

FRIENDLY FORD, INC.,  
a corporation,

Plaintiff,

VS.

JOHN SMEE,

Defendant.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA

AT LAW

CASE NO. 9976

INTERROGATORIES TO THE PLAINTIFF

Comes now each of the following defendants, separately and severally, JOHN SMEE a/k/a JOHN SNEE and, desiring the testimony of the plaintiff, propounds to the plaintiff the following interrogatories, as is provided under Section 477, et seq., of Title 7 of the CODE OF ALABAMA of 1940, to-wit:

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

2. State the name and address of your employer at the time of the occurrence made the basis of this suit and the type of work you were doing. (a) State your average weekly earnings at the time of said occurrence. (b) State the number of days and the dates of the days you actually lost from work as a result of the injuries you allege you received. (c) State whether or not you continued to receive wages from your said employer during the period of your disability as a result of the occurrence made the basis of this suit. (d) State the amount lost in wages by you as a result of said occurrence. (e) Give the name and address of your present employer and the type of work you are doing. (f) State the amount of your present average weekly earnings. (g) Give the name and address of each and every other person by whom you have been employed since the date of the occurrence made the basis of this suit and your average weekly wage in each employment. (h) How much gross earnings from your employment did you report to the

Collector of Internal Revenue for income tax purposes for the calendar year immediately prior to the year of said occurrence?

(i) How much gross earnings from your employment did you report to the Collector of Internal Revenue for income tax purposes for the calendar year during which said occurrence happened? (j) How much gross earnings from your employment did you report to the Collector of Internal Revenue for income tax purposes for the calendar year next subsequent to the year of said occurrence.

3. Describe each and every injury received by you in the occurrence made the basis of this suit. (a) Describe and locate each and every laceration or cut you sustained in said occurrence. (b) Describe and locate each and every bruise, sprain, strain or contusion you sustained in said occurrence. (c) Describe and locate each and every fracture or dislocation suffered by you in said occurrence. (d) Specify which, if any, of said injuries are permanent in nature, and state the manner and degree in which each said injury disables you. (e) Specify and describe in detail any and all other ailments resulting from said occurrence which have not already been enumerated by you, and state how and to what degree said condition manifests itself.

4. Give the name and address of each and every doctor, if any, who has attended you for the injuries you allege to have received in the occurrence made the basis of this suit. (a) Give the dates of treatment or examination of you by each and every said doctor, respectively. (b) What was your condition with reference to said injuries and ailments when you were first attended by each of said doctors, separately and severally? (c) What was your condition with reference to said injuries and ailments when you were last attended by each of said doctors, separately and severally, and relate in substance what transpired at said time between you and each of said doctors, and include the substance of said doctor's instructions to you with reference to further treatment. (e) State the amount of the bill, separately

and severally, of each respective doctor for the treatment rendered you or services performed for you, resulting from the occurrence made the basis of this suit. (f) State which of said doctors, separately, have been paid, and, if so, by whom, (g) State whether you had any form of medical insurance or other protection which took care of said doctors' bills, and, if so, to what extent? (h) Were you referred to any of the doctors heretofore mentioned by you in your answers to these interrogatories by the attorney or attorneys who represent you and, if so, state the name or names of such doctors. (i) Did any of the doctors heretofore mentioned by you refer you to the attorney or attorneys who represent you and, if so, state which of said doctors did so.

5. State whether or not you were hospitalized as a result of the occurrence made the basis of this suit. (a) If so, give the name and address of said hospital where you were confined. (b) Give the dates of your confinement. (c) State the amount of the hospital bill incurred for your confinement. (d) State whether or not any portion of said bill was taken care of by hospitalization insurance or by any other form of protection, and, if so, what portion? (e) State who paid or became obligated to pay said hospital bill or portion thereof.

6. State whether or not any X-rays were taken of you as a result of the occurrence made the basis of this suit. (a) Give the name and address of every radiologist who took said X-rays or who supervised their taking and state when all said X-rays, respectively, were taken. (b) State each X-ray reading or your understanding of what each of the X-rays revealed, respectively. (c) Give the amount of each said X-ray bill, and state by whom each was paid.

