

JOHNNY L. STEPP,

Plaintiff,

-vs-

WOODHAVEN DAIRY, a corporation,

Defendant.

\* IN THE CIRCUIT COURT OF

\* BALDWIN COUNTY, ALABAMA.

\* AT LAW.

\* NO. 1796

\*

\*

COUNT ONE:

Plaintiff claims of the defendant the sum of Seven Hundred Fifty and no/100 (\$750.00) Dollars as damages for that heretofore on, to-wit, the 11th day of May, 1951, the agent, servant, or employee of the defendant, while acting within the line and scope of his employment as such, so negligently operated a motor vehicle westwardly on U. S. Highway No. 90 a public highway in Baldwin County, Alabama, at or near defendant's place of business near Robertsdale, Alabama, as to cause or to allow said vehicle to collide with or run against the automobile of the plaintiff which was then being driven in a westwardly direction on U. S. Highway 90 at said time and place, and as a direct and proximate consequence of said negligence, plaintiff's automobile was badly bent, broken and damaged to the injury of the plaintiff, hence this suit.

*Howell & Johnston*  
ATTORNEYS FOR PLAINTIFF

DEFENDANT'S ADDRESS:

Robertsdale, Alabama

Executed April 25, 1952  
By Sending copy on  
W. S. McKiffon  
Vice President  
and Manager.

W 1796

Johnny L. Stepp  
vs

Woodhaven Dairy  
a corp

Robert Dale

Sheriff  
Taylor Wilkins  
By  
Edleigh Steadham

FILED

APR 25 1952

ALICE J. DUCK, Clerk

W. S. McKiffon  
Vice President  
Manager

JOHNNY L. STEPP,	)	IN THE CIRCUIT COURT
Plaintiff	)	OF
vs.	)	BALDWIN COUNTY, ALABAMA
WOODHAVEN DAIRY,	)	
A Corporation,	)	
Defendant	)	AT LAW.

INTERROGATORIES PROPOUNDED TO PLAINTIFF BY DEFENDANT

Comes now Defendant in the above styled cause and propounds the following separate and several interrogatories to the Plaintiff therein:

1. State your name, age, place of residence and place of employment.
2. Please state whether or not you were involved in an accident on the 11th day of May, 1951 on U. S. Highway 90 at or near Robertsedale, Alabama, which accident also involved a truck of Woodhaven Dairy.
3. State in detail the city and street address which was the beginning of the trip or journey which you were taking at the scene of the alleged accident. Give the same information as to proposed destination of said journey or trip.
4. State in detail the purpose of the trip or journey which you were taking at the time of the alleged accident.
5. State whether or not you had drunk any intoxicating beverages within six hours prior to the time that this accident occurred and if your answer is in the affirmative, describe the beverage and state how much you had to drink of it,

and as nearly as you can, just how many hours or minutes such drink was taken before the accident occurred.

6. Did the automobile involved in this collision belong to you?

7. Who was driving said automobile at the time of this accident?

8. Describe in detail the damage done to your automobile.

9. Has your automobile been repaired as of this time?

10. If so, who repaired it?

11. Is it not a fact that the driver of this car was on an errand or business for you at the time of this accident?

12. Approximately what time did this accident occur?

13. Give the names of all parties who were in your automobile at the time this accident occurred.

14. Did you arrive at the scene of this accident within a reasonable time after the accident occurred?

15. Did this accident happen on a hill? Did this accident happen on a curve?

16. Approximately how far from the scene of this accident is the Woodhaven Dairy?

17. How long have you been driving an automobile?

18. How long had the steering apparatus of your automobile been defective prior to the time of this collision?

19. Have you questioned all the occupants of this automobile to determine just how this accident happened?

20. What was the condition of the highway at the time of this accident? Wet or dry?

21. Was the highway level with the shoulders of said highway at the point of the accident; fifty feet north and south of the point of the accident; one hundred feet north and south of the point of the accident?

22. Is it not a fact that your car has been repaired and those repairs paid by one other than you?

23. If these repairs were made by one other than you state who made them and the cost of such repairs.

24. State whether or not you have been paid any sum of money by an insurance company for the damage done to your automobile.

25. State whether or not any sum of money was loaned to you by an insurance company to cover the cost of damage to your automobile.

*Inge, Twitty, Armbricht & Jackson*  
*Marshall J. DeMouy*  
Attorneys for Defendant

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me the undersigned authority in and for said County and State this day personally appeared Marshall J. DeMouy who, being by me first duly sworn, thus depose and say that he is one of the attorneys of record for the Defendant in the above styled cause, and as such has authority to make this affidavit; and the answers of the Plaintiff to the above and foregoing interrogatories will be material testimony for the Defendant in said cause.

*Marshall J. DeMouy*  
Marshall J. DeMouy

SUBSCRIBED and SWORN to before me  
this 8th day of April, 1953

*Marlene Schults*  
Notary Public, Mobile County, Alabama.

