

2-34431  
HART-GREER, INC., a corp.,                    |                    IN THE CIVIL COURT OF  
  |                    JEFFERSON COUNTY, ALABAMA  
Plaintiff,                                    |  
vs.   |                    AT LAW  
CHARLES G. ALLEN INDV. and                   |  
d/b/a CHARLIE'S TV SALES &                   |  
SERVICE,                                    |  
  |                    CASE NO. J77491  
Defendant.

PLEA IN ABATEMENT

Comes CHARLES G. ALLEN INDV. and d/b/a CHARLIE'S TV SALES & SERVICE, Defendant in the above styled cause, for the special purpose of filing the following plea separately to each count of the complaint in said cause, and for no other purpose.

The said CHARLES G. ALLEN INDV. and d/b/a CHARLIE'S TV SALES & SERVICE says that at the time said suit was instituted and at the time said cause of action arose he was a bona fide resident of the County of Baldwin, State of Alabama, and that the Civil Court of Jefferson County is without jurisdiction to try this suit.

Charles G. Allen  
CHARLES G. ALLEN INDV. and d/b/a  
CHARLIE'S TV SALES & SERVICE

STATE OF ALABAMA  
COUNTY OF BALDWIN

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Charles G. Allen Indv. and d/b/a Charlie's TV Sales & Service, the Defendant in the above styled cause, who, being by me first duly sworn, says on oath, that the facts set forth in the foregoing plea are true and correct.

SWORN to and subscribed before me on this the 15 day of July, 1970.

Andrew S. Funk  
NOTARY PUBLIC

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 15 day of July, 1970, served a copy of the foregoing pleading on Syrote, Permutt, Friend & Friedman, Attorneys at Law, by mailing the same by United States mail, properly addressed, and first class postage prepaid.

Richard C. Lacey  
RICHARD C. LACEY  
Attorney for Defendant  
Fairhope, Alabama

5-774491

HART-GREER, INC., a corp.,

JEFFERSON COUNTY, ALABAMA

AT LAW

CHARLES G. ALLEN INDV. and  
d/p/a CHARLIE'S TV SALES &  
SERVICE

CASE NO. 777491

PLEA IN ABATEMENT

Comes CHARLES G. ALLEN INDV. and d/p/a CHARLIE'S TV  
SALES & SERVICE, Defendant in the above styled cause, for the  
special purpose of filing the following plea separately to  
each count of the complaint in said cause, and for no other  
purpose.

FILED  
JUL 16 1970  
CIVIL COURT OF  
JEFFERSON COUNTY

The said CHARLES G. ALLEN INDV. and d/p/a CHARLIE'S TV  
SALES & SERVICE says that at the time said suit was  
attituted and at the time said cause of action arose he was  
a bona fide resident of the County of Baldwin, State of Alabama  
and that the Civil Court of Jefferson County is without juris-  
diction to try this suit.

CHARLES G. ALLEN INDV. and d/p/a  
CHARLIE'S TV SALES & SERVICE

STATE OF ALABAMA  
COUNTY OF BALDWIN

Before me, the undersigned, a Notary Public in and for  
said County in said State, personally appeared Charles G. Allen  
INDV. and d/p/a CHARLIE'S TV SALES & SERVICE, the Defendant in  
the above styled cause, who, being by me first duly sworn, says  
on oath, that the facts set forth in the foregoing plea are true  
and correct.

SWORN to and subscribed before me on this the 15 day  
of July, 1970.

*[Signature]*  
NOTARY PUBLIC

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 15 day of  
July, 1970, served a copy of the foregoing pleading on  
Spence, Remutt, Friend & Friedman, Attorneys at Law, by mail-  
ing the same by United States mail, properly addressed, and  
first class postage prepaid.

*[Signature]*  
RICHARD C. LACEY  
Attorney for Defendant  
Fairhope, Alabama

SUMMONS AND COMPLAINT ON ACCOUNT

Form No. 9

THE STATE OF ALABAMA  
Jefferson County

To Any Lawful Officer of Said State--Greeting:

Summon **Charles G. Allen indv. and d/b/a Charlie's TV Sales & Service**

to appear before the CIVIL COURT OF JEFFERSON COUNTY on this date **July 20, 1970**, at 9:00 A.M.,

next at the Courthouse, Room No. 518 in Birmingham, to answer the Complaint of

**Hart-Greer, Inc., A Corp.**

and there make returns of this writ.

Witness my hand on this date

**JUN 15 1970**

**Hart-Greer, Inc., A Corp.**

**Charles G. Allen indv. and  
d/b/a Charlie's TV Sales &  
Service**

vs.

Plaintiff.

Defendant.

The Plaintiff claims of the Defendant the sum of **\$213.35** Dollars,  
due by **open account for work, labor, goods, wares and merchandise,**  
**together with interest thereon, which is due and unpaid.**

SIROTE, PERMUTT, FRIEND & FRIEDMAN, ATTORNEYS

3RD FLOOR, FIRST FEDERAL BUILDING

2030 FIRST AVENUE NORTH

Plaintiff's Attorney

VOL

**68** PAGE **297**

CASE NO.

J77431

THE STATE OF ALABAMA  
JEFFERSON COUNTY

CIVIL COURT OF JEFFERSON COUNTY  
Room No. 518  
Courthouse

SUMMONS & COMPLAINT

Hart-Greer, Inc.  
900 No. 24th St.  
B'ham

Plaintiff.

vs.

Charles G. Allen indv. and  
d/b/a Charlie's TV Sales &  
Service

111 So. Section St. Defendant.  
Fairhope, Ala.

ATT: HON. TAYLOR WILKINS, Garnishee.  
SHERIFF BALDWIN COUNTY  
BAY MINETTE, ALA.

Defendant at

Garnishee at

The Defendant is hereby notified that Writ  
of Garnishment has been issued to

Issued

19

Clerk

The within process executed by personal  
service of a copy of said Summons and Com-  
plaint and notice on the Defendant.

Charles G. Allen

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

This

19

day of

June

19

JUN 18 1970

TAYLOR WILKINS  
SHERIFF

Sheriff.

Deputy Sheriff.

SIROTE, PERMUTT, FRIEDMAN, ATTORNEYS  
3rd FLOOR, FIRST FEDERAL BUILDING  
2030 FIRST AVENUE NORTH

70 miles

68 PAGE 298

**McDERMOTT & SLEPIAN**

**ATTORNEYS AT LAW**

211 NORTH CONCEPTION STREET

**MOBILE, ALABAMA**

36601

WILLIAM H. McDERMOTT

RONALD P. SLEPIAN

BRAXTON L. KITTRELL, JR.

WILLIAM ROY WILLARD, JR.

September 20, 1971

MAILING ADDRESS:

POST OFFICE DRAWER 2025

PHONE 432-1671

The Hon. Telfair J. Mashburn  
Circuit Court Judge of Baldwin County  
Bay Minette, Alabama

RE: Hart-Greer, Inc. vs.  
Charles G. Allen  
Circuit Case No. 9537

Dear Judge Mashburn:

If Your Honor will recall, you called me a couple of weeks ago regarding the captioned matter. I had written a letter to the Clerk of Court, asking if a default judgment had been entered against the Defendant. You stated at that time that the clerk had no record of having received an Affidavit from me, or a Motion for a judgment nil dicit against the Defendant for failure to answer interrogatories.

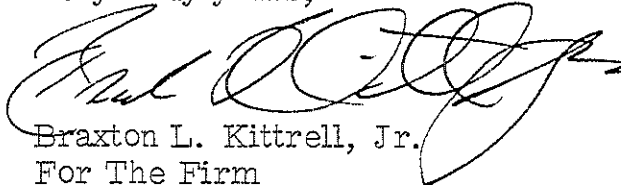
I had previously received from the Clerk of Court, a Xerox copy of the docket sheet reflecting that on May 17, 1971, the Defendant was ordered to answer interrogatories or suffer a default judgment. Dick Lacey, the attorney for the Defendant, indicated that he was not in touch with his client and had no objection to our proceeding to take a default for failure to answer interrogatories. A copy of the docket sheet which I received is enclosed herewith for Your Honor's perusal.

I am enclosing with this letter, an additional Affidavit and Statement of Account, and would sincerely appreciate the Court having a judgment entered against the Defendant for \$226.33,

representing the principal balance of \$213.35, plus interest for one (1) year at the rate of six (6%) percent per annum.

I want to express my sincere thanks to Your Honor for the many courtesies which you have shown me in this matter.

Very truly yours,



Braxton L. Kittrell, Jr.  
For The Firm

BLK:et

Enc.

cc: Richard C. Lacey, Esq.  
Attorney at Law  
Fairhope, Alabama

STATE OF ALABAMA \_\_\_\_\_:

COUNTY OF Jefferson \_\_\_\_\_:

Before me, the undersigned authority in and for said State and County, personally appeared C. F. Seale who, being known to me and being by me first duly sworn, did depose and say on oath:

That he/~~she~~ is the Secretary/Credit Manager of Hart-Greer, Inc., a corporation and as such is authorized to make this affidavit; that he/she is familiar with the books and records of said Hart-Greer and that the attached statement of account is true, valid and correct, as reflected upon the books and records of said claimant; that the balance shown to be due thereon is due and unpaid; that the affiant has actual and personal knowledge of the correctness of said account; and that the books, records and accounts of claimant are kept and maintained under the supervision and control of the undersigned.

C. F. Seale  
Affiant

Sworn to and subscribed before me on this the 2<sup>nd</sup> day of July, 19 71.

B. Graham  
Notary Public,

# LEDGER

NAME

ADDRESS

CITY

CHARLIES T V  
FAIRHOPE, 111 So. Section St.  
ALABAMA

POSTING DATE	FOLIO	CHARGES	CREDITS	BALANCE
BALANCE FORWARD				
JAN 23'69	17,604	43.89		43.89 •
FEB 7'69	19,032	32.90		76.79 •
FEB 10'69	19,174	9.91		86.70 •
FEB 19'69	20,126	4.54		91.24 •
FEB 21'69	20,485	30.28		
FEB 21'69	20,486	1.16		
FEB 21'69	20,487	14.11		136.79 •
FEB 26'69	20,906	2.07		138.86 •
FEB 27'69	21,026	33.88		
FEB 27'69	21,027	1.31		174.05 •
MAR 5'69	21,490	2.24		176.29 •
MAR 17 CM	29,898		43.89	132.40 •
MAR 21'69	23,185	9.65		142.05 •
APR 10 CM	30,244		38.16	103.89 •
APR 21'69	25,707	4.07		107.96 •
APR 24 CM	30,447		8.79	99.17 •
APR 30'69	26,508	45.43		144.60 •
JUN 9'69	30,110	2.11		146.71 •
JUN 10'69	29,146	106.00		252.71 •
JUN 10'69	30,248	.68		253.39 •
AUG 18'69	33,479	2.53		255.92 •
AUG 21'69	38,259	37.51		293.43 •
SEP 17'69	35,301	3.80		297.23 •
OCT 17'69	36,818	4.40		301.63 •
NOV 19'69	38,501	4.46		306.09 •
DEC 11'69	49,969	43.13		349.22 •
DEC 17'69	50,561	2.60		351.82 •
DEC 19'69	40,573	4.52		356.34 •
DEC 22'69	50,928	28.90		385.24 •
DEC 31 CM	33,549		8.45	376.79 •
DEC 31'69	51,790	7.05		383.84 •
JAN 6 CS			7.05	376.79 •
JAN 19'70	53,219	2.25		379.04 •
JAN 21'70	42,004	4.59		383.63 •
FEB 25'70	43,567	5.76		389.39 •

HART-GREER, INC.

900 24TH ST., No.

BIRMINGHAM, ALA.

QUALITY PRESS, BIRMINGHAM—BM—6-66



# LEDGER

NAME

ADDRESS

CITY

CHARLIES TV  
111 SO SECTION ST  
FAIRHOPE, ALA

POSTING DATE	FOLIO	CHARGES	CREDITS	BALANCE
BALANCE FORWARD				389.39
MAR 27'70	45,023,	5.75		395.14 •
APR 23 CM	34,856		27.86	
APR 23 CM	34,857,		162.84	204.44 •
APR 27'70	46,622,	5.84		210.28 •
MAY 27'70	48,253,	3.07		213.35 •

HART-GREER, INC.

900 24TH ST.. No.

