMURRER

Comes now the Defendant in the above styled cause, and demurs to the Bill of Complaint filed herein and for grounds thereof assigns the following separately and severally:

1. That said Bill of Complaint does not state a cause of action.
2. That said Bill of Complaint does not allege facts sufficiently to inform the Defendant of what he is called upon to defend.


ATTORNEY FOR DEFENDANT

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 16th day of Sept, 1969

Attorney for 
Defendant

FILED

SEP 19 1969

ALICE J. DUCK CLERK
REGISTER