*State of Alabama at Large*  
*Service accepted this 8TH day of*  
*April 1953*  
*Howe & Johnston by: T.O. Howe*

20. What was the condition of the highway at the time of this accident? Wet or dry?

21. Was the highway level with the shoulders of said highway at the point of the accident; fifty feet north and south of the point of the accident; one hundred feet north and south of the point of the accident?

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25. State whether or not any sum of money was loaned to you by an insurance company to cover the cost of damage to your automobile.

*Inge, Twitty, Armbricht & Jackson*  
*Marshall J. DeMouy*  
Attorneys for Defendant

STATE OF ALABAMA)

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*Marshall J. DeMouy*  
Marshall J. DeMouy

SUBSCRIBED and SWORN to before me  
this 8th day of April, 1953

*Margaret E. Schults*  
Notary Public, Mobile County, Alabama.

*State of Ala. at Large*  
*Service accepted this 8TH day of*  
*April 1953.* -3-  
*Howe & Johnston by: T.O. Howe*

1796.

FILED

4-10-53

ALICE J. DUCK, Clerk

RECEIVED  
APR 10 1953  
U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C.

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WASHINGTON, D.C.

# State of Alabama---Mobile County

CIRCUIT COURT, OCTOBER TERM 1952

JOHNNY L. STEPP

Plaintiff,

vs.

WOODHAVEN DAIRY, a corporation

Defendant

Mobile, Ala., May 21 19 52

INGE, TWITTY, ARMBRECHT & JACKSON appear for

WOODHAVEN DAIRY, a corporation Defendants

in the above entitled cause and reserve the right to demur or plead specially.

*Inge, Twitty, Armbricht & Jackson*  
*Marshall A. Beatty*  
Attorney for



No. 1796

# APPEARANCE

vs.

Filed in Office

, 19

MAY

FILED

22 1952

Clerk

INGE, TWITTY, ARMBRECHT & JACKSON  
LAWYERS

WM. H. ARMBRECHT (1874-1941)  
FRANCIS H. INGE  
THOS. E. TWITTY  
WM. H. ARMBRECHT, JR.  
THEO. K. JACKSON, JR.  
RICHARD H. INGE  
NICHOLAS S. McGOWIN  
JOHN W. McCONNELL, JR.  
MARSHALL J. DEMOUY

MERCHANTS NATIONAL BANK BUILDING  
MOBILE, ALABAMA

MAILING ADDRESS:  
P. O. BOX 1109  
MOBILE 6, ALA.  
CABLE ADDRESS:  
ARMING

May 21, 1952

Mrs. Alice J. Duck, Clerk  
Circuit Court  
Baldwin County, Alabama

Re: Johnnie L. Stepp, Plaintiff vs.  
Woodhaven Dairy Corporation, Defendant

Johnnie L. Step, Plaintiff vs.  
William H. Dearborn, Defendant

Dear Mrs. Duck:

I enclose herewith an appearance in each of the above cases and I would appreciate your seeing that they are properly filed. I have given a copy of this appearance to the law firm of Howell and Johnston here in Mobile which represents the plaintiff in both of these cases.

I would appreciate very much your sending me the settings which will contain the date on which these cases will be tried.

Very truly yours,

INGE, TWITTY, ARMBRECHT & JACKSON

By: Marshall J. DeMouy  
Marshall J. DeMouy

MJD  
mqf  
encl.

LAW OFFICES OF  
HOWELL AND JOHNSTON

FIRST NATIONAL BANK ANNEX

P. O. BOX 1652

MOBILE 9, ALABAMA

THOMAS O. HOWELL, JR.  
THOMAS A. JOHNSTON, III

ALICE LOUISE MANRY

April 23, 1952

Mrs. Alice Duck, Clerk  
Circuit Court  
Baldwin County  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith you will find two suits which we would  
appreciate your filing.

Very sincerely yours,

HOWELL & JOHNSTON

*Alice L. Manry*

Alice L. Manry

ALM:bh  
Enc.

1796

NOTENHOL CVA. LEEHOL  
2-20 100 0-1  
AMASAP 18 EDITION

1101 08 1100

201796  
Johnny L. Stepp  
IS.

Woodhaven Laundry  
A Corp

Damages

FILED

APR 25 1952

PLACE IN BOX. ONE

STATE OF ALABAMA ) TO ANY SHERIFF OF THE  
BALDWIN COUNTY ) STATE OF ALABAMA.

You are hereby commanded to summon Woodhaven Dairy 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 the same, then and there to answer the complaint of Johnny L. Stepp.

Witness my hand, this 24<sup>th</sup> day of April, 1952.

Arc L. Luck  
CLERK, CIRCUIT COURT, BALDWIN  
COUNTY, ALABAMA.