7. State whether or not special nurses, registered nurses or practical nurses attended you in the treatment of the injuries you allege you received in the occurrence made the basis of this suit. (a) If so, give the name and address of each. (b) Give the dates you were attended by each of said nurses, separately and severally, and state whether they were special nurses, registered nurses or practical nurses. (c) Give the amount of each of said nurse's bill, separately and severally, (d) State

who paid said bills, and also whether your said expenses were taken care of by any form of medical insurance or protection.

8. State whether or not you incurred any ambulance bills, drug expense or miscellaneous expense of any nature whatsoever not already enumerated as a result of the occurrence made the basis of this suit. (a) Describe each of said expenses, separately and severally, stating the amount of each. (b) By whom were each of said expenses paid?

9. State how long you were confined to bed at home after, and as the result of, the occurrence made the basis of this suit, if you were so confined, and state the dates of said confinement. (a) State how many days elapsed from the date of said occurrence until you were able to be out of bed and up and about your home. (b) State how many days elapsed from the date of the occurrence until you were able to leave your home and come to town or go other places. (c) State the number of days which elapsed from the date of said occurrence before you were able to resume your normal activities.

10. State whether or not, prior to the occurrence made the basis of this suit, you were ever at any time injured in any manner whatsoever to any extent. (a) If you were injured prior to the occurrence made the basis of this suit in any manner, please describe in detail how you were injured, giving the date of each such injury and the extent of each such injury. (b) Have you sustained any injuries of any nature whatsoever subsequently to the occurrence made the basis of this suit? (c) If so, describe the same fully and in detail. (d) Have you ever made claim or filed suit for any injury or damage arising out of any occurrence prior to the accident made the basis of this suit? (e) If so, state where each such occurrence happened, against whom each such claim was made and the outcome of each. (f) Give the name and address of each and every doctor who has treated or examined you during the five years next preceding the date of the occurrence made the basis of this suit. (g) Describe the condition for which you were so treated or examined.

11. Describe completely and in detail the vehicle involved in, and occupied, driven by or owned by you on the occasion of

the accident made the basis of this suit, stating in your answer the make, year, model and body style of the same. (a) State the name and address of the owner of said motor vehicle on the date of said accident. (b) State the name and address of the driver of said vehicle on said occasion. (c) State by whom said motor vehicle had been purchased prior to said accident, and give the date of the purchase. (d) How much was paid for said motor vehicle at the time of said purchase? (e) Give the name and address of any other person who had any interest of any nature whatsoever in said motor vehicle at the time of said accident and describe that interest.

12. Describe completely and in detail every item of damage sustained by said motor vehicle on the occasion of said accident. State in your opinion the fair reasonable market value of said motor vehicle immediately prior to said accident and also immediately after said accident, before it was repaired. (a) Give the amount of each repair estimate obtained as to said damage, and give the name and address of the person or company making said repair estimate. (b) State whether or not any of said damage was repaired, and, if so, give the amount of the repair bill and the name and address of the person, firm or corporation that made said repairs. (c) State who paid for said repairs. (d) State how long the motor vehicle was in the repair shop. (e) State whether or not you have made any sworn statement as to the amount of damage to said motor vehicle. (f) If so, give the name and address of the person or company to whom said sworn statement was made, when it was made and the amount that was stated in same. (g) State whether or not said motor vehicle has been sold subsequently to the date of the accident made the basis of this suit, and, if so, for what amount, and state the name and address of the person, firm or corporation to which said vehicle was sold. (h) Give the mileage reading of said motor vehicle at the time of the accident made the basis of this suit. (i) Give the mileage reading of said motor vehicle at the time of answering these interrogatories. (j) Describe the condition of the brakes, signal device, steering apparatus, tires and lighting equipment

on said motor vehicle, separately, at the time of the accident made the basis of this suit. (k) When had the brakes, signal device, steering apparatus, lights and tires on said motor vehicle, separately, last been inspected prior to said accident, and by whom?

13. State the number of persons occupying the motor vehicle in or on which you also were riding or which you were driving at the time of the accident made the basis of this suit, and state specifically how and in what manner said occupants were located in or on said vehicle on said occasion. Give their names and addresses. (a) State fully the purpose of the trip you were making at the time of the accident made the basis of this suit. (b) From what point had you departed? (c) What was your destination? (d) Were you performing a mission, errand or duty for anybody whomsoever? If so, state the nature of same and the name and address of the person or company for whom you were performing it. (e) Give the name and address of each and every company or person who had any interest whatsoever in the trip you were making at said time, the nature of said interest and the connection of said company or person with the trip. (f) If you were not an occupant of the vehicle involved in said accident, but owned it, state the purpose of trip on which it was engaged and whether same was in connection with your business or for your benefit.

