

1723

STATE OF ALABAMA )  
BALDWIN COUNTY ) IN THE CIRCUIT COURT - LAW SIDE.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon The Gulf Service Company, 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 Link Radio Corporation, a Corporation.

Witness my hand this 25<sup>th</sup> day of October, 1951.

*Deice J. Leach*  
Clerk

=====

COMPLAINT

LINK RADIO CORPORATION, A Corporation,	¶	
	¶	IN THE CIRCUIT COURT OF
Plaintiff,	¶	BALDWIN COUNTY, ALABAMA
vs.	¶	LAW SIDE.
THE GULF SERVICE COMPANY, A Corporation,	¶	
Defendant.	¶	

COUNT ONE:

The Plaintiff claims of the Defendant Two Thousand Two Hundred Eight and 42/100 Dollars (\$2,208.42) due from it by account on the 25th day of May, 1949, which sum of money with the interest thereon, is still unpaid.

COUNT TWO:

The Plaintiff claims of the Defendant Two Thousand Two Hundred Eight and 42/100 Dollars (\$2,208.42) for merchandise, goods and chattels sold by the Plaintiff to the Defendant on the 25th day of May, 1949, which sum of money, together with the interest thereon is still unpaid.

CHASON & STONE

By: *Malone Stone*  
Attorneys for Plaintiff.

There is attached hereto an itemized, verified statement of the account sued on.

There is deposited herewith the sum of \$25.00 as security for costs of this action.

CHASON & STONE  
By: *Malone Stone*  
Attorneys for Plaintiff.

TAYLOR WILKINS, Sheriff

Executed Oct. 26 19 51  
b. serving copy of within Summons and  
Complaint on

John Brooks as  
President of  
The Gulf Service  
Company, A Corporation  
Taylor Wilkins Sheriff  
By V. F. Hall Deputy Sheriff

SUMMONS AND COMPLAINT

LINK RADIO CORPORATION,  
A Corporation,

Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

Filed: October 25, 1951.

*Audrey J. Leach*  
clerk

LAW OFFICES

**CHASON & STONE**

BAY MINETTE, ALABAMA

LINK RADIO CORPORATION,  
A Corporation,

Plaintiff,

VS.

THE GULF SERVICE COM-  
PANY, a Corporation,

Defendant.

)

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW.

NO. 1723

PLEA

Now comes the defendant and for plea to the complaint and  
to each and every count thereof, separately and severally, says:

1. Not guilty.

J. B. Blackburn  
Attorney for Defendant.

Defendant demands trial of said  
cause by jury.

J. B. Blackburn  
Attorney for Defendant.

RECORDED PLEA

LINK RADIO CORPORATION,  
A Corporation,

Plaintiff,

VS.

THE GULF SERVICE COMPANY,  
A Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. NO. 1723

FILED

NOV 21 1951

ALICE J. DUCK, Clerk

LINK RADIO CORPORATION,  
A Corporation,

Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO.

1723

AFFIDAVIT

Before me, G. MAC HUMPHRIES, a Notary Public in and for Baldwin County, State of Alabama, personally appeared Norborne C. Stone, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That he is one of the attorneys for Link Radio Corporation, the Plaintiff in the above styled cause, and that Ray J. Chapelle is one of the witnesses for the Plaintiff in the above styled cause and that he resides out of the State of Alabama, his more particular address being 125 West 17th Street, New York 11, N. Y.; that the said Ray J. Chapelle is a material witness for the Plaintiff and the evidence to be secured by the interrogatories propounded to said witness and filed herewith will be material evidence for the Plaintiff on the trial of this cause.

Dated this 2nd day of September, 1952.

Norborne C. Stone  
Norborne C. Stone

Sworn to and subscribed before me  
on this the 2nd day of September,  
1952.

G. Mac Humphries  
Notary Public, Baldwin County, Ala.

LINK RADIO CORPORATION,  
A Corporation,  
  
Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,  
  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
  
LAW SIDE.  
  
NO. 1723.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF  
TO RAY J. CHAPPELLE

Comes now the Plaintiff, Link Radio Corporation, by its Attorney and affidavit having been made by Norborne C. Stone, one of its Attorneys of Record, files the following Interrogatories with the Clerk of this Court to be propounded to Ray J. Chappelle, a material witness for the Plaintiff in the above styled cause.

INTERROGATORY NO. 1: What is your name?

