

HANNIS HARVILLE,	:	IN THE CIRCUIT COURT OF
PLAINTIFF,	:	
VS.	:	BALDWIN COUNTY, ALABAMA
MOBILE PAINT COMPANY,	:	AT LAW
whose legal identification	:	
is unknown to the plaintiff	:	
at this time, but will be	:	
added and/or more correctly	:	CASE NO: <u>8928</u>
described by an amendment	:	
when ascertained and NORMAN	:	
DEAN, individually, and as	:	
the Agent, Servant or	:	
Employee of Mobile Paint	:	
Company,	:	
DEFENDANT.	:	

COMPLAINT

COUNT ONE

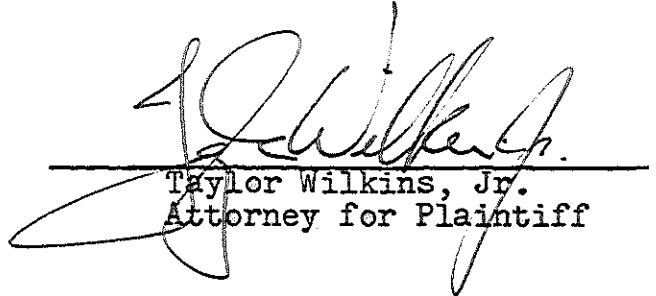
The plaintiff claims of the defendants jointly and severally, the sum of FIVE THOUSAND and NO/100 (\$5,000.00) DOLLARS as damages for that heretofore on, to-wit, April 28th, 1969, the defendant, Norman Dean, while acting as an agent, servant or employee of defendant, Mobile Paint Company, and who was then and there acting in the line and scope of his authority as such, wantonly damaged the plaintiff by wantonly driving a motor vehicle in which plaintiff was riding as a passenger, into and against a tree, and plaintiff avers that at the time and place complained the motor vehicle operated by the defendant, Norman Dean, was being operated on the Old Daphne Road, a public road in the County of Baldwin, State of Alabama, at or near a point, to-wit, approximately four hundred (400) yards southwest of the intersection of Old Daphne Road with Byrne Street, a public road in said County and within the city limits of the town of Bay Minette, Alabama, and that the motor vehicle in which plaintiff was riding as a passenger was being operated on said Old Daphne Road. Plaintiff avers that as a proximate result of the wanton conduct of the defendants as aforesaid, plaintiff suffered profound shock;

he suffered a fracture of the jaw; his shoulders and chest were bruised and injured; his forehead and nose were lacerated; he was made sick, sore and nervous, and continues to suffer physical and mental pain; he incurred medical expenses for the treatment of his injuries and lost time from his employment, for all of which he claims damages as aforesaid, hence this suit.

COUNT TWO

The plaintiff claims of the defendants, jointly and severally, the sum of FIVE THOUSAND and NO/100 (\$5,000.00) DOLLARS as damages for that heretofore on, to-wit, April 28th, 1969, the defendant, Mobile Paint Company, was the owner or lessee of a motor vehicle which it allowed Norman Dean, who was an agent, servant or employee of said defendant, at said time and place, acting within the line and scope of his authority to operate. The said Norman Dean on, to-wit, April 28th, 1969, was and long had been a careless, indifferent, heedless and reckless driver of said motor vehicle, so that said motor vehicle in his hands was a dangerous and deadly agency, of which facts the said defendant had been duly informed; yet, with the information of such facts, the said defendant negligently allowed the said Norman Dean to operate said motor vehicle on a public road in the State of Alabama at will, and entrusted its management and operation to him, and while, on April 28th, 1969, he was engaged in operating said motor vehicle on a public road, known as Old Daphne Road at a point, to-wit, approximately four hundred (400) yards southwest of the intersection of Old Daphne Road and Byrne Street, a public road within the city limits of the town of Bay Minette, Alabama, the said Norman Dean so wantonly conducted himself with respect to said motor vehicle in that while the plaintiff was a passenger in said motor vehicle the defendant, Norman Dean, wantonly drove the same into and against a tree at said time and place as aforesaid. Plaintiff avers that as a proximate result of the negligence of the defendant, Mobile Paint Company, as aforesaid, plaintiff suffered profound shock; he suffered a fracture of the jaw; his shoulders

and chest was bruised and injured; his forehead and nose was lacerated; he was made sick, sore and nervous and continues to suffer physical and mental pain; he incurred medical expenses for the treatment of his injuries and lost time from his employment. Plaintiff avers that at the time of said injuries the said Norman Dean was operating said motor vehicle with the defendants consent and acquiescence and they having been informed of his dangerous proclivities in connection with the same as aforesaid, hence this suit.


Taylor Wilkins, Jr.
Attorney for Plaintiff

FILED

NOV 10 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.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MOBILE PAINT COMPANY and

NORMAN DEAN

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.....

MOBILE PAINT COMPANY and NORMAN DEAN

....., Defendant.....

by

HANNIS HARVILLE

....., Plaintiff.....

Witness my hand this 10 day of Nov 1969

Alice J. [Signature], Clerk

11-10-69

No. 8928 Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

HANNIS HARVILLE

Plaintiffs

vs.

MOBILE PAINT COMPANY and

NORMAN DEAN Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

TAYLOR WILKINS, JR.

Plaintiff's Attorney

Defendant's Attorney

Defendant Mobile Paint

~~XXXXXXXXXX~~

Company may be served at
854 South Conception Street
Mobile, Alabama

Received In Office

11/12/69

Sheriff

I have executed this summons

this Nov 12 1969

by leaving a copy with

Norman Dean

Mobile Paint Company
by service on
Mr. L. J. Manager

Returned 11/14/69 by
Order of Atty. on Norman Dean

Ray L. Bridges Sheriff

J. A. Penwell Deputy Sheriff

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 8978

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MOBILE PAINT COMPANY and
NORMAN DEAN

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.....

MOBILE PAINT COMPANY and NORMAN DEAN Defendant.....

by HANNIS HARVILLE Plaintiff.....

Witness my hand this 10 day of Nov. 1969
Alice J. Over Clerk

No.....

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

Deputy Sheriff

HANNIS HARVILLE,	:	IN THE CIRCUIT COURT OF
PLAINTIFF,	:	
VS.	:	BALDWIN COUNTY, ALABAMA
MOBILE PAINT COMPANY,	:	AT LAW
whose legal identification	:	
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at this time, but will be	:	
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DEAN, individually, and as	:	
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Company,	:	
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COMPLAINT

COUNT ONE

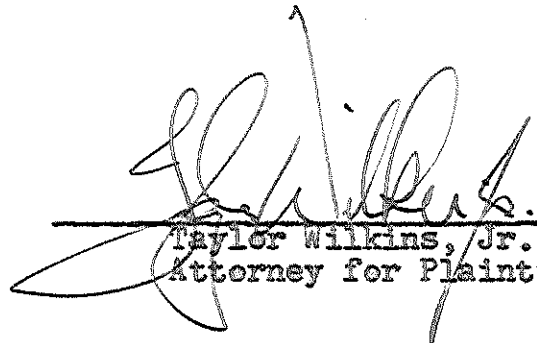
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Taylor Wilkins, Jr.
Attorney for Plaintiff

FILED

NOV 10 1969

ALICE J. DUCK

CLERK
REGISTER

Do. Not Leave Norman
Wren. When Original
comes in from Mobile return
this copy to Clerk marked "Order of Atty"