14. Prepare and attach to your answers to these interrogatories a sketch portraying the scene of the accident and the physical objects involved in the accident made the basis of this suit, and designate on said sketch, giving your best judgment as to distances, the following: (a) The point of impact and skid marks leading up to and from same. (b) The resting places of the vehicles and of any pedestrian after the accident. (c) Where you were located when you first saw the defendant's vehicle or other vehicle involved in the accident. (d) Where the defendant's or other vehicle was located when first seen by you. (e) The placement of any other vehicles or physical objects which had anything to do with said accident.

15. State whether or not the accident made the basis of

this suit occurred at an intersection of streets or avenues, and, if so, then state: (a) At what intersection of streets or avenues said accident occurred. (b) Whether any buildings or objects were then located within any of the four corners of the intersection which would obscure the vision of any person approaching the intersection. (c) State how far you, in your judgment, could then see to the left and right on each of the streets entering the intersection and down each of the intersecting streets when you approached a point 50 feet from said intersection immediately prior to said accident. (d) Describe the locus of said accident with reference to the contour of the land, the grade or curve of the road, highway or intersection and any physical structures located within 200 feet of the place of the accident. (e) Describe any traffic controls located at the scene of the accident and the operation of same, stating the directions in which said traffic signals or controls faced.

16. State where the motor vehicle allegedly operated by or on behalf of the defendant (hereinafter sometimes called defendant motor vehicle) was located with reference to the point of impact in the accident made the basis of this suit when you first observed same immediately prior to said accident. (a) Did you see the defendant's motor vehicle before the actual collision? (b) How many feet was the defendant's motor vehicle from the place of the impact when you first observed same? (c) How many feet were you from the place of impact when you first observed the defendant's motor vehicle? (d) Where was the defendant's motor vehicle with reference to the intersection when you first entered same? (f) Describe the condition of all automatic traffic signal lights located in the intersection at the time each of said motor vehicles entered same on the occasion of the accident made the basis of this suit, stating the condition, if you know, of the color of the light which was facing the approaching driver. (g) Where did the impact occur with reference to the center line of the street on which defendant's motor vehicle was traveling? (h) Where did the

impact occur with reference to the right edge of the street on which defendant's motor vehicle was traveling? (i) How far distant were you from the nearest intersection when the impact occurred?

17. State specifically and in detail exactly how the accident made the basis of this suit occurred and describe chronologically the events that occurred leading up to the same as seen by you. (a) If you were a passenger in a vehicle involved in this accident, describe each and everything done by the operator of the said vehicle in which you were riding to avoid said accident. (b) Describe each and everything which the driver of the defendant's motor vehicle failed to do to avoid said accident. (c) Describe each and everything done by the driver of defendant's motor vehicle immediately prior to and at the time of said accident. (d) State each and everything done by you immediately prior to said accident.

18. State whether or not any of the operators of any of the vehicles involved in the accident made the basis of this suit were intoxicated, in your opinion, or were drinking intoxicating beverages at the time of said accident. (a) Give the name and address of each of said operators who was drinking or who was intoxicated. (b) State what each of said persons was or had been drinking, where he or she had obtained same, the quantity or amount consumed and the time and place where same was drunk. (c) If you were an occupant of a vehicle involved in the accident made the basis of this suit, state whether either you or the driver of the vehicle (if different persons) in which you were riding pleaded guilty to a charge of reckless driving or of driving while intoxicated arising from said accident. If so, when and in what court was this done.

19. State, according to your best judgment, the speed of the defendant's motor vehicle at the following points: (a) When you first observed same prior to the accident made the basis of this suit. (b) At a point 300 feet from the place where the impact occurred. (c) At a point 200 feet from the place where the impact occurred. (d) At a point 100 feet from the place where impact occurred. (e) At a point 50 feet from the place where the impact occurred. At a point 25 feet from the place



where the impact occurred. (g) At a point 10 feet from the place where the impact occurred. (h) At the time of impact. (i) Immediately after the impact.