INTERROGATORY NO. 2: Are you over the age of twenty-one years?

INTERROGATORY NO. 3: Are you employed by Link Radio Corporation and if so, in what capacity, and for what length of time?

INTERROGATORY NO. 4: In the capacity of your employment by Link Radio Corporation, do you have charge of or supervision of the books and in particular, the books of account of Link Radio Corporation?

INTERROGATORY NO. 5: Are these books of account prepared by you or someone under your supervision?

INTERROGATORY NO. 6: Are the books of which you have charge or supervision, books of original entry?

INTERROGATORY NO. 7: Do the books of original entry of Link Radio Corporation show that The Gulf Service Company, a Corporation, is indebted to Link Radio Corporation and if so, in what amount?

INTERROGATORY NO. 8: Is the amount shown in the answer to the preceding Interrogatory the amount due from The Gulf Service Company, after allowing all just credits?

INTERROGATORY NO. 9: If you state that the amount presently due is the balance due after allowing all just credits, would you please attach an itemized statement of the account of The Gulf

Service Company with Link Radio Company showing the total amount due under this account originally and any and all credits allowed by Link Radio Corporation.

INTERROGATORY NO. 10: Is your Company engaged in the business of designing, manufacturing and selling radio and/or electronic communication equipment?

INTERROGATORY NO. 11: If you state in answer to the last preceding Interrogatory that your Company is so engaged, please state whether or not the account with your Company of The Gulf Service Company is for the purchase by The Gulf Service Company of such equipment.

INTERROGATORY NO. 12: Please state the date, as shown by your books, on which this equipment was sold to The Gulf Service Company.

INTERROGATORY NO. 13: Has the amount shown by your books as being presently due from The Gulf Service Company to Link Radio Corporation been due and payable since the date shown in the answer to the last preceding Interrogatory?

Respectfully submitted,

CHASON & STONE

By: Marlene P. Stone  
Attorneys for the Plaintiff.

The Plaintiff suggests the name of Myron J. Kleban, 400 Madison Avenue, New York, New York, as a proper person to take the depositions noted above.

CHASON & STONE

BY: Marlene P. Stone  
Attorneys for the Plaintiff.

LINK RADIO CORPORATION,  
A Corporation,

Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,

Defendant.

\*\*\*\*\*

AFFIDAVIT AND INTERROGATORIES  
PROFOUNDED TO RAY J. CHAPELLE  
BY THE PLAINTIFF

\*\*\*\*\*

*Filed 9-2-52  
Alice J. Smith  
Clerk*

LAW OFFICES

**CHASON & STONE**

BAY MINETTE, ALABAMA



LINK RADIO CORPORATION,  
A Corporation,  
  
Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,  
  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1723.

ANSWERS TO INTERROGATORIES AND  
CERTIFICATE OF COMMISSIONER

By virtue of the commission heretofore granted to me and here-  
to annexed, issued from the Office of the Clerk of the Circuit Court  
of Baldwin County, State of Alabama, I, Myron J. Kleban, Commission-  
er therein named, have called and caused to come before me the said  
Ray J. Chappelle, the witness named in the said commission, on this  
the \_\_\_\_\_ day of \_\_\_\_\_, 1952, at my office at 400  
Madison Avenue, New York City, New York, and having duly cautioned  
and sworn the said Ray J. Chappelle to speak the truth, the whole  
truth and nothing but the truth, Ray J. Chappelle, the said witness,  
deposeth and saith as follows:

FIRST: To Interrogatory No. 1 he saith:

SECOND: To Interrogatory No. 2 he saith:

THIRD: To Interrogatory No. 3 he saith:

FOURTH: To Interrogatory No. 4 he saith:

FIFTH: To Interrogatory No. 5 he saith:

SIXTH: To Interrogatory No. 6 he saith:

SEVENTH: To Interrogatory No. 7 he saith:

EIGHTH: To Interrogatory No. 8 he saith:

NINTH: To Interrogatory No. 9 he saith:

TENTH: To Interrogatory No. 10 he saith:

ELEVENTH: To Interrogatory No. 11 he saith:

TWELFTH: To Interrogatory No. 12 he saith:

THIRTEENTH: To Interrogatory No. 13 he saith:

FIRST: To Cross-Interrogatory No. 1 he saith:

SECOND: To Cross-Interrogatory No. 2 he saith:

THIRD: To Cross-Interrogatory No. 3 he saith:

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Ray J. Chappelle.

