

GIBBONS, STOKES & CLARK

ATTORNEYS AT LAW
160 CONGRESS STREET
MOBILE, ALABAMA
TELEPHONE 433-1831

E. GRAHAM GIBBONS
B. F. STOKES, III
ROBERT F. CLARK
GREGORY B. MCATEE

September 2, 1977

MAILING ADDRESS
P. O. DRAWER 889
MOBILE, ALABAMA 36601

Clerk, Circuit Court
Baldwin County Courthouse
Bay Minette, Al.

RE: Case #9126 Kaiser Agricultural Chemical et al vs. C. P. Forrest
World Sporting Goods, Inc., Garnishee

(PLEASE REFER TO THE ITEMS CHECKED BELOW)

Dear Sir:

1. () Please issue an alias complaint and summons at the following address:
2. (✓) Please discharge the garnishee in the above styled cause.
3. () Please also send the garnishment release to the garnishee in the enclosed self-addressed, pre-metered envelope.
4. () Please issue an alias execution against the defendant. Also please forward the enclosed letter to the Sheriff requesting a levy.
5. () Please dismiss the above styled case (with) (without) prejudice.
6. (✓) Please send me your bill of costs.
7. () Please execute and return the attached PFRI form.

REMARKS:

Sincerely,

GIBBONS, STOKES & CLARK

B. F. STOKES, III
For the Firm

BFS/he

STATE OF ALABAMA

Baldwin County

TO C. P. FORREST Defendant.....

YOU ARE HEREBY NOTIFIED that a Writ of Garnishment has been issued in the case of
KAISER AGRICULTURAL CHEMICALS, DIVISION OF KAISER ALUMINUM & CHEMICALSALES, INC. Plaintiff.....

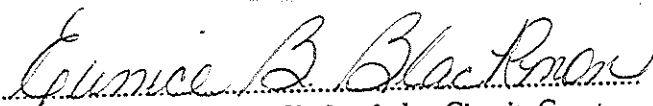
versus C. P. FORREST Defendant.....

now pending in the Circuit Court of Baldwin County, Alabama, Law Side, in which

..... WORLD SPORTING GOODS, INC.

has^s..... been named as Garnishee.....IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal on this the.....^{5th}

day of April 19..77..



Clerk of the Circuit Court.

25 Co. Do. 13448

Case # 9126½

RECEIVED

APR 6 1977

THOMAS H. BENTON
SHERIFF

BY

APR 8 3 28 PM '77

REC'D. SHERIFF DEPT.
MOBILE COUNTY, ALA.

EXECUTED

This 11 day of April, 1977,
by serving a copy of the within on

C. P. Forrest

THOMAS J. PURVIS, Sheriff

By J. Hardman D. S.

NOTICE

TO DEFENDANT OF GARNISHMENT

BY

CLERK OF CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

TO

KAISER AGRICULTURAL CHEMICALS,

DIVISION OF KAISER ALUMINUM &
CHEMICAL SALES, INC., a corp.

Plaintiff...

VS.

C. P. FORREST

c/o World Sporting Goods, Inc.

1306 St. Stephens Rd.

Mobile, AL

Defendant...

AFFIDAVIT FOR GARNISHMENT
ON JUDGMENT

9126 1/2

The State of Alabama }
~~MOBILE COUNTY~~
BALDWIN COUNTY

CIRCUIT COURT

the undersigned Notary Public

Personally appeared before me, ~~John E. Mardeville, Clerk of the Circuit Court~~ in and for Mobile County
and State aforesaid..... B. F. STOKES, III

who being duly sworn, on oath says, that on the 23rd day of March, 1970

in the Circuit Court of ~~Mobile County~~ BALDWIN, in Case No. 9126 The Plaintiff.

KAISER AGRICULTURAL CHEMICALS, DIVISION OF KAISER ALUMINUM &
CHEMICAL SALES, INC., a corporation,

recovered a judgment against..... C. P. FORREST

.....the Defendant, whose address
is..... c/o Garnishee

for the sum of..... \$5,602.00

Dollars, besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect;
WORLD SPORTING GOODS, INC.
that.....

whose address is..... 1306 St. Stephens Road, Mobile, Alabama, Telephone
..... Number 438-4676

is supposed to be indebted to or have effects of the said.....
..... C. P. FORREST

..... ITS ITS
in..... possession or under.....

control, and that he believes process of Garnishment against the said.....
..... WORLD SPORTING GOODS, INC.....

is necessary to obtain satisfaction of said Judgment.