20. State in what direction and along what street or highway each of the motor vehicles involved in the accident made the basis of this suit was traveling on the occasion of said accident.

(a) State in your best judgment, in number of feet, the width of each of said streets or highways. (b) If any of the vehicles involved in the accident made the basis of this suit was engaged in making a turn from a direct line of travel, describe same, and the course followed with reference to the center of the intersection and also the four corners of same and with reference to the center line of the street, avenue, or highway on which said motor vehicle had been traveling prior to said turn. (c) If you were a passenger, then state at what point had the motor vehicle in which you were riding entered the street upon which you were traveling at the time of the said accident? (d) If you were a pedestrian, state from which corner you had started to cross the street, or if you were crossing at a point not in a cross-walk, state from where you had started. (e) If you were a pedestrian, describe each and every precaution taken by you, if any, before attempting to cross the street. (f) If you were a pedestrian, state whether you were crossing the street at a point between intersections.

21. state fully, specifically and in detail each and every act or thing done by the operator of the vehicle occupied or driven by you at the time of the accident made the basis of this suit during the last 100 feet of said vehicle's approach to the point of said collision, stating in your answer the chronological order in which said operator did each of said acts or things. (a) Describe each change in the course of travel made by the defendant's motor vehicle in which you were immediately prior to said accident.

22. State whether or not the brakes on the vehicle occupied by you or driven by you at the time of said accident were applied prior to the collision. (a) If so, state in your best judgment

the speed in miles per hour said vehicle was traveling at the moment the brakes were applied. (b) State in your best judgment the distance in number of feet said vehicle traveled from the moment the brakes were applied until said collision occurred. (c) State in your best judgment the distance in number of feet said vehicle traveled from the moment the brakes were applied until it came to a stop after the occurrence of the accident made the basis of this suit.

23. State specifically that portion of the vehicles involved in the accident made the basis of this suit first came in contact with each other. (a) Describe the portions which next came in contact after the initial impact. (b) If you were a pedestrian, describe what portion of the defendant's vehicle struck you and where on your body you were struck.

24. State in your best judgment the distance of each of the vehicles involved in the accident made the basis of this suit traveled on said occasion from the moment of the collision to the point where each of said vehicles first came to a stop immediately thereafter. (a) In what direction did each of said motor vehicles move from the point of said collision until they came to a complete stop? (b) Describe each and every skid mark which led up to the point of collision. (c) Describe each and every skid mark which extended from the point of the collision toward the place where either or both of the motor vehicles involved in the accident came to rest. (d) Locate the point where each motor vehicle came to rest with reference to the point of the impact, the center of the intersection, the four corners of same and the right edge of the street on which it had been traveling.

25. State the speed of the motor vehicle which you were driving or in which you were riding, according to your best judgment, at the following points: (a) when you were within a distance of 300 feet from the point of impact in the accident made the basis of this suit. (b) When you were 200 feet from the point of impact. (c)

When you were 100 feet from the point of impact. (d) When you were 50 feet from the point of impact. (e) When you were 25 feet from the point of impact. (f) When you were 10 feet from the point of impact. (g) At the time of said impact. (h) When you first observed the other vehicle involved in said accident.

26. State whether any horn was sounded or any other signal was given as a warning by the operator of any of the vehicles involved in the accident made the basis of this suit prior to the time of the collision. (a) If so, describe each of said signals given by each respective driver specifically and in detail. (b) State how far distant from the point of collision each vehicle was located at the time each said signal was given, respectively. (c) If any signals for stopping or turning were given by any driver immediately prior to said collision, describe same, and state how far distant from the point of impact each said signal was given by each driver, respectively.

27. State whether or not there were any other vehicles at or near the scene of the accident at the time of and immediately prior to the occurrence of same. (a) If so, state the number of such other vehicles and where they were located with reference to the point of the accident at the moment same occurred. (b) State whether or not any of the other vehicles located at or near the scene of the accident played any part, or contributed in any manner, to cause the collision made the basis of this suit. (c) Give the name and address of each driver and owner of each of said vehicles, as fully as you can.

