


|                    |   |                         |          |
|--------------------|---|-------------------------|----------|
| DOROTHY E. GARRIS, | X |                         |          |
| Plaintiff,         | X | IN THE CIRCUIT COURT OF |          |
|                    | X | BALDWIN COUNTY, ALABAMA |          |
| vs.                | X |                         |          |
|                    | X | AT LAW                  | NO. 9270 |
| W. L. MEDLIN,      | X |                         |          |
| Defendant.         | X |                         |          |

NOTICE OF TAKING OF DEPOSITION  
UPON ORAL EXAMINATION

TO: HONORABLE JERRY McDOWELL  
Hand, Arendall, Bedsole, Greaves & Johnston  
Lawyers  
First National Bank Building  
Mobile, Alabama 36601

PLEASE TAKE NOTICE that the Plaintiff in the above styled cause will take the deposition of J. H. Atwell, Alabama Highway Patrol, Mobile, Alabama, upon oral examination pursuant to Title 7, Section 474 (1) of the Code of Alabama of 1940, as amended, beginning at 2:00 o'clock P.M., Central Standard Time, on Tuesday, February 16, 1971, at the Office of Louise Dusenbury, Courthouse, Bay Minette, Alabama, before Louise Dusenbury, a Notary Public in and for the State of Alabama, At Large, who is authorized to take depositions and swear witnesses. The examinations will continue from day to day until completed.

WITNESS my hand this 3<sup>rd</sup> day of February, 1971, at Bay Minette, Baldwin County, Alabama.

  
Norborne C. Stone, Jr.  
Attorney for Plaintiff


OF COUNSEL:

CHASON, STONE & CHASON  
Attorneys at Law  
P. O. Box 120  
Bay Minette, Alabama

CERTIFICATE

I, the undersigned Norborne C. Stone, Jr., one of the Attorneys for the Plaintiff in the above styled cause, do hereby certify that I have this day served a copy of the foregoing Notice of Taking of Deposition Upon Oral Examination on Honorable Jerry McDowell by mailing to him a copy of said Notice by United States Mail, postage prepaid and properly addressed to him at his office.

WITNESS my hand this 3<sup>rd</sup> day of February, 1971.

  
\_\_\_\_\_  
Norborne C. Stone, Jr.

**FILED**

FEB 3 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

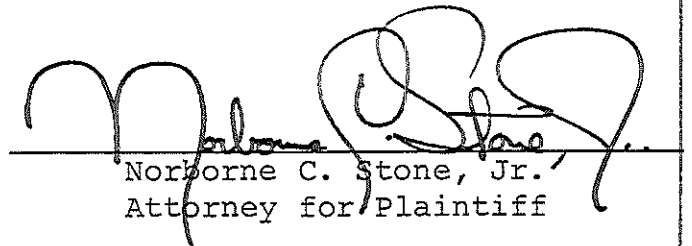
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|--------------------|---|-------------------------|---------|
| DOROTHY E. GARRIS, | X |                         |         |
| Plaintiff,         | X | IN THE CIRCUIT COURT OF |         |
|                    | X |                         |         |
| vs.                | X | BALDWIN COUNTY, ALABAMA |         |
|                    | X |                         |         |
| W. L. MEDLIN,      | X | AT LAW                  | NO.9270 |
| Defendant.         | X |                         |         |

NOTICE OF TAKING OF DEPOSITION  
UPON ORAL EXAMINATION

TO: HONORABLE JERRY McDOWELL  
Hand, Arendall, Bedsole, Greaves & Johnston  
Lawyers  
First National Bank Building  
Mobile, Alabama 36601

PLEASE TAKE NOTICE that the Plaintiff in the above styled cause will take the deposition of W. L. Medlin, 6109 Edgeworth, Greensboro, North Carolina, upon oral examination pursuant to Title 7, Section 474(1) of the Code of Alabama of 1940, as amended, beginning at 2:00 o'clock P.M., Central Standard Time, on Tuesday, February 16, 1971, at the Office of Louise Dusenbury, Courthouse, Bay Minette, Alabama, before Louise Dusenbury, a Notary Public in and for the State of Alabama, At Large, who is authorized to take depositions and swear witnesses. The examinations will continue from day to day until completed.

WITNESS my hand this 3<sup>rd</sup> day of February, 1971, at Bay Minette, Alabama.

  
\_\_\_\_\_  
Norborne C. Stone, Jr.  
Attorney for Plaintiff

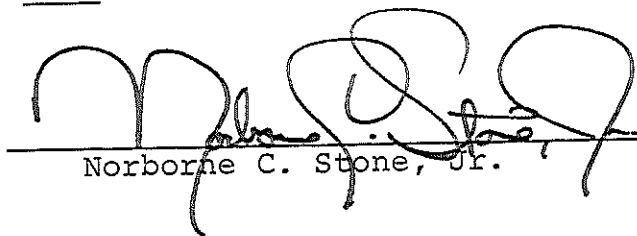
OF COUNSEL:

CHASON, STONE & CHASON  
Attorneys at Law  
P. O. Box 120  
Bay Minette, Alabama 36507

CERTIFICATE

I, the undersigned Norborne C. Stone, Jr., one of the Attorneys for the Plaintiff in the above styled cause, do hereby certify that I have this day served a copy of the foregoing Notice of Taking of Deposition Upon Oral Examination on Honorable Jerry McDowell by mailing to him a copy of said Notice by United States Mail, postage prepaid and properly addressed to him at his office.

