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FROM

Circuit Clerk
Baldwin County Courthouse
Bay Minette, Alabama

PERLOFF, REID & BRISKMAN

Attorneys at Law

257 ST. ANTHONY STREET

MOBILE, ALABAMA 36603 • TELEPHONE 433-5412

SUBJECT: Rose Marie Busby vs. Huey Gene Bryant, George Purvey Thames, et al

FOLD HERE

DATE

9/30/71

MESSAGE

Please file the attached law suit and notify me of the date of service on the defendants.

Thank you!

10,053

DATE

SIGNED

J. Dwight Reid

REPLY

SIGNED

LETTER-LIMINATOR

RECIPIENT: RETAIN WHITE COPY, RETURN PINK COPY

ROSE MARIE BUSBY, (IN THE CIRCUIT COURT OF
Plaintiff, (BALDWIN COUNTY, ALABAMA,
vs. (AT LAW
HUEY GENE BRYANT, GEORGE ((
PURVEY THAMES individually (
and d/b/a PURVEY'S AMBULANCE, (
XYZ CORPORATION, and JOHN (
DOE AND RICHARD ROE, jointly (
and severally, (
Defendants. (CASE NO. 10,053


COUNT ONE

Plaintiff claims of the defendant the sum of TEN THOUSAND & no/100 (\$10,000.00) DOLLARS as damages for that she avers that on to-wit: May 8, 1971, Huey Gene Bryant, the agent, servant or employee of George Purvey Thames doing business as Purvey's Ambulance, in charge or control of the operation of an ambulance on Alabama 16, a public highway near the City of Robertsdale, County of Baldwin, State of Alabama, while acting within the line and scope of his employment as such agent, servant or employee, negligently ran said ambulance upon or against an automobile which plaintiff was driving at or near the intersection of said Alabama 16 and Hinote Road, another public street in Baldwin County, Alabama, and by reason thereof and as the proximate result and consequence thereof, plaintiff received personal injuries in this, to-wit: she was bruised and contused; her head and forehead were lacerated and bruised; her right arm was strained and twisted; her hip was bruised; she was rendered sore and lame; she lost time from work, from which injuries she suffered and continues to suffer great mental and physical pain; plaintiff further alleges that her automobile was bent and broken and rendered totally useless, for all of which she claims damages as aforesaid.

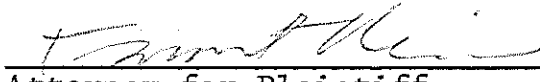
COUNT TWO

Plaintiff claims of the defendants the sum of TEN THOUSAND & no/100 (\$10,000.00) DOLLARS as damages for that she avers that on, to-wit: May 8, 1971, Huey Gene Bryant, the agent, servant or employee of George Purvey Thames doing business as Purvey's Ambulance, in charge or control of the operation of an ambulance on Alabama 16, a public highway in Baldwin County, Alabama, while acting within the line or scope of his employment as such agent, servant or employee, willfully or wantonly injured plaintiff by willfully or wantonly running said ambulance upon or against an automobile which plaintiff was operating at or near the intersection of Alabama 16 and Hinote Road, another public street in Baldwin County, Alabama, and by reason thereof and as the proximate result and consequence thereof, plaintiff received personal injuries in this, to-wit: she was bruised and contused; her head and forehead were lacerated and bruised; her right arm was strained and twisted; her hip was bruised; she was rendered sore and lame; she lost time from work, from which injuries she suffered and continues to suffer great mental and physical pain; plaintiff further alleges that her automobile was bent and broken and rendered totally useless, for all of which she claims damages as aforesaid.

PERLOFF, REID & BRISKMAN


Attorneys for Plaintiff

Plaintiff respectfully demands a trial by jury in this cause.


Attorney for Plaintiff

Defendants may be served:

Robertsdale, Alabama

FILED

OCT 1 1971

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,053

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Huey Gene Bryant, George Purvey Thames, individually
and d/b/a Purvey's Ambulance XYZ Corp. & John Doe & Richard Roe, jointly &
severally,

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 Hey Gene Bryant,
corp. & John Doe & Richard Roe,
George Purvey Thames, individually & d/b/a Purvey's Ambulance XYZ, Defendant.....

by

Rose Marie Busby, Plaintiff.....