28. Did you make any statement or statements concerning said accident in the presence of the operator of any of the vehicles involved in the collision made the basis of this suit following the occurrence of same? (a) If so, state when, where and what, in substance, was said by you. (b) Did the driver of the defendant's motor vehicle make any statement in your presence concerning the accident following the occurrence of the accident, and if so, state when, where and what, in substance, was said by said driver. (c) Did the operator of the vehicle in which you were riding at the time of said occurrence make any statement concerning the accident following the same? (d) If so, state when, where and what, in substance, was said. (e) Give the name and address of each and every person who was present when any and all of said statements, respectively, were made either by you, the driver of the vehicle in which you were riding or by

the driver of the defendant's motor vehicle following the occurrence of the accident made the basis of this suit, and further identify each such person as to what statement was made in his or her presence

BROWN, HUDGENS, FULFORD,  
SINTZ & RICHARDSON  
Attorneys for Defendant

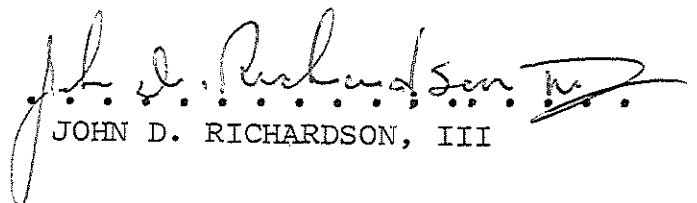
BY:

  
JOHN D. RICHARDSON, III

STATE OF ALABAMA )

COUNTY OF MOBILE )

Before me, the undersigned authority in and for said County in said state, this day personally appeared JOHN D. RICHARDSON, III who is known to me, and who, being by me first duly sworn, upon oath deposes and says that he is one of the attorneys for said specified defendant in the above entitled causes, and as such is authorized to make this affidavit; that the answers of the plaintiff to the foregoing interrogatories, when well and truly made and filed, will be material testimony for said defendant on the trial of this cause.

  
JOHN D. RICHARDSON, III

Sworn to and subscribed before me on  
this...6th....day of ...January,  
1972.....

  
NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE

PLAINTIFF MAY BE SERVED:

BY SERVICE UPON ATTORNEY OF RECORD,  
WILSON HAYES  
POST OFFICE BOX 300  
BAY MINETTE, ALABAMA 36507

**FILED**

JAN 7 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

*Serve accepted the 7<sup>th</sup> day  
of January, 1972*

*W H Hayes*

BROWN, HUDGENS, FULFORD, SINTZ & RICHARDSON  
ATTORNEYS AT LAW

SUITE 210 VAN ANTWERP BUILDING

MOBILE, ALABAMA

36602

ALTON R. BROWN, JR.  
A. NEIL HUDGENS  
JAMES E. FULFORD  
PETER V. SINTZ  
JOHN D. RICHARDSON, III  
J. GEORGE WHITFIELD, JR.  
CLAUDE D. HARRELL

AREA CODE 205  
432-2792

January 6, 1972

*W. Hayes*

Mrs. Eunice Blackmon, Clerk  
Circuit Court  
Baldwin County Court House  
Bay Minette, Alabama 36507

Re: Friendly Ford, Inc. vs. John Smee  
Case No. 9976

Dear Mrs. Blackmon:

Please file the enclosed interrogatories and have them served  
upon the Plaintiff's attorney at your convenience.

Your attention in this matter is appreciated.

Sincerely yours,

*J. D. R.*  
For the Firm

J  
D  
R  
/  
ame

Enclosures

August 17, 1971

FRIENDLY FORD, INC., A CORPORATION,  
Plaintiff

VS

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA, AT LAW

JOHN SMEE, Defendant

CASE NO. 9976

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on August 9, 1971  
I sent by certified mail in an envelope addressed as follows:

" John Smees  
265 Sherwood Boulevard  
Baton Rouge, Louisiana 70805 "

"Certified Mail—  
Return Receipt Requested  
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

" John Smees  
265 Sherwood Boulevard  
Baton Rouge, Louisiana 70805

You will take notice that on August 9, 1971 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, summons and complaint in a case entitled: FRIENDLY FORD, INC., A CORPORATION, Plaintiff VS. JOHN SMEE, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW  
Case No. 9976 a true copy of which summons and complaint is attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 9th day of August, 1971.

