

BARBARA D. TURK, a minor )  
suing by and through her )  
Father and next friend, )  
L. M. TURK, )

Plaintiff, )

vs. )

SAMUEL R. ELLEARD and )  
R. W. ELLEARD, jointly and )  
individually, )

Defendants. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

9264

COUNT ONE

Plaintiff claims of the Defendants the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS as damages, for that heretofore and on, to-wit: the 24th day of August, 1969, Plaintiff was riding in an automobile as a passenger driven by the Defendant, SAMUEL R. ELLEARD, on Highway No. U. S. 90 at a point thereon two miles West of the Apalache River Bridge, which was then and there a public highway in Baldwin County, Alabama, and where the Plaintiff had a right to be, and at which time and place, the Defendant, SAMUEL R. ELLEARD, so wantonly operated the motor vehicle he was driving so as to wantonly allow the said motor vehicle to run into, on or across a ditch, and a direct and proximate result of the wanton negligence of the Defendant, SAMUEL R. ELLEARD, the Plaintiff was wantonly injured and damaged as follows: She suffered severe head injuries, she suffered bruises, she suffered a fractured cheek bone, she suffered contusions, abraisions and lacerations, that she was required to have plastic surgery, that she was required to have a nose operation, that she will require future surgery, that she suffered changes in her personality, that she was emotionally upset, that she was bruised, wrenched and sprained about her body and head, and was permanently injured, and that she was made otherwise sick and sore and caused to suffer great physical pain and mental anguish, and continued to suffer physical pain and mental anguish, that she has not been able to return to college or perform her regular duties and activities, that she was caused to incur great expenses in and about procuring doctors, medicine and medical aid and attention,

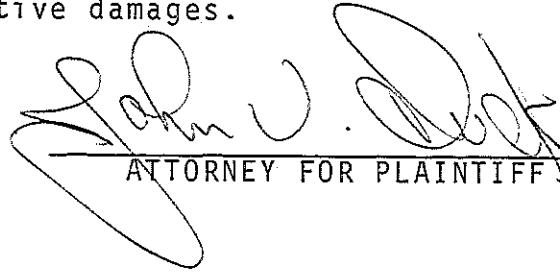
and hospital care and treatment of said injuries, and that she will be required to pay out sums of money in the future for doctors and hospital bills.

Plaintiff claims punitive damages.

COUNT TWO

Plaintiff claims of the Defendants the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS as damages, for that heretofore on, to-wit: the 24th day of August, 1969, Plaintiff was riding in an automobile as a passenger, driven by the Defendant, SAMUEL R. ELLEARD, on Highway No. U. S. 90 at a point thereon two miles West of the Apalache River Bridge, which was then and there a public highway in Baldwin County, Alabama, the Defendant, SAMUEL R. ELLEARD, while acting in the line and scope of his employment as a servant, agent or employee of the Defendant, R. W. ELLEARD, so wantonly operated a motor vehicle he was driving so as to wantonly run said vehicle off the highway into, upon or against a ditch, and a direct and proximate result of the wanton negligence, the Defendant, SAMUEL R. ELLEARD, wantonly injured and damaged the Plaintiff as follows: She suffered severe head injuries, she suffered bruises, she suffered a fractured cheek bone, she suffered contusions, abrasions and lacerations, that she was required to have plastic surgery, that she was required to have a nose operation, that she will require future surgery, that she suffered changes in her personality, that she was emotionally upset, that she was bruised, wrenched and sprained about her body and head, and was permanently injured, and that she was made otherwise sick and sore and caused to suffer great physical pain and mental anguish, and continued to suffer physical pain and mental anguish, that she has not been able to return to college or perform her regular duties and activities, that she was caused to incur great expenses in and about procuring doctors, medicine and medical aid and attention, and hospital care and treatment of said injuries, and that she will be required to

pay out sums of money in the future for doctors and hospital bills.  
Plaintiff claims punitive damages.

  
ATTORNEY FOR PLAINTIFF

FILED

MAY 21 1970

ALICE J. DUCK CLERK  
REGISTER

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 9264

TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon SAMUEL R. ELLEARD and R. W. ELLEARD

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.....

SAMUEL R. ELLEARD and R. W. ELLEARD, Defendant.....

by BARBARA D. TURK, a minor, through L. M. TURK

Plaintiff.....

Witness my hand this 21 day of May 1970

Alice J. Turk, Clerk

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STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

BARBARA D. TURK, a Minor, suing  
by and through her Father and  
next friend, L. M. TURK,

Plaintiffs

vs.

SAMUEL R. ELLEARD and R. W.  
ELLEARD,

Defendants

SUMMONS AND COMPLAINT

FILED

Filed ..... 19.....

MAY 21 1970

Clerk

ALICE J. DUCK

CLERK  
REGISTER

12 56 PM '70

SHERIFF DEPT.  
MOBILE COUNTY ALA.

JOHN V. DUCK

Plaintiff's Attorney

Defendant's Attorney

Both Defendants lives at  
710 Littledale Road  
Mobile, Alabama

Received In Office

MAY 21 1970

TAYLOR WILKINS  
SHERIFF

I have executed this summons

this ..... 19.....

by leaving a copy with

R. W. Elleard

~~RECEIVED~~  
~~5-25-70~~  
~~Samuel R. Elleard~~  
~~Not found~~  
~~gent search~~  
~~RAY D. DUCK Sheriff~~  
~~By J. Gibbs D.S.~~

RECEIVED

OCT 19 1970

TAYLOR WILKINS  
SHERIFF

Rayto Bridges Sheriff

J. Gibbs Deputy Sheriff

EVOL

67 PAGE 553

Bay Minette, Ala., Sept. 6 1972

To the Sheriff of Mobile County, Mobile, Alabama

I enclose herewith a Writ & Notice for  
service on (Writ - Rotary Rehab.  
Clinic - Mobile) (Notice R.W. Ellard  
and Samuel T. Ellard)

Please serve and return as early as possible.

Taylor Wilkins  
Sheriff, Baldwin County, Alabama

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