

SUMMONS

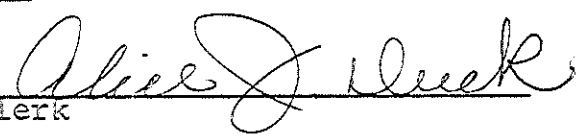
STATE OF ALABAMA,)

COUNTY OF BALDWIN.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons W. L. ROBERTS, a/k/a WADE L. ROBERTS, individually and d/b/a S & S TRUCKING COMPANY, 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, Alabama, at the place of holding same by R. GUERCIO & SON, INC., Assignee of The National Bank of Commerce, New Orleans, Louisiana.

Witness my hand this the 12 day of August, 1969.


Clerk

** ** *

COMPLAINT

R. GUERCIO & SON, INC., Assignee of
of The National Bank of Commerce,
New Orleans, La. PLAINTIFF,

IN THE CIRCUIT COURT OF

VS:

BALDWIN COUNTY, ALABAMA

W. L. ROBERTS, a/k/a WADE
L. ROBERTS, individually
and d/b/a S & S TRUCKING
COMPANY,

AT LAW

8839

DEFENDANT.

COUNT I:

The Plaintiff claims of the Defendant THREE THOUSAND SIX HUNDRED FORTY-FOUR & 35/100 DOLLARS (\$3,644.35), due by promissory waive note made by him on the 15th day of February 1967, and payable on the 1st day of January, 1969, with interest thereon.

Said note provides for a reasonable attorney's fee, which the Plaintiff alleges to be 15% as provided for in said note.


COUNT II:

The Plaintiff claims of the Defendant THREE THOUSAND SIX HUNDRED FORTY-FOUR & 35/100 DOLLARS (\$3,644.35), due by promissory waive note made by him on the 18th day of May, 1967, and payable on the 1st day of January, 1969, with interest thereon.

Said note provides for a reasonable attorney's fee.

COUNT III:

The Plaintiff claims of the Defendant THREE THOUSAND SIX HUNDRED FORTY-FOUR & 35/100 DOLLARS (\$3,644.35) for detention of the following personal property, viz: One 1966 International Tractor, Model Cof 4006D, Chassis #Y006912H, Engine #NHC250-482352, with the value of the hire or use thereof during the detention, viz: from the 1st day of January, 1969.


Forest A. Christian, Attorney for
Plaintiff

Defendant's address:
new house near Radio
Craft, Loxley, Alabama.

AUG 12 1969

and on 21 day of Aug 1968

I served a copy of the within Doc

on W. L. Roberts

By service on _____

TAYLOR WILKINS, Sheriff

By H. Brown D. S.

40 miles R.T.
Lofly

Sheriff claims 40 miles at

Ten Cents per mile Total \$ 4.00

TAYLOR WILKINS, Sheriff
BY Brown
DEPUTY SHERIFF

8837

SUMMONS AND COMPLAINT

R. GUERCIO & SON, INC., Assignee
of The National Bank of Commerce,
New Orleans, Louisiana,

PLAINTIFF,

VS:

W. L. ROBERTS, a/k/a WADE L.
ROBERTS, indiv. & d/b/a S & S
TRUCKING COMPANY,

DEFENDANT.

FILED

AUG 12, 1968

ALICE J. DUSK
CLERK
REGISTER

LAW OFFICE OF
FOREST A. CHRISTIAN
(205) 943-2201
P. O. DRAWER 190
FOLEY, ALABAMA 36535

STATEMENT

LAW OFFICE OF

FOREST A. CHRISTIAN

Tlefair J. Mashburn, Judge
Circuit Court
Bay Minette, Alabama

P. O. DRAWER 190
FOLEY, ALABAMA 36535

Attn: Mrs. Eurnice Blackmon
Clerk of Court

R. Guercio & Son, Inc. vs:
W. L. Roberts, et c 8839 Promissory
Note

Dear Judge:

Since the defendant is in bankruptcy and without assets, we think that is useless to keep this on the docket and so you are authorized to take it off.

Please attach to docket sheet.


FOREST A. CHRISTIAN

R. GUERCIO & SON, Assignee
of the National Bank of
Commerce, New Orleans, La.,

Plaintiff,

vs

W. L. ROBERTS, a/k/a WADE
L. ROBERTS, individually
and d/b/a S & S TRUCKING
COMPANY.

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA


AT LAW

CASE NO. 8839

ANSWER

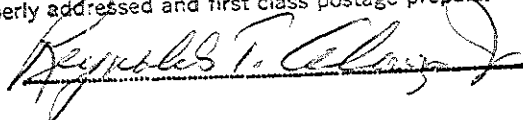
Comes now Reynolds T. Alonzo, Jr., Attorney for the
Defendants, and for answer to the complaint filed herein,
says separately and severally, and to each count thereof,
separately and severally, as follows:

1. Not Guilty.
2. The allegations therein are untrue.
3. Prior to the commencement of this suit
the defendants have satisfied all indebtedness due and owing to the plaintiff.


Reynolds T. Alonzo, Jr.
Attorney for Defendants
406 Van Antwerp Building
Mobile, Alabama

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 11 day
of Sept, 1967, served a copy of the
foregoing pleading on counsel for all parties to this pro-
ceeding, by mailing the same by United States mail,
properly addressed and first class postage prepaid.