WITNESS my hand this 3<sup>rd</sup> day of February, 1971.

  
Norborne C. Stone, Jr.

**FILED**

FEB 3 1971

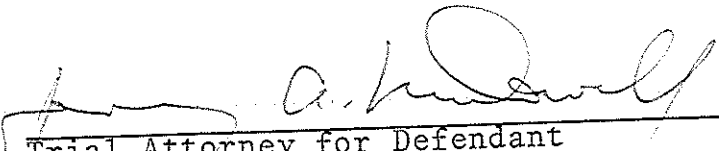
EUNICE B. BLACKMON CIRCUIT  
CLERK

DOROTHY E. GARRIS, : IN THE CIRCUIT COURT OF  
Plaintiff, : BALDWIN COUNTY,  
v. : ALABAMA  
W. L. MEDLIN, : AT LAW  
Defendant. : NO. 9270

MOTION TO QUASH NOTICE OF TAKING DEPOSITION

Comes now the defendant and moves this Honorable Court to quash the notice heretofore filed by the plaintiff for the taking of the deposition of W. L. Medlin, defendant in the above cause, set for 2:00 p.m., Tuesday, February 16, 1971, at the office of Louise Dusenbury, Bay Minette, Alabama, and in support of said motion shows unto this Honorable Court that the defendant W. L. Medlin is a non-resident of the State of Alabama, whose last known address was 6109 Edgeworth, Greensboro, North Carolina, that the defendant W. L. Medlin is beyond the subpoena power of the Court, that counsel for the defendant has made repeated efforts to contact W. L. Medlin and has been unsuccessful in so doing;

PREMISES CONSIDERED, defendant respectfully moves the Court to enter an order quashing the notice of the taking of the deposition of the defendant W. L. Medlin, or to require that the testimony be taken on written interrogatories only, or for such other and further relief as to which the defendant may be entitled.

  
Trial Attorney for Defendant  
3000 First National Bank Building  
Mobile, Alabama 36602

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have delivered a true and correct copy of the foregoing pleading by delivering a copy of it to Honorable Norborne C. Stone, Jr., attorney for the plaintiff, by handing to him a copy in Bay Minette, Alabama, on this the 16th day of February, 1971.

**FILED**

FEB 16 1971

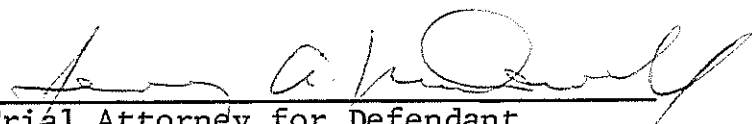
  
Attorney for Defendant

DOROTHY E. GARRIS, : IN THE CIRCUIT COURT OF  
Plaintiff : BALDWIN COUNTY,  
v. : ALABAMA  
W. L. MEDLIN, : AT LAW  
Defendant. : CASE NO. 9270

A N S W E R

Comes now the defendant and for answer to the plaintiff's complaint, and each count thereof, separately and severally, sets down and assigns the following separate and several pleas:

1. Not guilty.

  
Trial Attorney for Defendant  
3000 First National Bank Building  
Mobile, Alabama 36602

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing Answer to Norborne C. Stone, Jr., Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Bay Minette, Alabama, on this, the 15th day of June, 1970.

FILED

JUN 17 1970

ALICE J. DUCK

CLERK  
REGISTER

Case 9270

Dorothy G. Harris

vs

W. L. Madelin

STATE OF ALABAMA

IN THE CIRCUIT COURT - LAW SIDE

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. L. Medlin 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 Dorothy E. Garris.

Witness my hand this 25 day of May, 1970.

*Alvin J. Webb*  
Clerk

DOROTHY E. GARRIS,

X

IN THE CIRCUIT COURT OF

Plaintiff,

X

vs.

X

BALDWIN COUNTY, ALABAMA

W. L. MEDLIN,

X

AT LAW

Defendant.

X

COUNT ONE:

The Plaintiff claims of the Defendant Fifty Thousand Dollars (\$50,000.00) as damages for that on heretofore, to-wit: the third day of May, 1970, the Defendant so negligently operated a motor vehicle on U. S. Highway 31 in Baldwin County, Alabama, in the Spanish Fort Community, at a point opposite Shiver's Service Station, and which point is a public highway in Baldwin County, Alabama, as to cause or allow the same to run into, upon or against an automobile in which the Plaintiff was then and there riding as a passenger. And the Plaintiff further alleges that as a direct and proximate consequence of the negligence of the Defendant aforesaid she suffered severe, permanent and disabling injuries in




this; her face was severely cut and will be permanently scarred, her left leg was cut, her right knee was cut and she suffered abrasions thereto, her right hip was dislocated and a piece of bone was chipped off the upper extremity of her right femur, she sustained multiple bruises about her body, she was caused to be hospitalized and will be hospitalized for a great length of time in treating her wounds, she incurred medical and hospital bills, she was made sick, sore and lame and suffered severe shock; all to the damage of the Plaintiff, wherefore she brings this suit and asks judgment against the Defendant in the above amount.