BIRMINGHAM, ALA.

QUALITY PRESS, BIRMINGHAM—BM—5-66

HART-GREER, INC., a corpora- )  
tion, )

Plaintiff, )

vs. )

CHARLES G. ALLEN, Individually )  
and d/b/a CHARLIE'S TV SALES )  
& SERVICE, )

Defendant. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 9537

Comes now the law firm of McDERMOTT & SLEPIAN, 211 N.  
Conception Street, Mobile, Alabama, and file this their appearance on  
behalf of the Plaintiff in the above-styled cause.

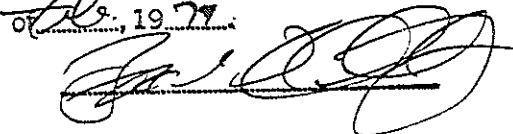
MCDERMOTT & SLEPIAN  
Attorneys for Plaintiff

BY

  
BRAXTON L. KITTRELL, JR.

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 5th day  
of Feb., 1977.



FILED

FEB 10 1977

EUNICE B. BLACKMON CIRCUIT  
CLERK

HART-GREER, INC., a	)	IN THE CIRCUIT COURT OF
corporation,	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	AT LAW
vs.	)	
CHARLES G. ALLEN, Individually	)	
and d/b/a CHARLIE'S TV SALES	)	
& SERVICE,	)	
Defendant.		CASE NO. 9537

MOTION TO COMPEL DEFENDANT  
TO ANSWER INTERROGATORIES

Comes now the Plaintiff in the above-styled cause and shows unto this Honorable Court that the Plaintiff has heretofore propounded interrogatories to the Defendant in said cause, the answers to which interrogatories, if well and truly made, will be material evidence for the Plaintiff in this cause; that copies of said interrogatories were served upon the attorney of record for said Defendant; that more than sixty (60) days have elapsed since the service of copies of said interrogatories upon counsel for the Defendant; and that the Defendant has not filed an answer to said interrogatories.

NOW, THEREFORE, Plaintiff moves this Honorable Court to require the Defendant, Charles G. Allen, individually and d/b/a Charlie's TV Sales & Service, to file an answer to said interrogatories, or suffer the penalty as in such cases provided upon failure to do so.

McDERMOTT & SLEPIAN  
Attorneys for Plaintiff

BY   
BRAXTON L. KITTRELL, JR.

Attorney for Defendant:  
Hon. Richard C. Lacey  
221 Fairhope Avenue  
Fairhope, Alabama

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 12th day of May, 1971.

