

DAVID L. LARSON

Plaintiff

VS.

EDUARDO JOHNSON
and JOAN J. JOHNSON

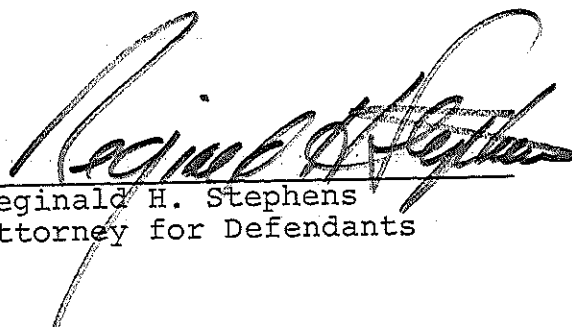
Defendants

: IN THE CIRCUIT COURT OF
:
: BALDWIN COUNTY, ALABAMA
:
: AT LAW
:
:
: CASE NO. 9152
:

MOTION FOR CONTINUANCE

Comes Now, Reginald H. Stephens, Attorney at Law, attorney for the above named Defendants, and files this Motion for a Continuance in the above trial set for Friday, January 15, 1971, and as grounds for said motion assigns the following:

1. That this attorney was only notified as of this date, Tuesday, January 12, 1971, of the setting of the above trial.
2. That this attorney is scheduled to be in Federal Court on January 15, 1971 and it will be impossible to attend both places.
3. That the Defendants have a meritorious defense to the above complaint and would greatly be prejudiced if said trial were to resume without their attorney present.
4. That the attorney for the Plaintiff, the Honorable Norborne Stone has been notified of said request for continuance, but has refused to honor a valid request supported by sound ethical reasons.


Reginald H. Stephens
Attorney for Defendants

FILED

JAN 14 1970

ALICE J. DUCK CLERK
REGISTER

DAVID L. LARSON,
PLAINTIFF,

VS.

EDUARDO JOHNSON and
JOAN J. JOHNSON,
DEFENDANTS.

: IN THE CIRCUIT COURT OF
: BALDWIN COUNTY, ALABAMA

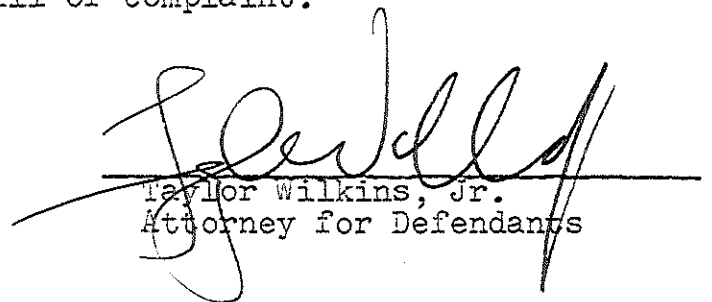
: AT LAW

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: CASE NO: 9152
:

DEMURRER

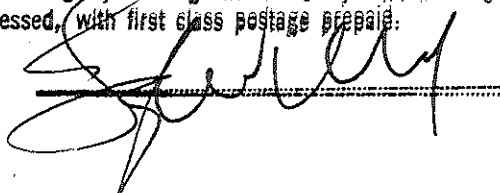
Comes now the defendants, Eduardo Johnson and Joan J. Johnson, in the above styled case, and files this demurrer to each and every count thereof in the plaintiff's complaint and set down and assign the following grounds separately and severally:

1. Defendants allege that plaintiff has failed to state a cause of action in said bill of complaint.


Taylor Wilkins, Jr.
Attorney for Defendants

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 31 day of Mar 1970 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.



Defendants respectfully demand a Jury Trial of this Cause.

FILED

MAR 31 1970

ALICE J. DUCK CLERK
REGISTER

1 VOL

66 PAGE **904**

TAYLOR D. WILKINS, JR.
ATTORNEY AT LAW
TELEPHONE 937-7024 P. O. BOX 61
BAY MINETTE, ALABAMA 36507

October 20, 1970

Office of the Circuit Clerk
Baldwin County Court House
Bay Minette, Alabama 36507

Attn: Mrs. Eunice Blackmon

Dear Eunice:

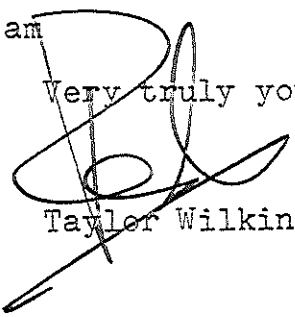
Please be advised that I no longer represent the
defendants, Mr. and Mrs. Eduardo Johnson in the following
cases in the Baldwin County Circuit Court:

David Larson vs Eduardo Johnson and Joan J. Johnson,
Case number 9152.
South Baldwin Bank vs Eduardo Johnson,
Case number ~~7769~~ 7993

I would appreciate you making the necessary notation
on the docket sheets regarding the above cases.

