

ROBERT M. CLEERE

Attorney at Law  
Russellville, Alabama  
35653

Telephone 332-0631

P. O. Box 460  
213 W. Lawrence St.

February 19, 1971

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

9708

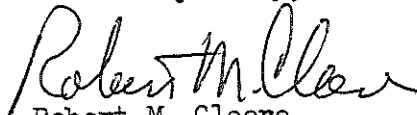
Dear Mrs. Duck:

Enclosed herewith please find the original and one copy of a complaint which we would appreciate your filing and delivering to the sheriff of your county for service on the defendant.

I would appreciate very much your acknowledging receipt of this letter and the enclosed complaint since the statute of limitations is less than one month from the date of the mailing of this letter.

Your cooperation will be appreciated.

Yours very truly,

  
Robert M. Cleere

RMC/mm  
Encls.

CHASON, STONE & CHASON

ATTORNEYS AT LAW

P. O. BOX 120

BAY MINETTE, ALABAMA 36507

JOHN CHASON  
NORBORNE C. STONE, JR.  
JOHN EARLE CHASON  
EBERHARD E. BALL

April 26, 1972

TELEPHONE 937-2191

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

Dear Mrs. Blackmon:

Re: Todd vs. Strehle  
Case No: 9708

I hand you herewith the original of a Notice that I am today giving the attorney for the Plaintiff in the above matter that I desire to take the deposition of such Plaintiff on Tuesday, May 9, at 10:00 A. M. here in Bay Minette. I would appreciate it if you would immediately issue a subpoena to Mr. Todd to appear here at that time and turn it over to our sheriff so that he can forward it to the sheriff of Franklin County at Russellville.

With best regards, we are

Yours very truly,

CHASON, STONE & CHASON

BY: 


JC:lp

A. W. TODD,	X	
	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	
	X	BALDWIN COUNTY, ALABAMA
vs.	X	
	X	AT LAW
MARY FRANCES STREHLE.	X	NO. 9708
	X	
Defendant.	X	

DEMURRER

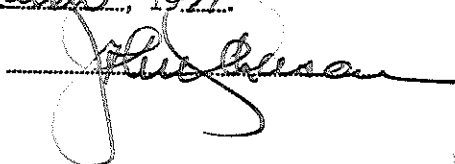
Comes now the Defendant in the above styled cause and demurs to the Complaint filed in said cause and each count thereof, separately and severally, and assigns the following separate and several grounds, viz:

1. That said complaint does not state a cause of action.
2. The place where the accident occurred is not sufficiently set out.
3. The damages to the automobile owned by the Plaintiff is not properly set out.
4. That said complaint does not allege any duty owing by the Defendant to the Plaintiff.
5. That Count Two of the complaint does not allege that the Defendant wantonly injured the Plaintiff.

  
Attorneys for Defendant.

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 12 day of March, 1971.



**FILED**

MAR 12 1971

EUNICE B. BLACKMON CIRCUIT CLERK

A. W. TODD,

Plaintiff,

vs.

MARY FRANCES STREHLE,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 9708

\* \* \* \* \*

DEMURRER

\* \* \* \* \*

FILED

NOV 12 1968

CLERK OF DISTRICT COURT

NOV 12 1968


A. W. TODD, X  
Plaintiff, X IN THE CIRCUIT COURT OF  
X  
vs. X BALDWIN COUNTY, ALABAMA  
X  
MARY FRANCES STREHLE, X AT LAW NO. 9708  
Defendant. X

NOTICE OF TAKING OF DEPOSITION  
UPON ORAL EXAMINATION

TO: HONORABLE ROBERT M. CLEERE  
Attorney at Law  
Russellville, Alabama

PLEASE TAKE NOTICE that the Defendant in the above styled cause will take the deposition of John L. Malone, Russellville, Alabama, upon oral examination pursuant to Title 7, Section 474(1) of the Code of Alabama of 1940, as amended, beginning at 10:30 A. M., Central Daylight Savings Time, on Wednesday, April 28, 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 2<sup>nd</sup> day of April, 1971, at Bay Minette, Baldwin County, Alabama.

  
John Chason  
Attorney for Defendant

OF COUNSEL:

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

**FILED**

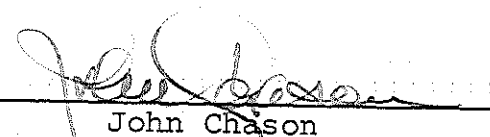
APR 2 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

CERTIFICATE

I, the undersigned John Chason, one of the Attorneys for the Defendant 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 Robert M. Cleere 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 2<sup>nd</sup> day of April, 1971.