**FILED**

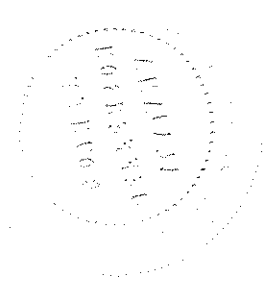
MAY 14 1971

EUNICE B. BLACKMON  
CIRCUIT CLERK



ATTORNEY		NAME OF PARTIES				CAUSE OF ACTION				ITEMIZED BILL OF COSTS	
Sirote, Permutt Friend and Friedman		Hart-Greer, Inc., a Corp.  (900 No. 24th St.)				\$213.35 open account-int.				<div>COURT FEES</div> <div>Issuing Summons and Complaint \$1.00</div> <div>Issuing Alias Summons .50</div> <div>Issuing Alias Summons .50</div> <div>Issuing Subpoena Duces Tecum .50</div> <div>Issuing Subpoena, each witness .25</div> <div>Issuing Subpoena, each witness .25</div> <div>Issuing Exe. and taxing cost 1.00</div> <div>Issuing Alias Execution .50</div> <div>Issuing Attachment Writ .50</div> <div>Bond and Affidavit 1.50</div> <div>Issuing Vendt Exponas .50</div> <div>Issuing Transcript 1.00</div> <div>Writ of Detinue .50</div> <div>Garnishment and Notice 1.00</div> <div>Garnishment and Notice 1.00</div> <div>Garnishment and Notice 1.00</div> <div>Cer. not otherwise provided for .25</div> <div>Docketing Cause to 1,000.00 6.10</div> <div>Docketing Cause over 1,000.00 9.10</div> <div>Issuing Commission cert. mail .50</div> <div>75c Party</div> <div>Interrogatories, 10c Page</div> <div>Attending Trial of Right of Property-Detinue 1.00</div> <div>Sel. Fa. or Notice in nature thereof .50</div> <div>Transfer of Case 3.00</div> <div>Alias Notice to Defendant .25</div> <div>Notice to Defendant-Statement of Assets 1.50</div> <div>Citation to Defendant-Statement of Assets 1.50</div> <div>Appeal Bond, Trans. and Notice 3.00</div> <div>Library Tax .25</div> <div>SHERIFF'S FEES</div> <div>Serving Summons 2.50</div> <div>Serving Summons 2.50</div> <div>Entering Return .25</div> <div>Serving Summons each witness .75</div> <div>Serving Summons each witness .75</div> <div>Serving Garnishment 2.50</div> <div>Serving Garnishment 2.50</div> <div>Levy on Attachment 7.50</div> <div>Serving Car. on Judgment 2.50</div> <div>Levy on Execution 8.00</div> <div>Making Money, 5%, not less than 75c</div> <div>Serving Notice etc., on each party therein 2.50</div> <div>Serving Notice etc., on each party therein 2.50</div> <div>Serving Sel. Fa. or other like notice 2.50</div> <div>Taking Bond 2.00</div> <div>Taking Property Levied on 7.50</div> <div>Car. Ans. Fee</div> <div>Witness Fees</div> <div>Miscellaneous</div> <div>RECEIPTS</div> <div>Paid Library Tax</div> <div>Paid Court Fees</div> <div>Paid Sheriff</div> <div>Paid Foreign County Sheriff's</div> <div>Miscellaneous</div>	
DATE	RECEIPT NO.	RECEIVED OF	AMOUNT	JUDGMENT	DATE	RECEIPT NO.	RECEIVED OF	AMOUNT	JUDGMENT		
DATES		DISPOSITION OF CASE									
6-15-70		Affidavit and Bond Filed for									
6-19-70		Writ and Summons and Complaint issued, ret. 7-20-70									
		ret. executed by Melvin Bailey, Sheriff									
7-16-70		Plea in abatement filed									
JUL 20 1970		On motion of Parties Plea is cont'd to 8-24-70 at 2:00 P.M.									
AUG 24 1970		On motion of Parties Plea is cont'd to 9-28-70 at 2:00 P.M.									
SEP 28 1970		On motion of Parties Plea is cont'd to 10-26-70 at 2:00 P.M. (Atty for Deft notified by mail)									
10-27-70		Defendant's plea in abatement granted and this cause is hereby transferred to Circuit Court of Baldwin County, Bay Minette, Alabama and the costs of this proceeding in this Court are hereby taxed to Plaintiff.									
<div>I, Joan Anderson, in my capacity as Clerk of the Civil Court of Jefferson County, hereby certify that the above is a true and correct exemplification of all the minutes, orders and other proceedings in the above styled case in this Court.</div> <div>Witness my hand, this 27 day of Oct., 1970</div> <div>Joan Anderson, Clerk</div>											

6856



HART-GREER, INC., a corpora-	)	IN THE CIRCUIT COURT OF
tion,	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	AT LAW
vs.	)	
CHARLES G. ALLEN, Individually	)	
and d/b/a CHARLIE'S TV SALES	)	
& SERVICE,	)	
Defendant.	)	CASE NO. 9537

INTERROGATORIES TO DEFENDANT

Comes now the Plaintiff in the above-styled cause, and desiring the testimony of the Defendant, propounds the following interrogatories to be answered separately and severally in the manner and form prescribed by law, viz:

1. (a) State your correct name, age, residence address and business address.

(b) Is your name correctly stated in the complaint on file in this cause?

2. State whether or not you are now doing business under the name CHARLIE'S TV SALES & SERVICE.

3. If the answer to the preceding question is no, state whether you have ever done business under such name.

(a) State whether CHARLIE'S TV SALES & SERVICE is a sole proprietorship, partnership or a corporation.

(b) If you state that it is a partnership, then state the name of each and every partner composing said partnership, and the name under which the partnership does business.

(c) If you state that the Defendant is a corporation, state on what date it was incorporated and at what place.