With kindest regards, I am

Very truly yours,


Taylor Wilkins, Jr.

TWJr:sp

July

9152

FILED

MAR 31 1970

ALICE J. DUCK CLERK
REGISTER

STATE OF ALABAMA

IN THE CIRCUIT COURT - AT LAW

BALDWIN COUNTY

TO: ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Eduardo Johnson and Joan J. Johnson, 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 David L. Larson.

Witness my hand this 47 day of February, 1970.

David J. Duck
Circuit Clerk

DAVID L. LARSON,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
EDUARDO JOHNSON and	X	AT LAW
JOAN J. JOHNSON,	X	<i>MO. 9152</i>
Defendants.	X	

COUNT ONE:

The Plaintiff claims of the Defendants Twenty Thousand Dollars (\$20,000.00) due by Promissory Note made by them on the 29th day of January, 1970, and payable on demand, with interest thereon at the rate of eight per cent (8%) per annum, which sum of money is still unpaid.

The Plaintiff avers that in, by and as a part of said note, the Defendants agreed to pay all costs of collecting, or securing or attempting to collect or secure said note, including a reasonable attorneys fee whether the same be collected or se-

cured by suit or otherwise and the Plaintiff further claims of the Defendants the further and additional sum of Three Thousand Dollars (\$3,000.00) as such reasonable attorneys' fee.

The Plaintiff further avers that in, by and as a part of said note, the Defendants waive as to this debt or any renewal thereof, all rights to exemption under the Constitution and Laws of Alabama as to personal property, and the Plaintiff claims the benefit of such waiver.

COUNT TWO:

The Plaintiff claims of the Defendants Twelve Thousand Five Hundred Dollars (\$12,500.00) due by Promissory Note made by them on the 29th day of January, 1970, and payable on demand, with interest thereon at the rate of eight per cent (8%) per annum, which sum of money is still unpaid.

The Plaintiff avers that in, by and as a part of said note, the Defendants agreed to pay all costs of collecting, or securing or attempting to collect or secure said note, including a reasonable attorneys' fee whether the same be collected or secured by suit or otherwise and the Plaintiff further claims of the Defendants the further and additional sum of One Thousand Eight Hundred Seventy-five Dollars (\$1,875.00) as such reasonable attorneys' fee.

The Plaintiff further avers that in, by and as a part of said note the Defendants waive as to this debt or any renewal thereof, all rights to exemption under the Constitution and Laws of Alabama as to personal property, and the Plaintiff claims the benefit of such waiver.

FILED

FEB 27 1970

ALICE J. DUCK

CLERK
REGISTER

CHASON, STONE & CHASON

By:

John E. Chason
Attorneys for Plaintiff

VOL

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84-3-6-70

Received 2 day of March 1970
and on 6 day of March 1970
I served a copy of the within S & C
on Eduardo Johnson & Joan
Johnson
By service on Eduardo & Joan Johnson

TAYLOR WILKINS, Sheriff
By W. G. Gooch D. S.

10 Daphne, Ala.
60 miles

TAYLOR WILKINS, SHERIFF OF BALDWIN
COUNTY, ALABAMA, CLAIM \$1.50 EACH
FOR SERVING 2 PROCESS(ES) AND

TRAVEL EXPENSE ON EACH OF \$ 12.00
PROCESS(ES) OR A TOTAL OF \$ 15.00

~~Served this day of~~
~~by attaching the within named Defendant~~
~~and placing him~~
~~in~~
~~the~~
~~custody of~~

~~Sheriff~~

~~By~~ D. S.

70.9152

DAVID L. LARSON,
Plaintiff,

VS.

EDUARDO JOHNSON and JOAN J.
JOHNSON,
Daphne, Ala
Defendants.

* * * * *

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

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SUMMONS AND COMPLAINT

* * * * *

FILED

FEB 27 1970

ALICE J. DUCK

CLERK
REGISTER

CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA