

JOE GARRIS, X
Plaintiff, X
vs. X
W. L. MEDLIN, X
Defendant. X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW
NO. 9272

INTERROGATORIES TO DEFENDANT

Comes now the Plaintiff in the above styled cause,
by and through his 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

Eberhard E. Ball

Sworn to and subscribed before

me on this 18 day of

January, 1971.

Wm. O. Stone

Notary Public, Baldwin County, Alabama

*Service accepted for the
18th day of Jan 1971.
James A. Russell
att'y for Defendant*

FILED

JAN 19 1971

*Ernie B. Blackman
Clerk*

JOE GARRIS,
Plaintiff,

vs.

W. L. MEDLIN,
Defendant.

CASE NO. 9272

* * * * *

INTERROGATORIES TO DEFENDANT

* * * * *

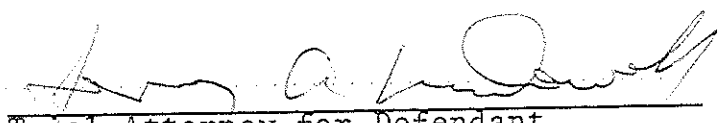
CHASON, STONE & CHASON
ATTORNEYS AT LAW
P. O. Box 120
BAY MINETTE, ALABAMA

JOE GARRIS, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY,
v. : ALABAMA
W. L. MEDLIN, : AT LAW
Defendant. : NO. 9272

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

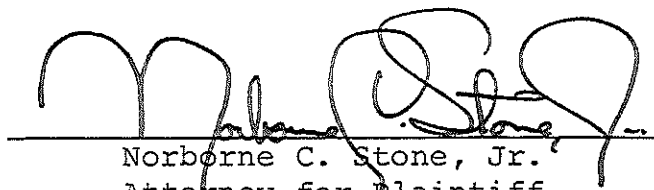
JOE GARRIS,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
W. L. MEDLIN,	X	AT LAW NO. 9272
Defendant.	X	

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 3rd day of February, 1971, at Bay Minette, Baldwin County, Alabama.



Norborne C. Stone, Jr.
Attorney for Plaintiff

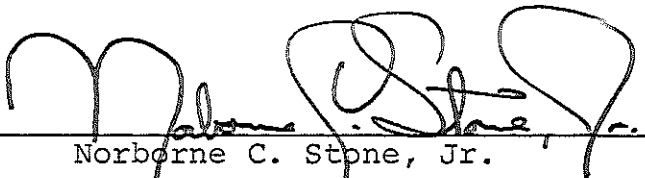
OF COUNSEL:

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 3rd day of February, 1971.


Norborne C. Stone, Jr.

FILED

FEB 3 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

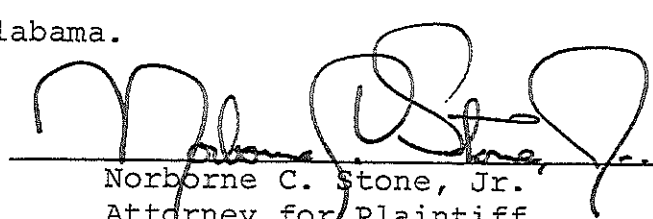
JOE GARRIS,	X		
Plaintiff,	X	IN THE CIRCUIT COURT OF	
	X		
vs.	X	BALDWIN COUNTY, ALABAMA	
	X		
W. L. MEDLIN,	X		
Defendant.	X	AT LAW	NO. 9272

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 3rd day of February, 1971, at Bay Minette, Baldwin County, Alabama.



Norborne C. Stone, Jr.
Attorney for Plaintiff

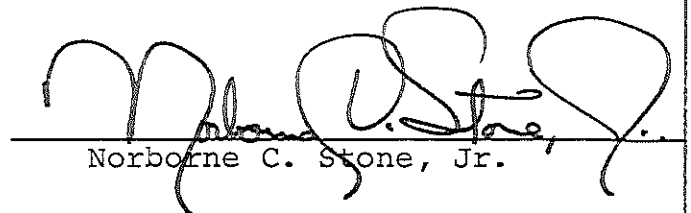
OF COUNSEL:

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 3rd day of February, 1971.


Norborne C. Stone, Jr.

