

JOSEPH W. HAYLES and
RUBY HAYLES,

Plaintiffs,

vs.

BENEFICIAL STANDARD LIFE
INSURANCE COMPANY,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

#9792

DEMURRER

Comes now the Defendant in the above styled cause, by
and through their attorneys of record, and demurs to the Complaint
heretofore filed against it, and for grounds thereof assigns the
following:

1. That the Complaint fails to state a cause of
action.

Respectfully submitted,

CHASON, STONE & CHASON

BY

Richard E Ball

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 Aug 1971
Richard E Ball

FILED

AUG 12 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

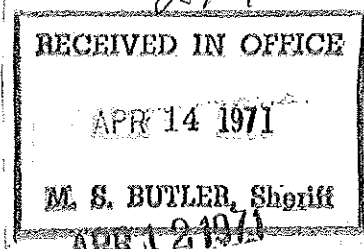
TO ANY SHERIFF OF THE STATE OF ALABAMA:

WITNESS my hand this 9th day of April, 1971.

* * * * *

FILED

Attorney for Plaintiffs



TAYLOR WALKINS
SHERIFF

Executed by serving 2 copies of
the within on John Beckett
Superintendent
of Insurance, State of Alabama
This The 14 day of Sept 19 71
Sheriff of Montgomery County
M. S. Butler,
By W. L. Moore D. S.

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving 1 process(es) and \$1.00
travel expense on each of
process(es), or a total of \$2.50

W. L. Moore Deputy Sheriff

9792

Joseph W. Hayles +
Ruby Hayles *

vs
Beneficial Standard
Life & Ins. Co. *

FILED *

APR 9 1971 *

EUNICE B. BLACKMON CIRCUIT
CLERK *

J. R. Owens *

JOSEPH W. HAYLES and
RUBY HAYLES,

Plaintiffs,

vs.

BENEFICIAL STANDARD LIFE
INSURANCE COMPANY,

Defendant.

X

X

X

X

X

X

X

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

PLEAS

Comes now the Defendant in the above styled cause,
by its attorneys, and for answer to the Complaint heretofore
filed against it says as follows:

1. The allegations of the Complaint are untrue.
2. There was a material misrepresentation of facts
in the application for the issuance of the policy which is the
subject matter of this suit in that the applicant, Joseph W.
Hayles, failed to reveal in said application in response to the
questions contained therein that the Plaintiff, Ruby Hayles, had
been hospitalized in April, 1969 for arthritis, urinary tract
disorders and chronic lung problems, and the Defendant, if it had
known of the existence of such facts, would not have issued its
policy covering the said Ruby Hayles. That the Defendant has
heretofore tendered to the Plaintiffs the premiums attributable
to coverage under said policy of the said Ruby Hayles; wherefore,
the Plaintiffs should not recover.

Filed: March 14, 1972.

Jeffery M. Chason
Judge

Respectfully submitted,

CHASON, STONE & CHASON

BY:

[Signature]
Attorneys for Defendant

STATE OF ALABAMA
DEPARTMENT OF INSURANCE

I, the undersigned as Superintendent of Insurance for the State of Alabama, hereby certify that on the 16th day of April, 1971, I sent by registered mail in an envelope as follows:

Beneficial Standard Life Insurance Company
3700 Wilshire Blvd.
Los Angeles, California 90005

REGISTERED MAIL
RETURN RECEIPT REQUESTED

bearing sufficient prepaid postage, a copy of a summons and complaint served upon me by the Sheriff of Montgomery County, Alabama, in a cause styled as follows:

Joseph W. Hayles and Ruby Hayles, Plaintiff

VERSUS

in the Circuit Court of Baldwin County

Beneficial Standard Life Insurance Co., Defendant

(Name of Court)

And that on the 27th day of April, 1971, I received the return card showing receipt by the designated addressee of said envelope on the 21st day of April, 1971.

Witness my hand and official seal this the 27th day of April, 1971.

FILED

APR 28 1971

EUNICE B. BLACKMON
CIRCUIT CLERK

John D. Bookout
SUPERINTENDENT OF INSURANCE

9792