I, Myron J. Kleban, the Commissioner in said commission named, to hereby certify that the foregoing testimony and answers taken down and written by me in the words of the witness, Ray J. Chappelle, were read over to him, and that he assented, swore to and subscribed the same in my presence, at the time and place herein named; and that I have personal knowledge of the identity of the said witness; that I am not of counsel or kin to either of the parties to said cause nor interested in the results thereof and I do hereby enclose the said testimony together with the commission heretofore issued to me and the Interrogatories propounded by the Plaintiff to the said witness and the Cross-Interrogatories propounded by the Defendant to the said witness, to the said Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, wherein

the above styled cause is now pending and from which court the above noted commission did issue as my full execution of said commission.

Given under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Myron J. Kleban.

*Myron J. Kleban*  
*Myron J. Kleban*  
*Myron J. Kleban*

Walter G. Kieper

*Original  
mailed 9-25-52*

1025

Given under my hand and seal this 25th day of  
Commissioner.

Above noted commissioner did issue an writ execution of writ  
the above entitled case is now pending and from which court the

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1723.

TO MR. MYRON J. KLEBAN  
400 MADISON AVENUE  
NEW YORK, NEW YORK

KNOW YE, That we, having full faith in your prudence and competency have appointed you Commissioner, and do hereby authorize you at such time and place as you may appoint, to call before you and examine Mr. Ray J. Chappelle, a material witness in behalf of the Plaintiff in a cause now pending in the Circuit Court of Baldwin County, Alabama, wherein Link Radio Corporation, a Corporation, is the Plaintiff, and The Gulf Service Company, a Corporation, is the Defendant, on oath to be by you administered upon the said Ray J. Chappelle, to take and secure the depositions of the witness and return the same to this court with all convenient speed under your hand. And to take and secure the answers of the said witness to the Cross-Interrogatories propounded by the Defendant to the said witness for the Plaintiff; which depositions when so taken, shall be signed by the said witness and certified by you as Commissioner, acting herein.

WITNESS my hand and the seal of the Circuit Court of Baldwin  
County, Alabama, this the \_\_\_\_\_ day of September, 1952.

Alice J. Duck, Clerk of the  
Circuit Court of Baldwin  
County, Alabama,

LINK RADIO CORPORATION,	)	
a Corporation,	)	
	)	IN THE CIRCUIT COURT OF
VS. Plaintiff,	)	BALDWIN COUNTY, ALABAMA
	)	AT LAW. NO. 1723
THE GULF SERVICE COMPANY,	)	
a Corporation,	)	
Defendant.	)	

CROSS INTERROGATORIES

Now comes the defendant, by its attorneys, and propounds the following cross interrogatories to plaintiff's witness, Ray J. Chapelle:

INTERROGATORY NUMBER 1: Please explain why and for what the defendant is indebted to the plaintiff.

INTERROGATORY NUMBER 2: Has the defendant offered to pay the plaintiff the amount which the plaintiff claims to be due it by the defendant, provided the plaintiff will place the equipment which it manufactured for and sold to the defendant in satisfactory operating condition?

INTERROGATORY NUMBER 3: Is the plaintiff now operating and doing business as a corporation?

J. B. Blackburn  
C. S. Chason

Attorneys for Defendant.

STATE OF ALABAMA )  
 \*  
 BALDWIN COUNTY )

Before me, the undersigned authority, within and for said County in said State, personally appeared J. B. BLACKBURN, who, after being by me first duly and legally sworn, deposes and says: That he is one of the attorneys for the Gulf Service Company, the defendant in the above entitled cause, and that the above interrogatories, if well and truly answered, will be material evidence for the defendant in this said cause.

J. B. Blackburn

Sworn to and subscribed before me on  
this the 12th day of September, 1952.

Mary Lou Blackburn

Notary Public, Baldwin County, Alabama.

LINK RADIO CORPORATION,  
a Corporation,

Plaintiff,

VS.