4. State whether or not you or CHARLIE'S TV SALES & SERVICE has ever had an account with the Plaintiff.

5. If the answer to the preceding question is yes, state whether or not any sums are presently due to the Plaintiff on said account.

6. If the answer to the preceding question is yes, state the amount due.

7. State and explain fully the nature of any and all defenses which you have to this lawsuit.

McDERMOTT & SLEPIAN  
Attorneys for Plaintiff

BY   
BRAXTON L. KITTRELL, JR.

STATE OF ALABAMA

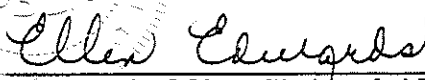
COUNTY OF MOBILE

Before me, the undersigned authority in and for said state and county, personally appeared Braxton L. Kittrell, Jr., who, known to me and being by me first duly sworn, deposes on oath and says that the answers to the above and foregoing interrogatories, if well and truly made by the Defendant, will be material evidence for the Plaintiff in this cause.

  
BRAXTON L. KITTRELL, JR.

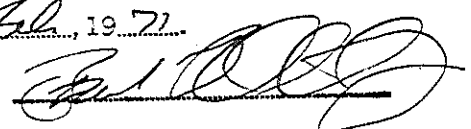
Sworn to and subscribed before me on

this 5<sup>th</sup> day of February, 1971.

  
Notary Public, State of Alabama at Large

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 3<sup>rd</sup> day of Feb, 1971.



FILED

FEB 10 1971

EUNICE B. BLACKMON  
CIRCUIT CLERK

HART-GREER, INC., a corpora-	)	IN THE CIRCUIT COURT OF
tion,	)	BALDWIN COUNTY, ALABAMA
Plaintiff,	)	AT LAW
vs.	)	
CHARLES G. ALLEN, Individually	)	
and d/b/a CHARLIE'S TV SALES	)	
& SERVICE,	)	
Defendant.	)	CASE NO. 9537

INTERROGATORIES TO DEFENDANT

Comes now the Plaintiff in the above-styled cause, and desiring the testimony of the Defendant, propounds the following interrogatories to be answered separately and severally in the manner and form prescribed by law, viz:

1. (a) State your correct name, age, residence address and business address.

(b) Is your name correctly stated in the complaint on file in this cause?

2. State whether or not you are now doing business under the name CHARLIE'S TV SALES & SERVICE.

3. If the answer to the preceding question is no, state whether you have ever done business under such name.

(a) State whether CHARLIE'S TV SALES & SERVICE is a sole proprietorship, partnership or a corporation.

(b) If you state that it is a partnership, then state the name of each and every partner composing said partnership, and the name under which the partnership does business.

(c) If you state that the Defendant is a corporation, state on what date it was incorporated and at what place.



4. State whether or not you or CHARLIE'S TV SALES & SERVICE has ever had an account with the Plaintiff.

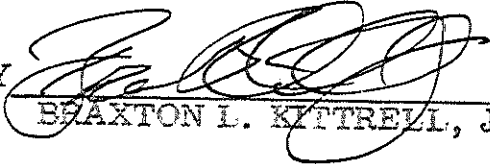
5. If the answer to the preceding question is yes, state whether or not any sums are presently due to the Plaintiff on said account.

6. If the answer to the preceding question is yes, state the amount due.

7. State and explain fully the nature of any and all defenses which you have to this lawsuit.

McDERMOTT & SLEPIAN  
Attorneys for Plaintiff

BY

  
BRAXTON L. KITTRELL, JR.

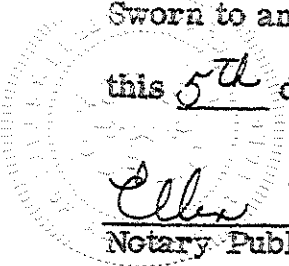
STATE OF ALABAMA

COUNTY OF MOBILE

Before me, the undersigned authority in and for said state and county, personally appeared Braxton L. Kittrell, Jr., who, known to me and being by me first duly sworn, deposes on oath and says that the answers to the above and foregoing interrogatories, if well and truly made by the Defendant, will be material evidence for the Plaintiff in this cause.