FILED

FEB 3 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

JOE GARRIS,	X	
		IN THE CIRCUIT COURT OF
Plaintiff,	X	
	X	
vs.		BALDWIN COUNTY, ALABAMA
	X	
W. L. MEDLIN,	X	
		AT LAW
Defendant.	X	NO. 9272

AMENDED COMPLAINT

COUNT ONE

The Plaintiff claims of the Defendant Twenty Thousand Dollars (\$20,000.00) 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 a motor vehicle being then and there operated by the Plaintiff and as a proximate consequence and result of the negligence of the Defendant aforesaid the Plaintiff suffered injuries and damages in this: his right knee was bruised, his left leg just below his left knee was bruised and injured, his chest was injured, and he was made sick, sore and lame, was caused to incur medical and hospital expenses in and about the care and treatment of his injuries and those of his wife and daughter who were riding with him at the time and who were both injured as a result of said negligence of the Defendant, he lost the services of his wife and was caused to incur extraordinary household expenses and he lost time from his business, wherefore the Plaintiff brings this suit and asks judgment in the above amount.

COUNT TWO

The Plaintiff claims of the Defendant Twenty Thousand Dollars (\$20,000.00) 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 at a point opposite Shiver's Service Station, the Defendant wantonly injured the Plaintiff by then and there willfully and wantonly operating a motor vehicle as to cause or allow the same to run over, upon or against a motor vehicle being then and there operated by the Plaintiff and as a proximate consequence and result of the willful and wanton conduct of the Defendant aforesaid, the Plaintiff suffered injuries and damages in this: his right knee was bruised, his left leg just below his left knee was bruised and injured, his chest was injured, and he was made sick, sore and lame, was caused to incur medical and hospital expenses in and about the care and treatment of his injuries and those of his wife and daughter who were riding with him at the time and who were both injured as a result of said negligence of the Defendant, he lost the services of his wife and was caused to incur extraordinary household expenses and he lost time from his business, 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 VOL

67

PAGE

55

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 18 day

JAN 18, 1971

Edward E. Ball

9272 3

JOE GARRIS,
Plaintiff,

vs.

W. L. MEDLIN,
Defendant.

CASE NO. 9272

* * * * *

AMENDED COMPLAINT

* * * * *

FILED

JAN 18 1971

ALICE J. [unclear] REGISTER

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

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 Joe Garriss.

Witness my hand this 25 day of May, 1970.

Alfred J. Duck
Clerk

JOE GARRIS,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
W. L. MEDLIN,	X	
Defendant.	X	AT LAW

COUNT ONE

The Plaintiff claims of the Defendant Twenty Thousand Dollars (\$20,000.00) 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 a motor vehicle being then and there operated by the Plaintiff and as a proximate consequence and result of the negligence of the Defendant aforesaid the Plaintiff suffered injuries and damages in this: his right knee was bruised, his left leg just below his left knee was bruised and

injured, his chest was injured, and he was made sick, sore and lame, was caused to incur medical and hospital expenses in and about the care and treatment of his injuries and those of his wife and daughter who were riding with him at the time and who were both injured as a result of said negligence of the Defendant, he lost the services of his wife and was caused to incur extraordinary household expenses and he lost time from his business, 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: 

Attorneys for Plaintiff

NO. 9272

* * * * *

JOE GARRIS,
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

Amount claimed 70 Dollars
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff
BY Medlin
DEPUTY SHERIFF

Received 25 day of May 1970
and on 27 day of May 1970
I served a copy of the within Sale
on W. L. Medlin
By service on W. L. Medlin
TAYLOR WILKINS, Sheriff
By W. L. Medlin
D. S.

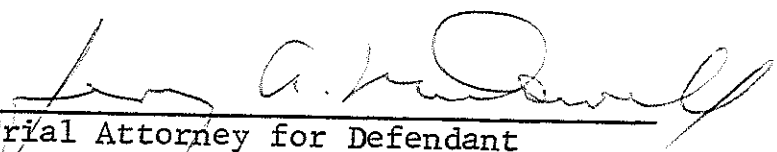
10 miles

JOE GARRIS, : IN THE CIRCUIT COURT OF
Plaintiff : BALDWIN COUNTY,
v. : ALABAMA
W. L. MEDLIN, : AT LAW
Defendant. : CASE NO. 9272

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. LECHE CLERK
REGISTERED

9272

Joe Harris

vs

W. L. Medlen