

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 Hall Metal Products Company, Inc., a Mississippi 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 Louis DiChiara.

Witness my hand this 6 day of March, 1970.

Blair Duck
Clerk

LOUIS DiCHIARA,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
HALL METAL PRODUCTS	X	AT LAW
COMPANY, INC., a Mississippi	X	<i>MO. 9158</i>
Corporation,	X	
Defendant.	X	

The Plaintiff claims of the Defendant the sum of Twenty-five Thousand Dollars (\$25,000.00) as damages for the breach of an agreement entered into by it on the 26th day of February, 1968, in substance as follows:

In consideration of the sum of Ninety-eight Thousand One Hundred and Twenty-five Dollars (\$98,125.00), the Defendant agreed to construct for the Plaintiff in a good and workmanlike manner a standard twenty-one unit Esquire Motel, with one office unit, delivered to Gulf Shores, Alabama, and ready for occupancy not later

than May 1, 1968.

And the Plaintiff avers that, although he has complied with all provisions of the agreement on his part, the Defendant has failed to comply with the following provisions thereof, viz:

1. The said motel was turned over to the Plaintiff by the Defendant on, to-wit: the first day of August, 1968, some three months after the date agreed upon.

2. The Defendant did not construct the said motel in a workmanlike manner nor did he use skilled workmen in the construction of the same, in this, to-wit:

a. The plumbing fixtures and pipes in the said motel units were improperly installed, causing them to leak and damage the carpeting, floors and walls throughout the motel;

b. The roof of the said motel was faulty and improperly constructed, allowing it to leak and cause damage to the roof, ceilings and walls throughout the motel;

c. A number of the walls in the motel were improperly constructed and as a result were warped and misaligned as much as two inches;

d. The weather-stripping in the windows and doors incorporated in said motel was improperly installed and in some instances omitted altogether thereby causing water damage to the carpets, walls and floors of said motel.

e. The electrical wiring was improperly installed throughout the motel, causing numerous short circuits and rendering the electrical system of the motel dangerous and unusable.

Wherefore Plaintiff brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By: Clarkhard E. Ball

The Plaintiff respectfully demands
trial of this cause by a jury.

CHASON, STONE & CHASON

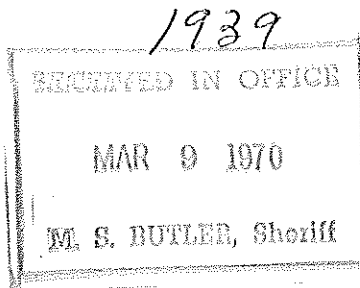
By: *Edward E. Ball*

Service on the Defendant may be had
by serving Honorable Fred S. Ball, Jr.
or Honorable Richard A. Ball, 200
Lawrence Street, Montgomery, Alabama, 36104

FILED

MAR 6 1970

ALICE J. DUCK CLERK
REGISTER



EXECUTED BY SERVING
A COPY OF THE WITHIN
Ind Ball
at 6:15 am
Hall Metal
Products Inc

This is *107* 1970
M. S. BUTLER
Sheriff Montgomery County
By *Mc Math*
Deputy Sheriff

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving *1* process(es) and \$1.00
travel expense on each of
process(es) or a total of *2.50*

Mc Math Deputy Sheriff

No. 9158

LOUIS DiCHIARA,

Plaintiff,

vs.

HALL METAL PRODUCTS COMPANY, INC.,
a Mississippi Corporation,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

* * * * *

SUMMONS AND COMPLAINT

* * * * *

FILED

MAR 6 1970

ALICE J. DUCK CLERK
REGISTER

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