23rd

Sworn to and subscribed this.....

day of March, 1977


NOTARY PUBLIC

~~xxxxx~~

FILED

APR 5 1977

EUNICE B. BLACKMON
CIRCUIT CLERK

KAISER AGRICULTURAL CHEMICALS,
DIVISION OF KAISER ALUMINUM and
CHEMICAL SALES, INC.,

Plaintiff

Vs.

C. P. FORREST

Defendant

WORLD SPORTING GOODS, INC.,

Garnishee

* IN THE CIRCUIT COURT OF
* BALDWIN COUNTY, ALABAMA

*

* CASE NO. 9126½

*

*

*

*

ANSWER OF GARNISHEE

Comes now WORLD SPORTING GOODS, INC., by and through CHARLES P. FORREST, JR., its Vice President, who, being duly sworn deposes and says that he is an Officer of World Sporting Goods, Inc., a corporation, and has personal knowledge of the facts herein stated and is authorized to sign this answer to said Garnishment and for answer to same says; That at the time of the service of said Writ of Garnishment, and at the time of making this answer, the Defendant, C. P. Forrest, a/k/a C. P. FORREST, SR., is an employee of the Garnishee and earns a weekly disposable salary in the amount of \$162.00; That the Defendant is indebted to the Garnishee in the amount of \$1,300.00, the balance of an indebtedness owed to the Garnishee at the time of service of Writ of Garnishment; that the Garnishee has been and will continue collecting the indebtedness owed Garnishee in an amount of \$35.00 per week; that the amount owed to the Garnishee is for a loan made to the Defendant, and

That the Garnishee will not be indebted in the future to the said Defendant by contract then or now existing, but the Defendant will remain in the employment of the Garnishee so long as his services shall be satisfactory to the Garnishee; that the Garnishee will not be liable to said Defendant for the delivery of personal property or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property, and Garnishee has not in its possession or under its control or effects belonging to the

Defendant other than as aforesaid.

Having fully answered said Garnishment the Garnishee prays to be henced dismissed, with its reasonable costs for making this answer.

DATED this 4th day of May, 1977.

WORLD SPORTING GOODS, INC.

BY: Charles P. Forrest, Jr.
CHARLES P. FORREST, JR.
Its Vice President

Sworn to and subscribed before me this 4th day of May, 1977.

James M. Bailey
NOTARY PUBLIC

FILED

MAY 4 1977

EUNICE B. BLACKMON CIRCUIT CLERK

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 4th day of May, 1977
James M. Bailey
Attorney For

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19

To any Sheriff of the State of Alabama, Greetings:

WHEREAS, on the 23rd day of March, 1970 in the Circuit Court of Baldwin County, being a regular day of said term, KAISER AGRICULTURAL CHEMICALS, DIVISION OF KAISER ALUMINUM & CHEMICAL SALES, INC., a corporation Plaintiff recovered judgment against

C. P. FORREST

Defendant

for the sum of \$5,602.00 Dollars, and cost of suit,

and affidavit having been made by B. F. STOKES, III that process of garnishment is believed to be necessary to obtain satisfaction of such Judgment, and that the following named persons or corporations, viz:

World Sporting Goods, Inc. 1306 St. Stephens Rd., Mobile, AL

has or believed to have in their possession, or under their control money or effects belonging to said defendant C. P. Forrest or that it is, or is believed to be indebted to said defendant or to be liable to them, or to one of them on a contract for the delivery of personal property, on a contract for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property.

You Are Therefore Hereby Commanded to Summon

World Sporting Goods, Inc.

1306 St. Stephens Rd., Mobile, AL

to file an answer in duplicate to the Circuit Court for Baldwin County, at the Court House thereof, in the city of Bay Minette, within 30 days from the service of the garnishment, or at the making of answer, or at any time intervening the time of serving the garnishment, and making the answer it/they was/were indebted to said defendant and whether it/they will not be indebted in future to said defendant by a contract then existing, and whether by a contract then existing it/is, or they/are, liable to said defendants for the delivery of personal property, or for the payment of money which may be discharged by the delivery of personal property, or which is payable in personal property and whether it/they has not in their possession or under their control money or effects belonging to the defendant

C. P. Forrest

YOU ARE FURTHER COMMANDED TO NOTIFY GARNISHEE TO RETAIN THE WAGES, SALARY, OR OTHER COMPENSATION, SUBJECT TO GARNISHMENT, DUE OR TO BECOME DUE TO SAID DEFENDANT, DURING SUCH PERIOD OF TIME NECESSARY TO ACCUMULATE

THE SUM OF \$ JUDGMENT & COSTS, AND WHEN SAID SUM IS ACCUMULATED SAID GARNISHEE IS REQUIRED BY LAW TO PAY SAME INTO COURT IMMEDIATELY, AND IF EMPLOYMENT OF DEFENDANT IS TERMINATED BEFORE SAID SUM IS ACCUMULATED, THEN GARNISHEE IS REQUIRED TO REPORT TERMINATION AND PAY INTO COURT WITHIN 15 DAYS AFTER TERMINATION ALL SUMS WITHHELD.

Witness my hand April 5, 1977

Eunice B. Blackmon CLERK.

- If Garnishee fails to file sworn answer in Circuit Clerk's Office within 30 days from date Writ is received the Plaintiff can proceed for Judgment against Garnishee for amount of Plaintiff's claim plus Court Costs.

25 Co No. 13448
9126½

CASE NUMBER

CIRCUIT

COURT

BALDWIN

COUNTY, ALABAMA

KAISER AGRICULTURAL CHEMICALS, DIV.
OF KAISER ALUMINUM & CHEMICAL
SALES, INC., A CORP.

Plaintiff

vs.

C. P. FORREST

Defendant

WORLD SPORTING GOODS, INC.

1306 St. Stephens Rd.
Mobile, AL *Mr. Forrest*
owner Address

GARNISHMENT ON
JUDGMENT

\$ Judgment

\$ Court Costs

\$ Mileage

\$ TOTAL

RECEIVED

APR 6 1977

Received THOMAS H. BENTON 19

SHERIFF

SHERIFF

RETURN

This Writ Executed by serving copy on

World Sporting Goods, Inc
Mr. Forrest, owner

DATE 4-11 1977

Thomas J. Purvis SHERIFF

BY: *J. Gardner* D.S.

The space below is provided for Garnishee to
use for keeping a record.

9126½

CASE NUMBER

KAISER AGRICULTURAL CHEMICALS, DIV.
OF KAISER ALUMINUM & CYEMICAL SALES,

INC., a corporation

Plaintiff

vs.

C. P. FORREST

Defendant

CIRCUIT

COURT

BALDWIN

County, Alabama

ROBERTS & SON, BIRMINGHAM, AL

B.F. STOKES, Pltf. Attorney

ANSWER OF GARNISHEE

1. DEFENDANT EMPLOYED BY GARNISHEE
when Writ received, or when making this answer,
or during intervening time, and WILL WITH-
HOLD from the salary, wages, or compensation,
as required, and pay total into Court.

2. Defendant NOT EMPLOYED — Garnishee
NOT INDEBTED when Writ received, or when
making this answer, or during intervening time,
and have not in possession or control any be-
longings of said Defendant.

3. Defendant is NOT SUBJECT to garnishment
under the provisions of Section 11 of the
Alabama Consumer Credit Act.

Sworn to and subscribed before me, on the
day of 19

NOTARY PUBLIC

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

TERM, 19

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C. P. FORREST Defendant

for the sum of \$5,602.00 Dollars, and cost of suit,

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World Sporting Goods, Inc. 1306 St. Stephens Rd., Mobile, AL

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1306 St. Stephens Rd., Mobile, AL

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C. P. Forrest

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Witness my hand April 5, 1977

Eunice B. Blackmon CLERK.

- If Garnishee fails to file sworn answer in Circuit Clerk's Office within 30 days from date Writ is received the Plaintiff can proceed for Judgment against Garnishee for amount of Plaintiff's claim plus Court Costs.

Bay Minette, Ala., 4-6 1977

To the Sheriff of Mobile County, Mobile Alabama

I enclose herewith White for World Sporting Goods, Inc.
1306 St Stephens Road, Mobile, Ala.

Please serve and return as early as possible.

Thomas H. Benton
Sheriff, Baldwin County, Alabama

(If not found in your county, please advise promptly giving information as to present location if possible)