THE GULF SERVICE COMPANY,  
a Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW. NO. 1723

FILED  
SEP 12 1952  
ALICE L. DUCK, Clerk

J. B. BLACKBURN  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA



MYRON J. KLEBAN  
COUNSELOR AT LAW  
400 MADISON AVENUE  
NEW YORK 17, N.Y.  
MURRAY HILL 8-1537

REGISTERED

CABLE ADDRESS:  
"KLEEXLA" NEW YORK

October 10, 1952

Hon. Alice J. Duck  
Clerk of the Circuit Court  
of Baldwin County  
Bay Minette, Alabama

My dear Mrs. Duck:

I am enclosing herewith commission in the  
case of Link Radio Corporation against The Gulf Service  
Company, interrogatories, cross-interrogatories,  
testimony and exhibit.

Very sincerely yours,



Myron J. Kleban

MJK:NM

LINK RADIO CORPORATION,  
A Corporation,

Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,

Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

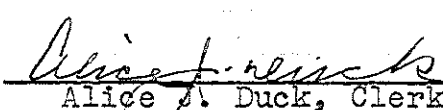
NO. 1723.

COMMISSION TO TAKE DEPOSITIONS

TO MR. MYRON J. KLEBAN  
400 MADISON AVENUE  
NEW YORK, NEW YORK

KNOW YE, That we, having full faith in your prudence and competency have appointed you Commissioner, and do hereby authorize you at such time and place as you may appoint, to call before you and examine Mr. Ray J. Chappelle, a material witness in behalf of the Plaintiff in a cause now pending in the Circuit Court of Baldwin County, Alabama, wherein Link Radio Corporation, a Corporation, is the Plaintiff, and The Gulf Service Company, a Corporation, is the Defendant, on oath to be by you administered upon the said Ray J. Chappelle, to take and secure the depositions of the witness and return the same to this court with all convenient speed under your hand. And to take and secure the answers of the said witness to the Cross-Interrogatories propounded by the Defendant to the said witness for the Plaintiff; which depositions when so taken, shall be signed by the said witness and certified by you as Commissioner, acting herein.

WITNESS my hand and the seal of the Circuit Court of Baldwin County, Alabama, this the 25<sup>th</sup> day of September, 1952.

  
\_\_\_\_\_  
Alice J. Duck, Clerk of the  
Circuit Court of Baldwin  
County, Alabama,

LINK RADIO CORPORATION,  
A Corporation,  
  
Plaintiff,

vs.

THE GULF SERVICE COMPANY,  
A Corporation,  
  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

LAW SIDE.

NO. 1723.

ANSWERS TO INTERROGATORIES AND  
CERTIFICATE OF COMMISSIONER

By virtue of the commission heretofore granted to me and here-  
to annexed, issued from the Office of the Clerk of the Circuit Court  
of Baldwin County, State of Alabama, I, Myron J. Kleban, Commission-  
er therein named, have called and caused to come before me the said  
Ray J. Chappelle, the witness named in the said commission, on this  
the 10<sup>th</sup> day of October, 1952, at my office at 400  
Madison Avenue, New York City, New York, and having duly cautioned  
and sworn the said Ray J. Chappelle to speak the truth, the whole  
truth and nothing but the truth, Ray J. Chappelle, the said witness,  
deposeth and saith as follows:

FIRST: To Interrogatory No. 1 he saith:

*Ray J. Chappelle*

SECOND: To Interrogatory No. 2 he saith:

*Yes, sir.*

THIRD: To Interrogatory No. 3 he saith:

*Yes; as general manager and treasurer for 12  
years.*

FOURTH: To Interrogatory No. 4 he saith:

*I do.*

FIFTH: To Interrogatory No. 5 he saith:

*Yes by someone under my supervision.*

SIXTH: To Interrogatory No. 6 he saith:

*Yes.*

SEVENTH: To Interrogatory No. 7 he saith:

*Yes; the amount is \$1708.42*

EIGHTH: To Interrogatory No. 8 he saith:

*Yes.*

NINTH: To Interrogatory No. 9 he saith:

*The witness produced a statement of account which is marked "Schedule A" this date and herewith attached.*

TENTH: To Interrogatory No. 10 he saith:

*Yes  
The witness produced a statement of account which is marked "Schedule A" this date and herewith attached. M.J.K.*

ELEVENTH: To Interrogatory No. 11 he saith:

*Yes*

TWELFTH: To Interrogatory No. 12 he saith:

*The dates are shown in Schedule A*

THIRTEENTH: To Interrogatory No. 13 he saith:

*Yes.*

FIRST: To Cross-Interrogatory No. 1 he saith:

*Every item of indebtedness is shown in detail in Schedule A.*

SECOND: To Cross-Interrogatory No. 2 he saith:

*No.*

THIRD: To Cross-Interrogatory No. 3 he saith:

*Yes.*

*Ray J. Chappelle*  
Ray J. Chappelle.