Witness my hand this 1st day of Oct, 1971

Eunice B. Blackmon, Clerk

2410-7-71

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ROSE MARIE BUSBY

Plaintiffs

vs.

HUEY GENE BRYANT, GEORGE P. THAMES,
ind. & d/ba Purvey's Ambulance, XYZ
Defendants
Corp. & John Doe & Richard Roe,

SUMMONS AND COMPLAINT

FiledOct. 1,..... 1971....

EUNICE B. BLACKMON Clerk

Perloff, Reid & Briskman

Plaintiff's Attorney

Defendant's Attorney

0614 1971

1971
OCT 4 1971
TAYLOR WILKINS
SHERIFF

RECEIVED IN OFFICE

Received In Office

19.....

Sheriff

I have executed this summons

this Oct 7 1971

by leaving a copy with

Geo P. Thames
Huey G. Bryant
Purvey's Ambulance - XYZ Corp.

Sheriff claims

15.00

Non-Conto-par-tye Total \$

15.00

TAYLOR WILKINS, Sheriff

BY

Brown
DEPUTY SHERIFF

Taylor Wilkins Sheriff

H. B. Brown Deputy Sheriff

some R. T.
R. Dal

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

30TH FLOOR-FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

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432-5511
AREA CODE 205

CHAS. C. HAND
C. S. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS O. GREAVES, JR.
WM. BREVARD HAND
VIVIAN O. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
DONALD F. PIERCE
LOUIS E. BRASWELL
HAROLD D. PARKMAN
G. PORTER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. MCDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, III
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHT
G. HAMP UZZELLE, III

October 26, 1971

Mrs. Eunice B. Blackmon
Circuit Clerk and Register
Circuit Court of Baldwin County
Bay Minette, Alabama

Re: Rose Marie Busby vs. Huey G.
Bryant and George Purvey Thames,
individually and d/b/a Purvey's
Ambulance, et al - Case No. 10,053
In the Circuit Court of Baldwin County
Alabama

Dear Mrs. Blackmon:

Please find enclosed the following: An Answer,
Motion for Production of Records and Interrogatories to
the Plaintiff, all of which pertain the above-referenced
case pending in the Circuit Court of Baldwin County.
Would you please file these pleadings in the records of
the Circuit Court of Baldwin County. Would you also please
indicate on the duplicate copy of this letter enclosed
herewith receipt of these pleadings and return same to
me in the self-addressed envelope enclosed herewith.

Thank you for your cooperation.

Very truly yours,

FILED

OCT 29 1971

EUNICE B. BLACKMON
CIRCUIT
CLERK

DFP/dm
Encl.

For the Firm
For the Firm

ROSE MARIE BUSBY,

Plaintiff

vs.

HUEY G. BRYANT, GEORGE PURVEY THAMES,
individually and d/b/a PURVEY'S
AMBULANCE, ET AL.,
Defendants

) IN THE CIRCUIT COURT OF
) BALDWIN
) ~~MOBILE~~ COUNTY,

) ALABAMA.

) AT LAW

) CASE NO. 10,053

INTERROGATORIES TO THE PLAINTIFF

Comes now each of the following defendants, separately and severally, Huey G. Bryant and George Purvey Thames, individually, and d/b/a Purvey's Ambulance, and, desiring the testimony of the plaintiff, pro- pounds 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? (d) State the date on which you were last treated, examined or prescribed for 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 the 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 at 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's 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 when you first entered the intersection with reference to the place of impact? (e) 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 the 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 the impact occurred. (e) At a point 50 feet from the place where the impact occurred. (f) 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 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 immediately prior to said accident. (b) Describe each change in the course of travel made by the 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 what 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 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 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.