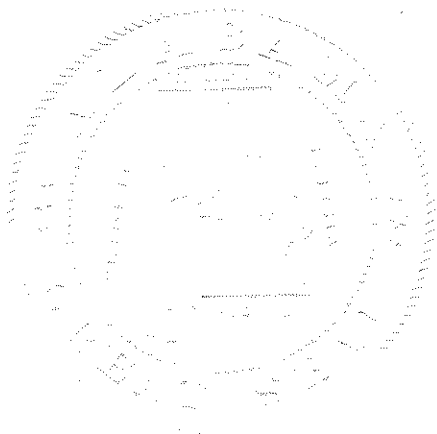
Enclosure (1)

S.  
(Signed) Mabel/Amos  
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the summons and complaint in the above-styled cause.

I further certify that on August 16, 1971 I received the return card, showing receipt by the designated addressee of the aforementioned matter at Baton Rouge, La. on August 12, 1971

WITNESS MY HAND and the Great Seal of the State of Alabama this the 17th day of August, 1971.



*Mabel S. Amos*  
MABEL S. AMOS  
Secretary of State

Enclosures: Return Receipt Card and copy  
of Summons and Complaint.

CC: Honorable A. W. Hayes  
P. O. Box 300  
Bay Minette, Alabama 36507

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John Smee 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 Friendly Ford, Inc., a Corporation.

Witness my hand this the 5<sup>th</sup> day of Aug, 1971.

Defendant may be served:

265 Sherwood Blvd.  
Baton Rouge, La.

Eunice B. Blackmon  
Clerk

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FRIENDLY FORD, INC.,  
A Corporation,

I IN THE CIRCUIT COURT OF

Plaintiff,

I BALDWIN COUNTY, ALABAMA

Vs.

I AT LAW

JOHN SMEE,

I

Defendant.

I NUMBER: 9976

I

The Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1,000) for that on to-wit the 19th day of August, 1970 at a point on the West Gulf Beach Road in Gulf Shores, Alabama, approximately two miles West of the East margin of Gulf Shores State Park, Defendant so negligently operated an automobile as to cause or allow it to run into, over or against the automobile of Plaintiff and as a proximate result of the said negligence of Defendant Plaintiff's automobile was bent and broken about the rear, fenders, body, frame and bumper, hence this suit.

Wilson Hayes  
Attorney for Plaintiff  
Wilson Hayes  
P. O. Box 300  
Bay Minette, Alabama 36507  
Telephone #937-5506

FILED

AUG 5 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK



FRIENDLY FORD, INC.,  
A Corporation,

Plaintiff,

Vs.

JOHN SMEE,

Defendant.

I

IN THE CIRCUIT COURT OF

I

BALDWIN COUNTY, ALABAMA

I

AT LAW

I

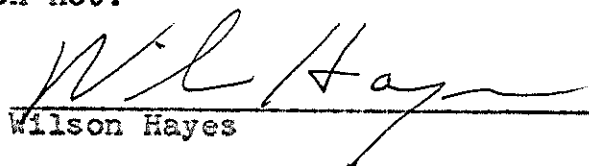
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NUMBER: \_\_\_\_\_

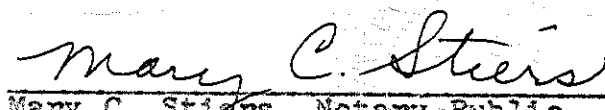
Before me, Mary C. Stiers, a Notary Public in and for  
said County in said State, personally appeared Wilson Hayes,  
who being known to me deposes and says:

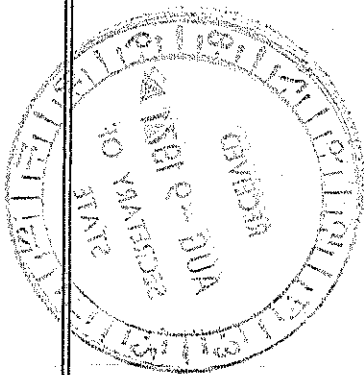
Being informed, I verily believe that the Defendant  
in the above styled cause is not a resident of the  
State of Alabama but that he resides in the State  
of Louisiana and that his address is 265 Sherwood  
Blvd., Baton Rouge, Louisiana.