  
\_\_\_\_\_  
John Chason

**FILED**

APR 2 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

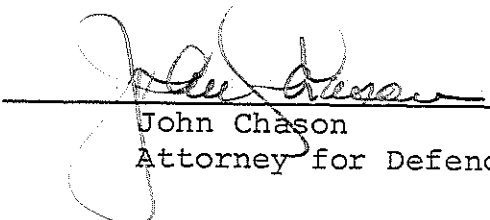
A. W. TODD, X  
Plaintiff, X IN THE CIRCUIT COURT OF  
vs. X BALDWIN COUNTY, ALABAMA  
X  
MARY FRANCES STREHLE, X AT LAW NO. 9708  
Defendant. X

NOTICE OF TAKING OF DEPOSITION  
UPON ORAL EXAMINATION

TO: HONORABLE ROBERT M. CLEERE  
Attorney at Law  
Russellville, Alabama

PLEASE TAKE NOTICE that the Defendant in the above styled cause will take the deposition of A. W. Todd, Russellville, Alabama, upon oral examination pursuant to Title 7, Section 474(1) of the Code of Alabama of 1940, as amended, beginning at 10:30 A. M., Central Daylight Savings Time, on Wednesday, April 28, 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 2<sup>nd</sup> day of April, 1971, at Bay Minette, Baldwin County, Alabama.

  
John Chason  
Attorney for Defendant

OF COUNSEL:

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

**FILED**

APR 2 1971

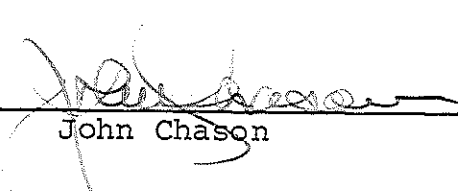
EUNICE B. BLACKMON CIRCUIT  
CLERK

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CERTIFICATE

I, the undersigned John Chason, one of the Attorneys for the Defendant 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 Robert M. Cleere 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 2<sup>nd</sup> day of April, 1971.

  
\_\_\_\_\_  
John Chason

**FILED**

APR 2 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK



A. W. TODD, X  
Plaintiff, X IN THE CIRCUIT COURT OF  
vs. X BALDWIN COUNTY, ALABAMA  
X  
MARY FRANCES STREHLE, X AT LAW NO: 9708  
Defendant. X

NOTICE OF TAKING DEPOSITION  
UPON ORAL EXAMINATION

TO: MR. ROBERT M. CLEERE, ATTORNEY AT LAW, P. O. BOX 460,  
RUSSELLVILLE, ALABAMA  
ATTORNEY FOR A. W. TODD, PLAINTIFF

PLEASE TAKE NOTICE that the deposition of A. W. Todd,  
Plaintiff in the above styled cause, whose address is Russellville,  
Alabama, will be taken upon oral examination on Tuesday, May 9,  
1972, at 10:00 A. M., before Louise Dusenbury, a Notary Public  
in and for the State of Alabama, At Large, who is hereby designated  
as the officer before whom such deposition shall be taken, at  
her office in the Courthouse in Bay Minette, Baldwin County,  
Alabama.

Dated this 26th day of April, 1972.

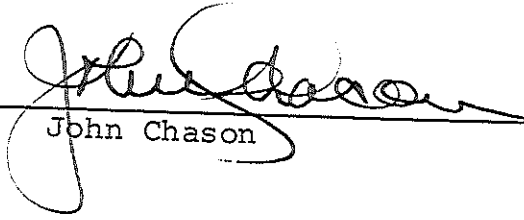
CHASON, STONE & CHASON

BY: 

Attorneys for Defendant

I, JOHN CHASON, one of the attorneys of record for the  
Defendant in the above styled cause, do hereby certify that I have  
this day mailed a copy of the foregoing Notice of Taking Deposition  
Upon Oral Examination to Mr. Robert M. Cleere, the attorney of  
record for the Plaintiff, postage prepaid and properly addressed  
to him at his office in Russellville, Alabama.

Done this 26th day of April, 1972.

  
John Chason

FILED

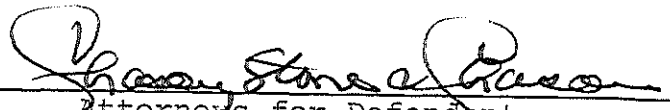
APR 26 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

A. W. TODD,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
MARY FRANCES STREHLE,	X	AT LAW NO. 9708
Defendant.	X	

Comes the Defendant in the above styled cause and for plea to the Complaint filed in said cause and to each and every count thereof, separately and severally, assigns the following separate and several pleas:

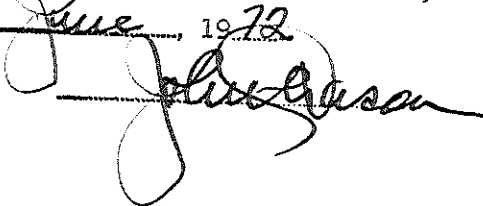
1. Not guilty.
2. That the allegations of the Complaint are untrue.