SEP 15

LAW OFFICES
GEORGE SCARIANO
1550 NATIONAL BANK OF COMMERCE BUILDING
NEW ORLEANS, LOUISIANA 70112

529-7343

October 2, 1969

FILED

OCT 29 1969

Mr. Forest A. Christian
Attorney-at-Law
P. O. Drawer 190
Foley, Alabama - 36535

ALICE J. DUCK CLERK
REGISTER

Re: R. Guercio & Son, Inc. vs. W. L. Roberts

Dear Mr. Christian:

Enclosed please find a copy of the most recent correspondence from R. Guercio & Son, Inc. in connection with the amount of money due by the defendant in the above captioned matter.

If defendant can prove that he does not owe these amounts, then we would be agreeable, of course, to accepting a lesser amount.

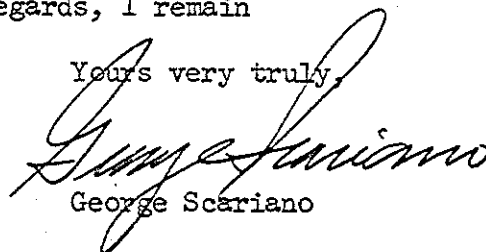
It would be my suggestion at this point to inquire of the defendant just what he believes is the true and correct amount owed by him on the two notes in question.

Also, the claimant would be agreeable to accepting monthly payments on this account, should they be of a substantial nature, and regarding your suggestion that this matter be reduced to judgment, please go ahead and do so once we have cleared up the matter of what is the correct amount due herein.

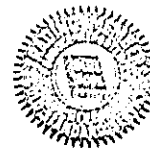
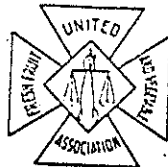
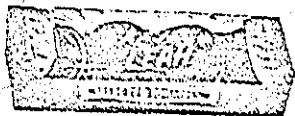
Kindly advise whether or not defendant can offer some proof of payment herein in order that we may decide if any credits are due on his account.

With thanks and kind personal regards, I remain

Yours very truly,


George Scariano

sc



REF. THE NATIONAL BANK OF
COMMERCE IN NEW ORLEANS
WHITNEY NATIONAL BANK
BLUE BOOK RED BOOK

CABLE ADDRESS,
GUSON, NEW ORLEANS

R. GUERCIO & SON, INC.

WHOLESALE
FRESH FRUITS AND VEGETABLES

INSTITUTIONAL FROZEN FOODS

200 NORTH PETERS STREET

NEW ORLEANS, LA. 70150

LONG DISTANCE: 428
TELEPHONE 529-4681
FROZEN 525-8547

September 25, 1969

Mr. George Scariano
1550 National Bank of Commerce Bldg.
New Orleans, La. 70112

Re; R. Guercio & Son, Inc.
and Vincent A. Guercio
vs
W.L. Roberts

Dear George:

The correct payoff of the N.B.C. bank note personally endorsed by Vincent A. Guercio was \$1138.55 as previously stated to you. This does not include any interest to Mr. Guercio.

The present balance due R. Guercio & Son, Inc. as of May 31, 1969 was \$2505.80, but on June 1, 1969 we added \$150.35 for interest due on the note, making a present balance due of \$2656.15, plus any attorney fees.

If you need any further detail please let me know.

Sincerely yours,

Robert D. Miller
Robert D. Miller,
Office Manager

RDM:ba

FOREST A. CHRISTIAN
ATTORNEY AT LAW
P. O. DRAWER 190
AREA CODE 205 - PHONE 943-2201
FOLEY, ALABAMA 36535

July 22, 1970

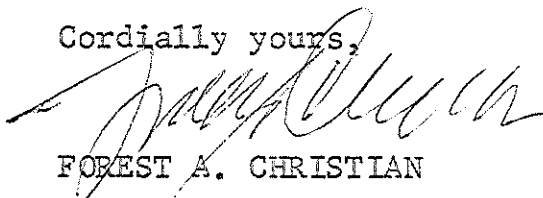
Hon. Telfair Mashburn
Judge of Circuit Court
Bay Minette, Alabama

Re: R. Guercio & Son
Vs: W. L. Roberts, a/k/a
Wade L. Roberts
Case No. 8839

Dear Judge Mashburn:

We have information that this debtor filed for bankruptcy several months ago and we assume that no further procedure will be issued out of your Court until bankruptcy proceedings are completed.

Cordially yours,



FOREST A. CHRISTIAN

NOTE TO CLERK: Please attach to docket sheet.

COPY

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

RES. 943-7102

FOLEY, ALABAMA 36535

November 21, 1969

Reynolds T. Alonzo, Jr., Esq.
406 Van Antwerp Building
Mobile, Alabama

Re: R. Guercio & Son, Assignee
of the National Bank of
Commerce, New Orleans, La.
Vs: W. L. Roberts, a/k/a Wade
L. Roberts, individually
& d/b/a S & S Trucking Co.
Case No. 8839

Dear Mr. Alonzo:

On October 24, I wrote you concerning this account and sent you xerox copies of the notes which on their face indicates that the amount sued for was proper, but that we would consider any discrepancy and was anxious to correct it.

We would like to know whether you now agree that the account is correct and if not, what amount would you believe proper.

Please let us have a reply and would like to have you agree to consent judgment if possible.

Cordially yours,

ORIGINAL SIGNED
FOREST A. CHRISTIAN

FOREST A. CHRISTIAN

—ON ALABAMA'S BEAUTIFUL GULF COAST—