Further deponent saith not.

  
Wilson Hayes

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

  
Mary C. Stiers, Notary Public  
Baldwin County, Alabama



FRIENDLY FORD, INC.,  
a corporation,

Plaintiff,

VS.

JOHN SMEE,

Defendant.

: IN THE CIRCUIT COURT  
:  
: OF BALDWIN COUNTY,  
:  
: ALABAMA  
:  
: AT LAW

:  
CASE NO. 9976

D E M U R R E R

Comes now the Defendant, JOHN SMEE a/k/a JOHN SNEE in the above styled cause and demurs to the Plaintiff's complaint and each and every count thereof, separately and severally, and for grounds of said demurrer, saith the following, separately and severally, to-wit:

1. For said count does not state a cause of action against the Defendant.
2. For aught appearing, the averred negligence did not occur on a public highway.
3. For aught appearing, this Defendant has not breached any legal duty owing to the Plaintiff at the time and place alleged in said count.
4. For that said count is so vague and indefinite that the Defendant is not properly apprised of what he is called upon to defend against in said count.
5. For there is insufficient facts averred to show proximate causation between the averred negligence and the damages complained of in said count.
6. For aught appearing, there is no claim for damages in said count.

BROWN, HUDGENS, FULFORD,  
SINTZ & RICHARDSON  
Attorneys for Defendant

BY: 

JOHN D. RICHARDSON, III

Defendant respectfully demands trial by jury

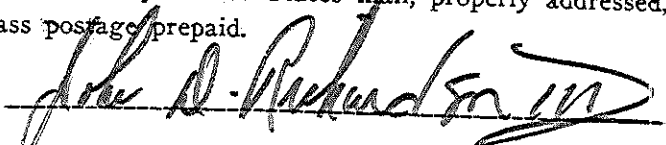
  
JOHN D. RICHARDSON, III

**FILED**

SEP 3 1971

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 1st  
day of September, 19 71, served a copy of the  
foregoing pleading on counsel for all parties to this proceeding  
by mailing the same by United States mail, properly addressed,  
and first class postage prepaid.



VOL 69 PAGE 490

EUNICE B. BLACKMON CIRCUIT CLERK

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John Smee 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 Friendly Ford, Inc., a Corporation.

Witness my hand this the 5<sup>th</sup> day of Aug., 1971.

Defendant may be served:

265 Sherwood Blvd.  
Baton Rouge, La.

Eunice B. Blackmon  
Clerk

\*\*\*\*\*

FRIENDLY FORD, INC.,  
A Corporation,

Ø IN THE CIRCUIT COURT OF

Plaintiff,

Ø BALDWIN COUNTY, ALABAMA

Vs.

Ø AT LAW

JOHN SMEE,

Ø

Defendant.

Ø

NUMBER: 9976

I

The Plaintiff claims of the Defendant the sum of One Thousand Dollars (\$1,000) for that on to-wit the 19th day of August, 1970 at a point on the West Gulf Beach Road in Gulf Shores, Alabama, approximately two miles West of the East margin of Gulf Shores State Park, Defendant so negligently operated an automobile as to cause or allow it to run into, over or against the automobile of Plaintiff and as a proximate result of the said negligence of Defendant Plaintiff's automobile was bent and broken about the rear, fenders, body, frame and bumper, hence this suit.

W. L. Hayes  
Attorney for Plaintiff  
Wilson Hayes  
P. O. Box 300  
Bay Minette, Alabama 36507  
Telephone #937-5506

FILED

AUG 5 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

FVOL

69 PAGE 486

FRIENDLY FORD, INC.,  
A Corporation,

Plaintiff,

Vs.

JOHN SMEE,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NUMBER: 9976

Before me, Mary C. Stiers, a Notary Public in and for  
said County in said State, personally appeared Wilson Hayes,  
who being known to me deposes and says:

Being informed, I verily believe that the Defendant  
in the above styled cause is not a resident of the  
State of Alabama but that he resides in the State  
of Louisiana and that his address is 265 Sherwood  
Blvd., Baton Rouge, Louisiana.

Further deponent saith not.

