

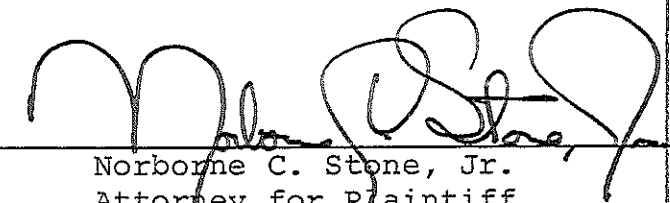
JOANNA GARRIS, a minor	X		
suing herein by Joe			
Garris, as her Father	X	IN THE CIRCUIT COURT OF	
and next friend,			
	X		
Plaintiff,			
	X	BALDWIN COUNTY, ALABAMA	
vs.	X		
W. L. MEDLIN,	X	AT LAW	NO.9271
	X		
Defendant.			
	X		

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 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, Baldwin County, Alabama.

  
Norborne C. Stone, Jr.  
Attorney for Plaintiff

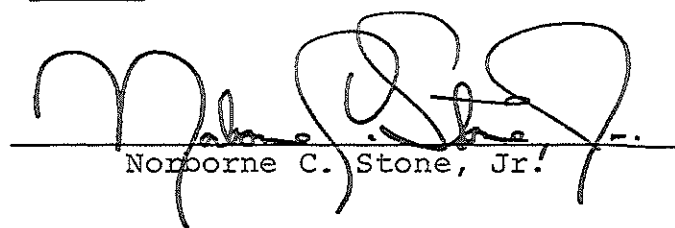
OF COUNSEL:

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

JOANNA GARRIS, a minor,  
suing herein by Joe Garris  
as her father and next  
friend,

Plaintiff,

vs.

W. L. Medlin,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 9271

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: Eberhard E. Ball  
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

Sworn to and subscribed before

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

January, 1971.

  
Notary Public, Baldwin County, Alabama

Service accepted this the  
18<sup>th</sup> day of Jan. 1971  
for A. McDowell  
Att'y for Defendant

FILED

JAN 19 1971

Erinice B. Blackmon  
Clerk

JOANNA GARRIS, a minor, suing  
herein by Joe Garris as her  
father and next friend,

Plaintiff,

vs.

W. L. MEDLIN,

Defendant.

CASE NO. 9271

\* \* \* \* \*

INTERROGATORIES TO DEFENDANT

\* \* \* \* \*

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

JOANNA GARRIS, a minor,	X	
suing herein by Joe Garris		
as her father and next	X	IN THE CIRCUIT COURT OF
friend,		
	X	
Plaintiff,		
	X	BALDWIN COUNTY, ALABAMA
vs.		
	X	
W. L. MEDLIN,		
	X	AT LAW
Defendant.		NO. 9271
	X	

AMENDED COMPLAINT

COUNT ONE

The Plaintiff claims of the Defendant Two Thousand Dollars (\$2,000.00) 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 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 and against an automobile in which the Plaintiff, a minor three years of age, was riding. And as a proximate consequence and result of the negligence of the Defendant aforesaid the Plaintiff was injured in this: she was made sick, sore, she suffered shock and hysteria and she suffered bruises; wherefore Plaintiff brings this suit and asks judgment in the above amount.

COUNT TWO

The Plaintiff claims of the Defendant Two Thousand Dollars (\$2,000.00) as damages for that on heretofore, to-wit, the third day of May, 1970 on U. S. Highway 31, a public highway, 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 willfully and wantonly operating a motor vehicle so as to cause or allow the same to run over, upon or against a motor vehicle in which the Plaintiff, a minor three years of age was then and there riding as a passenger and as a proximate consequence and result of the willful and wanton conduct of the Defendant aforesaid the Plaintiff was injured and damaged in this: she was made sick, and sore, she suffered shock and hysteria and she suffered bruises; wherefore the Plaintiff brings this suit and asks judgment in the above amount.

CHASON, STONE & CHASON

By: Edward E Ball  
Attorneys for Plaintiff

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

CHASON, STONE & CHASON

By: Edward E Ball  
Attorneys for Plaintiff

**FILED**

JAN 18 1971

**ALICE J. DUCK** CLERK  
REGISTER

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 18th day of JAN, 19 71.

Edward E Ball

JOANNA GARRIS, a minor, suing  
herein by Joe Garris as her  
father and next friend,

Plaintiff,

vs.

W. L. MEDLIN,

Defendant.

CASE NO. 9271

\* \* \* \* \*

AMENDED COMPLAINT

\* \* \* \* \*

**FILED**

JAN 18 1971

**Alice J. Duck** CLERK  
REGISTER

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



JOANNA GARRIS, a minor  
suing herein by Joe Garris  
as her father and next  
friend,

Plaintiff,

vs.

W. L. MEDLIN,

Defendant.

X  
X  
X  
X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

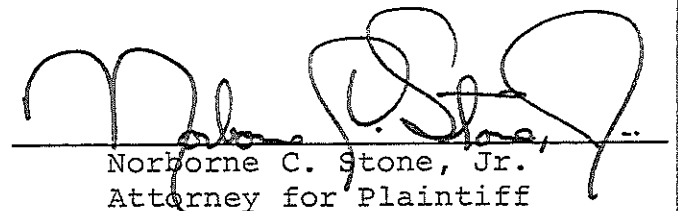
AT LAW NO. 9271

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 exa-  
minations 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

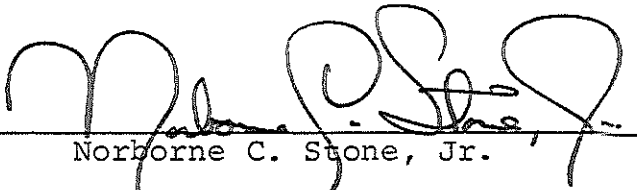
OF COUNSEL:

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

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 Joanna Garris, a minor, suing herein by Joe Garris as her father and next friend.