I, Myron J. Kleban, the Commissioner in said commission named, to hereby certify that the foregoing testimony and answers taken down and written by me in the words of the witness, Ray J. Chappelle, were read over to him, and that he assented, swore to and subscribed the same in my presence, at the time and place herein named; and that I have personal knowledge of the identity of the said witness; that I am not of counsel or kin to either of the parties to said cause nor interested in the results thereof and I do hereby enclose the said testimony together with the commission heretofore issued to me and the Interrogatories propounded by the Plaintiff to the said witness and the Cross-Interrogatories propounded by the Defendant to the said witness, to the said Alice J. Duck, Clerk of the Circuit Court of Baldwin County, Alabama, wherein

the above styled cause is now pending and from which court the above noted commission did issue as my full execution of said commission.

Given under my hand and seal this the 10th day of October, 1952.

Myron J. Kleban  
Myron J. Kleban.

LINK RADIO CORPORATION  
125 West 17th St.  
New York 11, N.Y.

Page One of Two

MATERIAL SUPPLIED TO: Gulf Service Company  
Foley, Alabama

Invoice of 2/25/49, No. FO 26941:

<u>Date Shipped</u>	<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Total</u>
1/25/49	1	1908 Radio Transmitter-Receiver. Trans. 152.63 mc Rec'r. 157.89 mc.	2250.00	
		Special wiring in above rec'r. per Dwg. #190823.	25.00	
1/27	1	Special radio telephone terminal unit.	1000.00	
1/25	1	4XA Antenna (high gain)	250.00	
1/27	250'	RG 17/U Cable @.55 ft.	137.50	
1/25	3	SA 77 Adapters 1.00	3.00	
1/25	2	SA 37 " 7.00	14.00	
1/25	1	8328 coupling set	1.00	
1/25	1	UG 154/U connector	14.00	
1/25	1	3ZA Coaxial Antenna	42.50	
1/25	1	50 FMTR 7C-S Mobile		
		Radio Equipment: T. on 157.89 R. on 152.63.	565.00	
		with		
1/25	1	1779 Selector Unit	125.00	
1/25	1	1939 Mobile Dialing Assy.	60.00	
1/25	1	2051 Frequency Meter on 152.63 mc. & 157.89 mc.	200.00	
1/25	1	2015 Test Meter	30.00	
			4717.00	
		F.E. Tax on 1908 Receiver	21.00	
		F.E. Tax on 50 FMTR 7C Rec'r.	21.50	\$4759.50

Invoice of 4/3/49, No. FO 27631:

<u>Date Shipped</u>	<u>Quantity</u>	<u>Description</u>	<u>Amount</u>	<u>Total</u>
4/5/49	1	Type 263 outdoor cabinet	65.00	
"	1	3ZA coaxial antenna	42.50	
"	135'	RG 8/U Cable @.15 ft.	20.25	
			127.75	
		Penn. R.R. Charge 4/5/49	4.24	\$ 131.99

Invoice of 4/28/49, FO 27899:

4/21/49	1	2104 Antenna Amplifier on 159.89 mc.	60.00	
		Parcel Post Special Del. Chg.	3.74	\$ 63.74

Invoice of 5/25/49, No. FO 28108:

5/18/49	1	4XA High Gain Antenna	250.00	
		Associated Transport Charge	3.19	\$ 253.19
		(Shipped to: E.C. Littlejohn Montgomery, Ala.)		
		TOTAL CHARGES . . . . .		\$5208.42

LINK RADIO CORPORATION  
125 West 17th St.  
New York 11, N.Y.

Page Two of Two

Account of: Gulf Service Company  
Foley, Alabama

TOTAL CHARGES (As at May 25, 1949)	\$5,208.42
LESS:	
Remittance Received May 6, 1949	2,500.00-
Remittance Received July 12, 1950	<u>500.00-</u>
TOTAL CLAIM.	\$2,208.42
LESS:	
Remittance Received September 22, 1952	<u>500.00-</u>
Total amount due and owing as of 10/3/52.....	<u><u>\$1,708.42</u></u>

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12 OCT 1952  
NEW YORK, N.Y.

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FILED  
OCT 15 1952  
ALICE J. DUCK, Clerk