

FACTORS, INC., a Corporation, X
Plaintiff, X IN THE CIRCUIT COURT OF
VS. X BALDWIN COUNTY, ALABAMA,
FORREST INDUSTRIES, X AT LAW.
Defendant. X 9387

C O M P L A I N T

Count I.

The Plaintiff claims of the Defendant ONE THOUSAND ONE HUNDRED THIRTY-FOUR AND 67/100 (\$1,134.67) DOLLARS due from it by account between the Defendant and Phillips-Foscue Corporation, on, to-wit, the 21st day of July, 1969, which sum of money with the interest thereon is still unpaid and is the property of the Plaintiff. The account sued on is evidenced by an itemized and verified statement filed herewith.

Count II.

The Plaintiff claims of the Defendant the sum of ONE THOUSAND ONE HUNDRED THIRTY-FOUR AND 67/100 (\$1,134.67) DOLLARS due from it by account stated between the Plaintiff and the Defendant, on, to-wit, the 21st day of August, 1969, which sum of money with the interest thereon is still unpaid and is the property of the Plaintiff.

Count III.

The Plaintiff claims of the Defendant the sum of ONE THOUSAND ONE HUNDRED THIRTY-FOUR AND 67/100 (\$1,134.67) DOLLARS due from it for merchandise, goods and chattels sold by Phillips-Foscue Corporation to the Defendant on, to-wit, the 21st day of July, 1969, which sum of money with the interest thereon is still unpaid and is the property of the Plaintiff. The account sued for is evidenced by an itemized and verified statement of account, filed herewith.


E. G. RICKARBY,
Attorney for Plaintiff

Defendant is located in Fairhope, Alabama.

FILED

JUL 1 1970

ALICE J. DUCK CLERK
REGISTER

AFFIDAVIT

1. State of North Carolina
2. County of Guilford } ss

3. I, Richard A. Johnson, being first duly sworn, depose and state that:
(Person Signing Affidavit)

4. I am engaged in business under the name and style.....

5. I am a partner in the firm of.....
(Fill in names of Partners)
..... doing business as

6. I am Asst. Vice President of the Factors, Inc.

7. a corporation incorporated under the laws of the state of North Carolina and that the annexed

8. bill of particulars is a true and correct copy of the account due Factors, Inc.

9. and against Forrest Industries and that the items of debit and credit therein contained, are to my personal knowledge true and correct, and that, after allowing all just credits

10. and set-offs, there is justly due and unpaid thereon the amount of \$ 1,134.67 with legal interest to date.

11. Subscribed and sworn to before me this

17th day of March, 1970

12. W. B. Fred
My Commission Expires Feb. 27th 1975 Notary Public.

Richard A. Johnson
Richard A. Johnson, Asst. Vice President

STATEMENT

D-U-N-S 352-0269

Factors, Inc.

P. O. BOX 1350 • HIGH POINT, N. C. 27261

- Forrest Industries
- Box 367
- Fairhope, Alabama 36532
-

RE: Phillips-Foscue Corp.

TERMS:

DATE	INVOICE NO.	CHARGES	CREDITS	BALANCE
7/21/69	#39	\$1,134.67		\$1,134.67

NOTICE: CHECKS SHOULD BE MADE PAYABLE TO FACTORS, INC.

P. O. BOX 1350, HIGH POINT, N. C. 27261

PHILLIPS - FOSCUE CORP.

Manufacturers of Foam Materials

SOLD TO
FOREST INDUSTRIES
P O BOX 426
FAIRHOPE ALA

36N38

SHIP TO

TELEPHONE 919 431-1171
SURRETT DRIVE

POST OFFICE BOX 1306
HIGH POINT, N. C. 27261

PAGE NO.
1

INVOICE NUMBER
39

DATE
7/24/69

CUSTOMER ORDER NO.		ROUTING	TERMS	SHIP VIA	Salesman	CAR NUMBER	ORDER NUMBER	WEIGHT	DATE SHIPPED
VEEDAI		COMM PPD	COD MF	P F TRUCK	IMPERIAL	1	81	1098	721
QUANTITY		SIZE	DESCRIPTION	UNIT	INCH	FEET	BACK ORDER NO.	CUSTOMER ORDER DATE	DUE DATE
6	01	10 IN DIA			3600	4050	1 25	6	288
75	02	14 IN DIA			5200	4050	1 25	75	55500
40	03	14 IN DIA			4200	4050	1 25	37	22089
50	04	14 IN DIA			4800	4050	1 25	50	34150
LEAVE HOLE IN CENTER									
99									
								103	

EXT. BOARD FEET 14180 6

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA
Baldwin County

Circuit Court, Baldwin County

No.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon FORREST INDUSTRIES

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 FORREST

INDUSTRIES, Defendant.....

by FACTORS, INC., a Corporation,

Plaintiff.....

Witness my hand this 17th day of July 19 70

Alice J. Duck
ALICE J. DUCK

Clerk

24 7-17-70

No. 9387

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Factors, Inc. & Corp.
Plaintiffs

vs.

Forrest Industries
Defendants

SUMMONS AND COMPLAINT

Filed FILED 19.....

JUL 12 1970 Clerk

ALICE J. DUCK CLERK REGISTER

E. G. Riekerby
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Tairhope
Received In Office

July 17 1970
Taylor Wilkins Sheriff

I have executed this summons
this 17 July 1970
by leaving a copy with

Forrest Industries

Sheriff claims 70 miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff
BY (CROOKS)
DEPUTY SHERIFF

....., Sheriff
W. O. O. O. Deputy Sheriff

70 miles

FACTORS, INC., a Corporation, X
Plaintiff, X
VERSUS X
FORREST INDUSTRIES, X
Defendant. X

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
AT LAW.
CASE NO. 9387

NOTICE BY CLERK TO DEFENDANT TO FILE STATEMENT

TO FORREST INDUSTRIES, Defendant:

Take notice, that, Whereas, the Plaintiff in the above entitled cause has requested, in writing, the undersigned, as Clerk of said Court, to issue notice to you, as Defendant, in the above entitled cause, and in the judgment therein, requiring you to file a statement, in writing, under oath, of all your assets, as provided in Code 1940, Title 7, Section 903, and has filed said request, in writing, in this cause with the undersigned as Clerk of this Court, and it appearing from said request, and the record in said cause, that an execution was returned on the judgment in this cause on the _____ day of _____, 19____, endorsed, "no property found", by the Sheriff of Baldwin County, Alabama, and that you reside in the State of Alabama.

Now therefore, you are hereby required, within thirty days from the service hereof, to file in this Court, a statement in writing, under oath, of all your assets, including money, choses in action, notes, bonds, and accounts, and all other property, real, personal or mixed, or any interest therein, with a detailed description of the same, the location and reasonable value of each item thereof, together with a detailed list or statement, of any and all liens, mortgages or incumbrances thereon showing the amounts due upon each, and the owner or holder of such liens, encumbrances or mortgages.

WITNESS my hand this 9 day of Feb, 1971.

Ernie B. Blackmon
CLERK OF THE CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA-GREETING:

You are hereby commanded to serve the foregoing notice upon FORREST INDUSTRIES, Defendant, and make due return of your said service and of this notice, within thirty days from this date, how you have executed the same.

WITNESS my hand this 9 day of Feb, 1971.

Ernie B. Blackman
CLERK OF THE CIRCUIT COURT

9382

Factors, Inc., Corp

vs

Garrett Industries

Biceford

LTD.

Across from Smith's
Tollway Park, Ark
E. S. Peckard
Petty, Ark

Received 10 day of 1975
and on 22 day of FEB 1975
I served a copy of the within
Garrett Industries
By service on C.D. Forrest
(COOPER)
TAYLOR WILKINS, Sheriff
By W.C. Pool
D.S.

Sheriff claims 54
Ten cents per mile Total \$ 5.40
TAYLOR WILKINS, Sheriff
By T. Gallaway
DEPUTY SHERIFF

Your File No.

Our File No.

Law Offices

E. G. RICKARBY
35 SOUTH SECTION STREET
FAIRHOPE, ALABAMA 36532

Code 205
Telephone: 928-9836

Mailing Address
P. O. BOX 471

August 25, 1970

Honorable Telfair J. Mashburn
Judge of The Circuit Court
Bay Minette, Alabama

Dear Judge Mashburn:

Inre: Factors, inc. vs.
Forrest Industries, case no. 9387.

Request that you render a judgement by default in the above styled cause for \$1202.75 (\$1134.67 principal and \$68.08 interest) plus costs of court. Service was obtained on July 17, 1970. This suit is on the complaint and on an itemized and verified statement of account.

Respectfully,

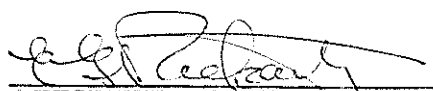
Daniel A. Banta

FACTORS, INC., A Corporation,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA,
VERSUS	X	AT LAW.
FORREST INDUSTRIES,	X	CASE NO. 9387
Defendant.	X	

REQUEST FOR DISCOVERY OF ASSETS

(Code 1940, Tit. 7, Section 903)

The Plaintiff herein having recovered on the 27th day of August, 1970, a judgment against the defendant in the above styled cause for the sum of ONE THOUSAND TWO HUNDRED TWO AND 75/100 (\$1,202.75) DOLLARS and costs and such execution having been returned endorsed by the Sheriff of Baldwin County, Alabama, "no property found", the Plaintiff now requests in writing that the Clerk of this Court will issue a notice to the above named Defendant requiring him, within thirty days from the service of such notice, to file in this cause a statement in writing, under oath, of all of his assets of every kind, character, and description and wheresoever located as provided by Code 1940, Title 7, Section 903.


ATTORNEY FOR PLAINTIFF

FILED

FEB 9 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

FACTORS, INC., A Corporation,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA,
VERSUS	X	AT LAW.
FORREST INDUSTRIES,	X	CASE NO.
Defendant.	X	9387

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ATTORNEY FOR PLAINTIFF

LAW OFFICES
RICKARBY & BENTON

ATTORNEYS AT LAW
55 SOUTH SECTION STREET
P. O. BOX 471
FAIRHOPE, ALABAMA 36532

E. G. RICKARBY
DANIEL A. BENTON

TELEPHONE
(205) 928-2308

March 8, 1971

Honorable Telfair J. Mashburn
Judge of the Circuit Court
Bay Minette, Alabama

Re: Factors, Inc. v. Forrest Industries
Case No. 9387, Our File No. 70-45

Dear Sir:

This case is set for Thursday, March 11. This is the case in which we filed a writ of discovery. It was served on Mr. Forrest on February 22, 1971, and will be completed on March 22. Since nothing can be done on it, we request it be taken out of the call.

Yours very truly,


E. G. Rickarby

EGR:w

LAW OFFICES
RICKARBY & BENTON

ATTORNEYS AT LAW
35 SOUTH SECTION STREET
P. O. BOX 471
FAIRHOPE, ALABAMA 36532

TELEPHONE
(205) 928-2308

E. G. RICKARBY
DANIEL A. BENTON

February 3, 1971

Mrs. Eunice Blackmon
Clerk of the Circuit Court
Bay Minette, Alabama 36507

Dear Mrs. Blackmon:

Inre: Factors, Inc. vs. Forrest Industries
File #70-45 Case No. 9387

With this you will find a Request for Discovery of Assets, together with Notice to Defendant to File Statement. Please send these to the Sheriff so that he may serve Mr. Charles Forrest, the Forrest Industries president.

I am also enclosing check for \$30.00, deposit for costs in this cause.

Yours very truly,


E. G. RICKARBY
Attorney at Law

EGR/jc
Encls.
cc: Forwarder (Dup.)
cc: Sheriff
2-24-71