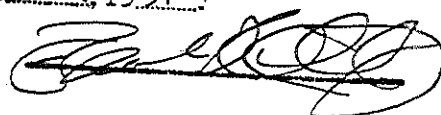
  
BRAXTON L. KITTRELL, JR.

Sworn to and subscribed before me on  
this 5th day of February, 1971.

  
Ellen Edwards  
Notary Public, State of Alabama at Large

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 3rd day of Feb, 1971.



FILED

FEB 10 1971

EUNICE B. BLACKMON  
CIRCUIT CLERK

McDERMOTT & SLEPIAN

ATTORNEYS AT LAW  
211 NORTH CONCEPTION STREET  
MOBILE, ALABAMA

WILLIAM H. McDERMOTT  
RONALD P. SLEPIAN  
BRAXTON L. KITTRELL, JR.

36601

MAILING ADDRESS:  
POST OFFICE DRAWER 2025  
PHONE 432-1671

February 5, 1971

Mrs. Alice J. Duck, Clerk  
Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Hart-Greer, Inc.

-VS-

Charles G. Allen, Individually  
and d/b/a Charlie's TV Sales &  
Service, Circuit Court Case #9537

Dear Mrs. Duck:

I am enclosing herewith our appearance on behalf of the plaintiff in the above-styled cause. Our law firm has been associated by the firm of Sirote, Permutt, Friend & Friedman in Birmingham.

Also enclosed are our interrogatories to the Defendant. I have served a copy of these upon the attorney for the Defendant by mail in accordance with the provisions of Title 7, Section 349(1) through 349(5), Code of Alabama 1940 (Recomp. 1958). It is my understanding and belief that this service is sufficient and that the Sheriff need not serve the interrogatories. If, however, the court requires this, I would appreciate your advising me and I will forward you any additional copies together with a summons.

With sincere thanks for your courtesy and cooperation and best regards, I am

Yours Cordially,



Braxton L. Kittrell, Jr.  
For the Firm

BLK/ee  
Enclosure  
cc: Richard Lacey, Esq.

McDERMOTT & SLEPIAN

ATTORNEYS AT LAW

211 NORTH CONCEPTION STREET

MOBILE, ALABAMA

36601

WILLIAM H. McDERMOTT

RONALD P. SLEPIAN

BRAXTON L. KITTRELL, JR.

WILLIAM ROY WILLARD, JR.

MAILING ADDRESS:

POST OFFICE DRAWER 2025

PHONE 432-1671

August 23, 1971

Mrs. Blackmon, Clerk  
Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Hart-Greer, Inc.  
Vs: Charles G. Allen  
Baldwin Case # 9537

Dear Mrs. Blackmon:

Judge Mashburn and I discussed the captioned matter over the telephone several times and it was my understanding that once I furnished an affidavit of the correctness of the account, that a judgment would be entered. With my letter of July 16, 1971, addressed to Judge Mashburn, that information was furnished.

We would like very much to have the judgment entered as soon as possible and would appreciate your office notifying us as soon as this is done. If it is necessary for someone from our office to come over to accomplish this, if you would so advise we would be happy to comply.

Thank you for your courtesy and cooperation.

Very truly yours,



Braxton L. Kittrell, Jr.  
For the Firm

BLK/cc

RICHARD C. LACEY  
*Attorney-At-Law*  
FAIRHOPE, ALABAMA 36532

September 24, 1970

Clerk of the Civil Court  
Jefferson County  
Jefferson County Courthouse  
Birmingham, Alabama 35200

RE: Hart-Greer, Inc. vs. Charles C. Allen  
Case No. J77491

Dear Sir:

The above subject case is set for hearing on  
our Plea in Abatement. We will not be able to appear  
and we will submit on our sworn Plea in Abatement.

Sincerely,



Richard C. Lacey

By: Sandra S. Funk, Secretary

RCL/ssf

579491

FILED

SEP 25 1970

CIVIL COURT OF

JEFFERSON COUNTY

FILED  
SEP 25 1970  
CIVIL COURT OF  
JEFFERSON COUNTY

STATE OF MISSISSIPPI  
COUNTY OF JEFFERSON  
IN SENATE BEYOND THE  
SECOND JUDICIAL CIRCUIT  
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# CIVIL COURT OF JEFFERSON COUNTY

516 COURTHOUSE

DAVID HAIGLER, Presiding Judge  
ARNOLD DRENNEN, Associate Judge

Phone 323-5311  
Exts. 278 - 279

JOAN ANDERSON, Clerk

Birmingham, Alabama 35203

October 27, 1970

Clerk, Circuit Court of Baldwin County  
Bay Minette, Alabama

Dear Sir:

In Re: Case No. J-77491


Hart-Greer, Inc.

vs.