COUNT TWO:

The Plaintiff claims of the Defendant Fifty Thousand Dollars (\$50,000.00) as damages for that on heretofore, to-wit: the third day of May, 1970, on U. S. Highway 31 in the Spanish Fort Community in Baldwin County, Alabama, at a point thereon opposite Shiver's Service Station, the Defendant wantonly injured the Plaintiff by then and there wantonly driving an automobile into, upon and against the automobile in which the Plaintiff was then and there riding as a passenger and as a proximate consequence and result of the wantonness of the Defendant aforesaid the Plaintiff was severely and permanently injured in this: her face was severely cut and will be permanently scarred, her left leg was cut, her right knee was cut and she suffered abrasions thereto, her right hip was dislocated and a piece of bone was chipped off the upper extremity of her right femur, she sustained multiple bruises about her body, she was caused to be hospitalized and will be hospitalized for a great length of time in treating her wounds, she incurred medical and hospital bills, she was made sick, sore and lame and suffered severe shock; all to the damage of the Plaintiff, wherefore she brings this suit and asks judgment against the

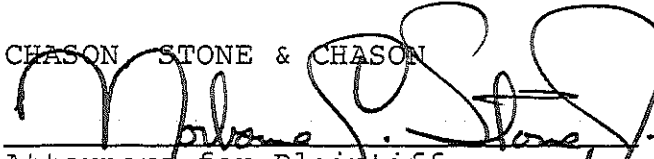
Defendant in the above amount.

CHASON, STONE & CHASON

By:   
Attorneys for Plaintiff

The Plaintiff respectfully demands a

trial of this cause by a jury.

CHASON STONE & CHASON  
By:   
Attorneys for Plaintiff

FILED

MAY 25 1970

ALICE J. DUCK CLERK  
REGISTER

no. 9270

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff  
BY W. L. Medlin  
DEPUTY SHERIFF

\* \* \* \* \*

DOROTHY E. GARRIS,  
  
Plaintiff,  
  
vs.  
  
W. L. MEDLIN,  
  
Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF  
  
BALDWIN COUNTY, ALABAMA  
  
AT LAW

\* \* \* \* \*

SUMMONS AND COMPLAINT

\* \* \* \* \*

FILED

MAY 25 1970

ALICE J. DUCK CLERK  
REGISTER

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

Received 25 day of May 19 70  
and on 20 day of May 19 70  
I served a copy of the within A.C.  
on W. L. Medlin  
By service on W. L. Medlin  
TAYLOR WILKINS Sheriff  
BY W. L. Medlin D.S.  
W. L. Medlin

|                    |   |                         |
|--------------------|---|-------------------------|
| DOROTHY E. GARRIS, | X |                         |
| Plaintiff,         | X | IN THE CIRCUIT COURT OF |
|                    | X |                         |
| vs.                | X | BALDWIN COUNTY, ALABAMA |
|                    | X |                         |
| W. L. MEDLIN,      | X |                         |
| Defendant.         | X | AT LAW<br>NO. 9270      |

INTERROGATORIES TO DEFENDANT

Comes now the Plaintiff in the above styled cause,  
by and through her attorneys of record, and propounds the following  
interrogatories to the Defendant:

1. State your full name and address.
2. Were you involved in an automobile accident on  
May 3, 1970 on U. S. Highway 31 in Baldwin County, Alabama in  
the Spanish Fort Community at a point opposite Shiver's Service  
Station with an automobile being operated by Joe Garris?
3. If your answer to the preceding interrogatory is  
in the affirmative, please state who was driving the automobile  
in which you were riding.

CHASON, STONE & CHASON

By:   
Attorneys for Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally ap-  
peared Eberhard E. Ball who after being by me first duly and  
legally sworn, did depose and say:

That he is one of the attorneys for the Plaintiff in  
the above styled cause and that the answers to the foregoing

interrogatories, if well and truly made will be material evidence  
for the Plaintiff at the trial of this cause.

*Eberhard E. Ball*

Eberhard E. Ball

Sworn to and subscribed before

me on this 18<sup>th</sup> day of

January, 1971.

*M. O. Starnes*  
Notary Public, Baldwin County, Alabama

*Service accepted this  
the 18th day of Jan. 1971.*

*James A. McDonald  
Att'y for Defendant*

FILED

JAN 19, 1971

*Ernie B. Blackman  
Clerk*

DOROTHY E. GARRIS,  
Plaintiff,

vs.

W. L. MEDLIN,  
Defendant.

CASE NO. 9270

\* \* \* \* \*

INTERROGATORIES TO DEFENDANT

\* \* \* \* \*

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