  
Attorneys for Defendant

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 23 day

of June, 1972



A. W. TODD,

Plaintiff,

vs.

MARY FRANCES STREHLE,

Defendant.

\* \* \* \* \*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. 9708

\* \* \* \* \*

PLEAS

\* \* \* \* \*

THE STATE OF ALABAMA )  
BALDWIN COUNTY )

IN THE CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon Mary Frances Strehle, defendant, of Foley, Alabama, to be and appear before our Circuit Court, at the place of holding the same, within thirty (30) days from the service of this writ, to plead, answer or demur to the complaint of A. W. Todd, plaintiff.

Witness my hand and official seal this 22 day of February, 1971.

*Ernest B. Blackburn*  
Circuit Clerk

A. W. TODD, )  
PLAINTIFF )  
VS. )  
MARY FRANCES STREHLE, )  
DEFENDANT )

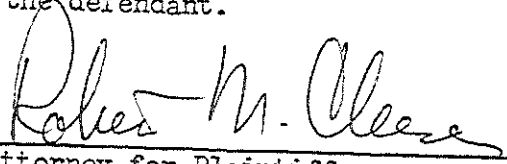
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA,  
CASE NO. 9718

COMPLAINT

1. The plaintiff claims of the defendant the sum of One Hundred Thousand Dollars, as damages, for that heretofore, on, to-wit, March 17, 1970, the plaintiff was a passenger in his automobile which was proceeding southerly on U. S. Highway 31 approximately one mile North of Spanish Fort, Alabama, and that then and there, the defendant, Mary Frances Strehle, did drive and operate her motor vehicle in a negligent manner so as to cause the same to run into, over, against or upon the motor vehicle in which the plaintiff was a passenger and as a proximate result and consequence of the negligent conduct of the defendant as aforesaid the plaintiff was injured in this: His automobile was bent, demolished, torn and rendered less valuable; the plaintiff was made sick, sore and lame and was bruised and contused; the plaintiff suffered a fracture of his right shoulder; he was caused to suffer and continues to suffer great physical and mental pain and anguish; he was bruised and contused about his face, body, arms and legs; he was caused to expend large sums for medical

treatment and medicines for the injuries he received as aforesaid; he was temporarily disabled; he was caused to be and he is permanently disabled. The plaintiff avers that all of his injuries and damages as aforesaid were the proximate result and consequence of the negligent conduct of the defendant.

2. The plaintiff claims of the defendant the sum of One Hundred Thousand Dollars, as damages, for that heretofore, on, to-wit, March 17, 1970, the plaintiff was a passenger in his automobile which was proceeding southerly on U. S. Highway 31 approximately one mile North of Spanish Fort, Alabama, and that then and there, the defendant, Mary Frances Strehle, did drive and operate her motor vehicle in a wanton manner so as to cause the same to run into, over, against or upon the motor vehicle in which the plaintiff was a passenger and as a proximate result and consequence of the wanton conduct of the defendant as aforesaid the plaintiff was injured in this: His automobile was bent, demolished, torn and rendered less valuable; the plaintiff was made sick, sore and lame and was bruised and contused; the plaintiff suffered a fracture of his right shoulder; he was caused to suffer and continues to suffer great physical and mental pain and anguish; he was bruised and contused about the face, body, arms and legs; he was caused to expend large sums for medical treatment and medicines for the injuries he received as aforesaid; he was temporarily disabled; he was caused to be and he is permanently disabled. The plaintiff avers that all of his injuries and damages were the proximate result and consequence of the wanton conduct of the defendant.

  
Attorney for Plaintiff

Plaintiff demands a trial by struck jury.

  
Attorney for Plaintiff

**FILED**

FEB 22 1971

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EUNICE B. BLACKMON CIRCUIT  
CLERK

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and consideration of the various sources of information.

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9708

A. W. Todd

Ms.

Mary Frances Strehle

Robert M. Chase

Sheriff claims: 172.00 miles at

Ten Cents per mile Total \$ 172.00

TAYLOR WILKINS, Sheriff

Deputy Sheriff

Received 20 day of 4 1917

and on 21 day of 4 1917

served a copy of the within

on Mary Frances Strehle

By service on 21 day of 4 1917

TAYLOR WILKINS, Sheriff  
By Robert M. Chase D.S.