Witness my hand this 25 day of May  
1970.

Dee J. Duck  
Clerk

JOANNA GARRIS, a minor,  
suing herein by Joe Garris  
as her father and next  
friend,

Plaintiff,

vs.

W. L. MEDLIN,

Defendant.

X  
X  
X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

No: 9271

COUNT ONE

The Plaintiff claims of the Defendant Two Thousand Dollars (\$2,000.00) 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 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 and against an automobile in which the Plaintiff, a minor three years of age, was riding. And as a

proximate consequence and result of the negligence of the Defendant  
aforesaid the Plaintiff was injured in this: she was made sick,  
and sore, she suffered shock and hysteria and she suffered bruises;  
wherefore Plaintiff brings this suit and asks judgment in the  
above amount.

CHASON, STONE & CHASON

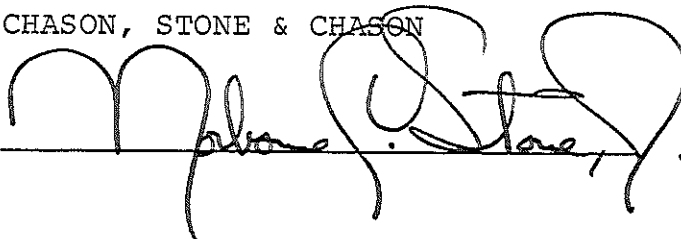
By:

  
Attorneys for Plaintiff

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

CHASON, STONE & CHASON

By:



FILED

MAY 25 1970

ALICE J. DUCK CLERK  
REGISTER

no. 9271

\*\*\*\*\*

JOANNA GARRIS, a minor, suing herein  
by Joe Garris as her father and next  
friend,

Plaintiff,

vs.

W. L. MEDLIN,

Defendant.

\*\*\*\*\*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

\*\*\*\*\*

SUMMONS AND COMPLAINT

\*\*\*\*\*

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

Sheriff claims 20 miles at  
Ten Cents per mile Total \$ 2.00  
TAYLOR WILKINS, Sheriff  
BY W. L. Medlin  
DEPUTY SHERIFF

Received 25 day of July 1970  
and on 27 day of May 1970  
I served a copy of the within etc  
on W. L. Medlin  
By service on W. L. Medlin  
TAYLOR WILKINS Sheriff  
BY W. L. Medlin  
no miles

JOANNA GARRIS, a minor  
suing herein by Joe Garris:  
as her father and next  
friend,

Plaintiff,

v.

W. L. MEDLIN,

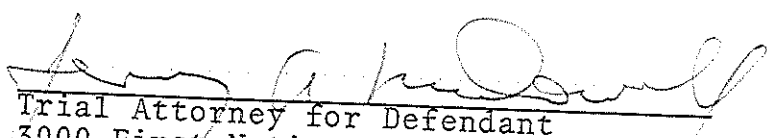
Defendant.

: IN THE CIRCUIT COURT OF  
: BALDWIN COUNTY,  
: ALABAMA  
: AT LAW  
:  
:  
: NO. 9271

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

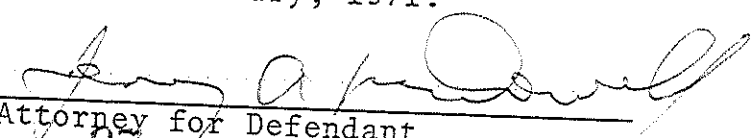
CERTIFICATE OF SERVICE

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

CE B. BLACKMON CIRCUIT  
CLERK

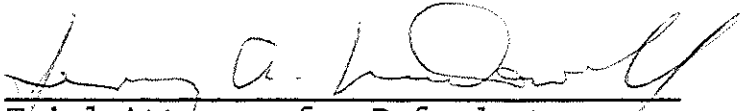
  
Attorney for Defendant  
VOL 67 PAGE 53

JOANNA GARRIS, a minor, : IN THE CIRCUIT COURT OF  
suing herein by Joe Garris :  
as her father and next :  
friend, : BALDWIN COUNTY,  
  
Plaintiff : ALABAMA  
  
v. : AT LAW  
  
W. L. MEDLIN, :  
Defendant. : CASE NO. 9271

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

VOL 67 PAGE 43

92 71

Joan Harris a Minor  
vs

W. L. Medlen.



EUNICE B. BLACKMON, Circuit Clerk  
**BALDWIN COUNTY**  
BAY MINETTE, ALA.  
36507

**CERTIFIED**  
No. 445378  
**MAIL**

For Delivery Only  
To Person To Whom Addresseed  
Return Receipt Requested

RETURNED  
TO  
SENDER

REASON CHECKED  
Unclaimed \_\_\_\_\_ Refused \_\_\_\_\_  
Addressee unknown \_\_\_\_\_  
Insufficient Address \_\_\_\_\_  
No such street \_\_\_\_\_ number \_\_\_\_\_  
No such office in state \_\_\_\_\_  
Do not remain in this country \_\_\_\_\_

Mr. W. L. Medlin  
6109 Edgeworth  
Greensboro, North Carolina



NAME LB  
1st Notice FEB 13 1971  
2nd Notice \_\_\_\_\_  
Return 2-28-71

**FILED**

FEB 22 1971  
16  
EUNICE B. BLACKMON  
CIRCUIT CLERK