Wilson Hayes  
Wilson Hayes

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

Mary C. Stiers  
Mary C. Stiers, Notary Public  
Baldwin County, Alabama

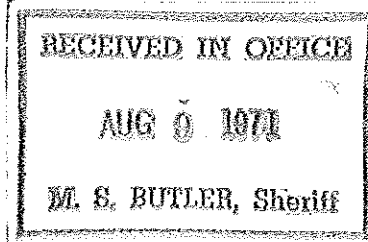
FILED

AUG 5 1971

Case 9976

1497

Friendly Ford Inc Corp.  
vs  
John Smee



Executed by serving 2 copies of  
the within on Mable Amos  
Secretary of State of The State of  
Alabama.  
This the 9 day of Aug 1971  
Sheriff of Montgomery County  
M. S. Butler,  
BY W. L. Moss 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 1  
process(es) or a total of \$2.50

Wilson Hayes

1 VOL

69

PAGE

188 Moss

Deputy Sheriff



WILSON HAYES

LAWYER

P. O. BOX 300

BAY MINETTE, ALABAMA

36507

TELEPHONE 937-5506

January 11, 1972

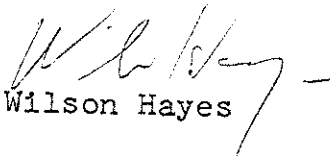
Mrs. Eunice B. Blackmon, Clerk  
Circuit Court, Baldwin County  
Bay Minette, Alabama 36507

Dear Eunice:

Please file the enclosed Motion to Strike  
Interrogatories in the case of Friendly Ford, Inc.  
Vs. John Smee, Case #9976.

With kind regards, I am

Yours very truly,

  
Wilson Hayes

mm  
Enc.

FRIENDLY FORD, INC.,  
a Corporation,

Plaintiff,

Vs.

JOHN SMEE,

Defendant.

Ø

IN THE CIRCUIT COURT OF

Ø

BALDWIN COUNTY, ALABAMA

Ø

AT LAW

Ø

Ø

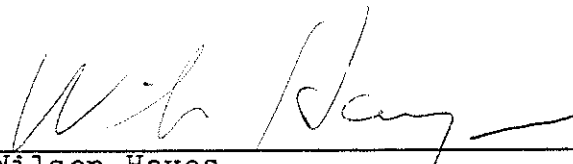
NUMBER: 9976

MOTION TO STRIKE INTERROGATORIES

Comes now Plaintiff in the above styled cause by its Attorney, Wilson Hayes, and moves the Court to strike the Interrogatories heretofore filed by Defendant to Plaintiff and says:

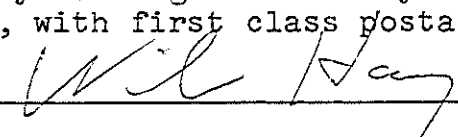
1. The interrogatories are immaterial and call for immaterial information.
2. The interrogatories are not intended for discovery in the case at Bar.
3. The interrogatories are excessively broad.
4. The interrogatories are excessively prolix.
5. The interrogatories are an abuse of the discovery process and are to cause difficulty for Plaintiff.
6. The interrogatories have no special relationship to the lawsuit now at hand.
7. The interrogatories are unnecessarily repetitious.
8. The interrogatories are "form" interrogatories not intended for use in this cause.

Respectfully moved.

  
Wilson Hayes  
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 11<sup>th</sup> day of Jan, 1972, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States Mail, properly addressed, with first class postage prepaid.



**FILED**

JAN 13 1972

EUNICE B. BLACKMON CIRCUIT CLERK



FRIENDLY FORD, INC. VS JOHN SMEE (9976)

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).  
REQUIRED FEE(S) PAID.

☐

Show to whom, date and address  
where delivered

☒

Deliver ONLY  
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

52786

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

INSURED NO.

Deliver to addressee only

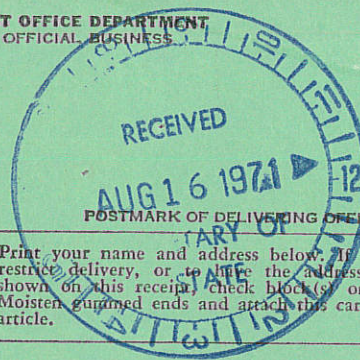
DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

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Print your name and address below. If you want to restrict delivery, or to change the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

SECRETARY OF STATE

MONTGOMERY, ALABAMA 36104