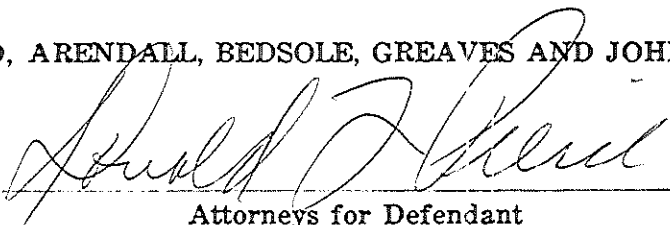
27. State whether or not there were any other vehicles at or near the scene of the accident at the time of and immediately prior to the occurrence of same. (a) If so, state the number of such other vehicles and where they were located with reference to the point of the accident at the moment same

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.

HAND, ARENDALL, BEDSOLE, GREAVES AND JOHNSTON

By:

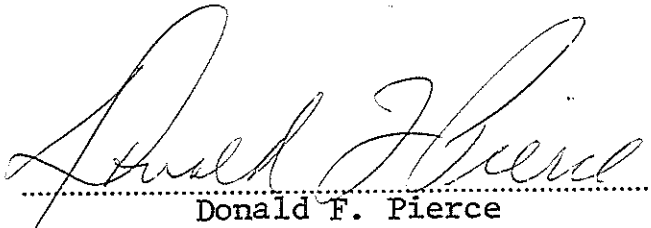


Attorneys for Defendant

THE STATE OF ALABAMA:

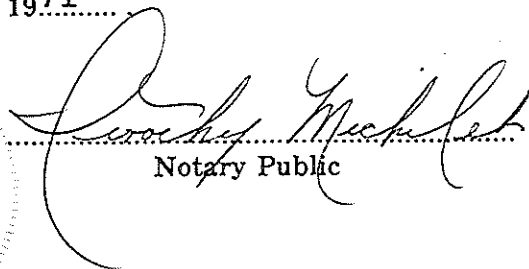
COUNTY OF MOBILE :

Before me, the undersigned authority in and for said county in said state, this day personally appeared Donald F. Pierce, 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 cause, 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.


Donald F. Pierce

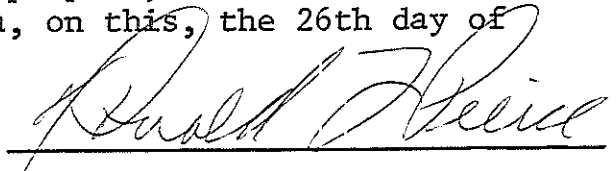
Sworn to and subscribed before me on
this 26th day of October

1971


Notary Public

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing interrogatories to T. Dwight Reid, Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to Mr. Reid at his office in Mobile, Alabama, on this, the 26th day of October, 1971.



FILED

OCT 29 1971

FILED

OCT 29 1971

EUNICE B. BLACKMON CIRCUIT CLERK

EUNICE B. BLACKMON CIRCUIT CLERK

ROSE MARIE BUSBY,	§	IN THE CIRCUIT COURT OF
Plaintiff,		
	§	BALDWIN COUNTY, ALABAMA
VS.		
HUEY G. BRYANT, GEORGE	§	
PURVEY THAMES, individually		AT LAW
and d/b/a PURVEY'S AMBULANCE,		
XYZ CORPORATION, and JOHN	§	
DOE AND RICHARD ROE, jointly		
and severally,		
	§	
Defendants.		CASE NO. 10,053
	§	

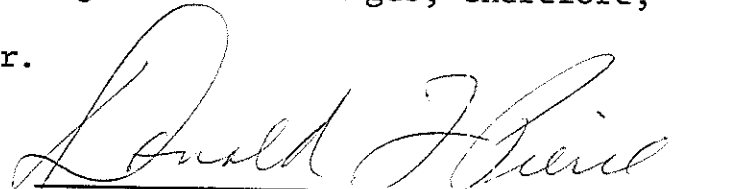
A N S W E R

Comes now each of the defendants in the above-styled cause, Huey G. Bryant and George Purvey Thames, individually and d/b/a Purvey's Ambulance, and for separate and several answer to each count of the complaint, sets down and assigns the following separate and several pleas, separately and severally:

1. Not guilty.

2. At the time and place alleged in the complaint, to-wit, May 8, 1971, while the defendants were operating an ambulance on Highway 16, a public highway near Robertsdale, Baldwin County, Alabama, plaintiff did so negligently operate an automobile on a public highway at or near said highway and Hinote Road so as to proximately contribute to the accident and her alleged injuries and damages; therefore, plaintiff ought not recover.