Charles G. Allen

Enclosed you will find the Court file and a transcript of all the minutes, orders, and other proceedings in the above styled case, which is transferred by order of this Court, pursuant to Title 7, Sec. 64, p. 1, 1940 Code of Alabama, as amended (Act No. 76 in Special Session of 1961 Legislature, approved September 15, 1961).

Yours truly,

  
Clerk,  
Civil Court of Jefferson County

Enc.

Copies to: Sirote, Permutt, Friend and Friedman  
First Federal Building  
Birmingham, Alabama

Richard C. Lacey  
Fairhope, Alabama 36532

McDERMOTT & SLEPIAN

ATTORNEYS AT LAW  
211 NORTH CONCEPTION STREET  
MOBILE, ALABAMA

WILLIAM H. McDERMOTT  
RONALD P. SLEPIAN  
BRAXTON L. KITTRELL, JR.  
WILLIAM ROY WILLARD, JR.

36601

MAILING ADDRESS:  
POST OFFICE DRAWER 2025  
PHONE 432-1671

May 13, 1971

Mrs. Alice J. Duck  
Clerk, Circuit Court  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Hart-Greer, Inc., a corporation  
-VS-  
Charles G. Allen, Individually and  
d/b/a Charlie's TV Sales & Service  
Case No. 9537

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Dear Mrs. Duck:

Please file the enclosed motion in the captioned matter.

Thank you for your courtesy and cooperation.

Very truly yours,



Braxton L. Kittrell, Jr.  
For the Firm

BLK/ee  
Enclosure

McDERMOTT & SLEPIAN

ATTORNEYS AT LAW

211 NORTH CONCEPTION STREET

MOBILE, ALABAMA

36601

WILLIAM H. McDERMOTT

RONALD P. SLEPIAN

BRAXTON L. KITTRELL, JR.

MAILING ADDRESS:

POST OFFICE DRAWER 2025

PHONE 432-1671

March 8, 1971

Honorable Telfair J. Mashburn  
Circuit Court Judge of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: Hart-Greer, Inc.

-VS-

Charles G. Allen, Individually  
and d/b/a Charlie's TV Sales &  
Service, Circuit Court Case No. 9537

---

Dear Judge Mashburn:

The captioned litigation is now set in Your Honor's Court for trial on the non-jury docket of Friday, March 12, 1971. This case was transferred from a Birmingham court near the end of October of 1970, and our firm recently came into the case. Shortly after we did, and on February 5, we propounded interrogatories to be answered by the Defendant and we would like very much to have these interrogatories answered prior to the trial of the case.

Mr. Lacey informs me that he was unaware that the case was set and that he will have to get in touch with his client by mail. Consequently, it would be the mutual request of both sides that the matter be continued and, if Your Honor sees fit, set down specially for trial.

This is the only case which I have set on Your Honor's docket on Friday in Bay Minette and I do have other matters scheduled here in Mobile. If Your Honor does not wish to continue the case, I would very much appreciate the Clerk calling me in order that I might have a witness



come down from Birmingham and make plans myself to be in  
Bay Minette.

I am                      With sincere thanks for your courtesy and cooperation,

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Braxton L. Kittrell, Jr.', with a large, stylized flourish at the end.

Braxton L. Kittrell, Jr.  
For the Firm

BLK/ee  
cc: Richard Lacey, Esquire

RICHARD C. LACEY  
*Attorney-At-Law*  
FAIRHOPE, ALABAMA 36532

July 14, 1970

Clerk of the Civil Court  
Jefferson County  
Jefferson County Courthouse  
Birmingham, Alabama

Dear Sir:

Please advise if it is necessary that further proof  
be submitted in support of enclosed Plea in Abatement.

Sincerely,

Richard C. Lacey

RCL/sf

Enclosure