3. At the time and place alleged in the complaint, to-wit, May 8, 1971, while the defendants were operating an ambulance on Highway 16, a public highway near the City of Robertsedale, Baldwin County, Alabama, at or near its intersection with Hinote Road, a public road in said county and state, plaintiff negligently failed to operate the automobile which she was driving in compliance with Title 36, Section 20, Code of Alabama 1958, as revised, in that she failed to give way to defendants' ambulance which was being operated as an emergency vehicle in accordance with said Section 20; and as a direct and proximate result of plaintiff's negligence, as aforesaid, she proximately contributed to the accident and her alleged injuries and damages; therefore, plaintiff cannot recover.

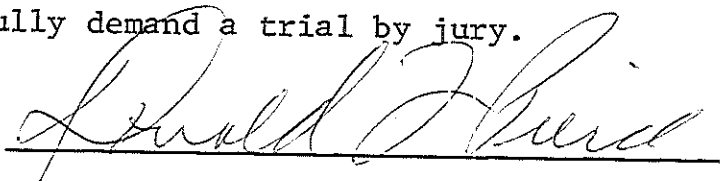

Donald F. Pierce

Trial Attorneys for Defendants

OF COUNSEL

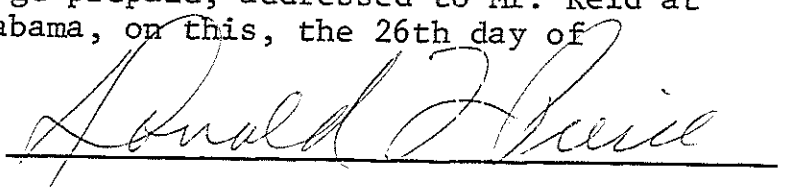
HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

Defendants respectfully demand a trial by jury.



CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing answer to T. Dwright Reid, Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to Mr. Reid at his office in Mobile, Alabama, on this, the 26th day of October, 1971.



FILED

OCT 29 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

ROSE MARIE BUSBY,

Plaintiff

IN THE CIRCUIT COURT OF
BALDWIN

~~XXXXXXXXXXXX~~, ALABAMA

vs.

AT LAW

HUEY G. BRYANT, GEORGE PURVEY

THAMES, individually and

CASE NO. 10,053

d/b/a PURVEY'S AMBULANCE, ET AL.

Defendant

MOTION FOR PRODUCTION OF RECORDS

Comes now each of the following defendants in the above cause, separately and severally, Huey G. Bryant and George Purvey Thames, individually and d/b/a Purvey's Ambulance, and moves the court to require the plaintiff to produce at the trial hereof, and for the inspection of each of said defendants, within a reasonable time prior to said trial, such time to be determined by this court, true and correct copies of the federal and state income tax returns filed by the plaintiff for all years from 1968 through 1970, inclusive.

As grounds for said motion, each of said defendants avers the following:

Said action brought by the plaintiff against this defendant seeks damages from defendant for alleged loss of earnings by the plaintiff and for alleged loss of the earning capacity of the plaintiff, and the copies of said income tax returns contain evidence necessary and material to the proper presentation of defendant's case, which evidence is pertinent to the issues herein. Defendant further avers that he is informed and believes and, based upon such information and belief, states that the plaintiff has possession of, custody of, control of or power over

said income tax returns.

Of Counsel:

Donald F. Pierce
Attorney for each of said Defendants

HAND, ARENDALL, BEDSOLE,
GREAVES & JOHNSTON.

A F F I D A V I T

STATE OF ALABAMA

COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, personally appeared Donald F. Pierce who is known to me, and known to me to be one of the attorneys for each of said defendants named in the foregoing motion, who, being first duly sworn on oath, doth depose and say as follows:

My name is Donald F. Pierce and I am one of the attorneys of record for each of the defendants named in the body of the foregoing motion filed in this cause. The income tax returns designated in said motion are necessary and material to the issues in this cause, and it is necessary and material that they be produced for inspection on behalf of each of said defendants at the trial and at a reasonable time prior to the date of said trial, in order to enable a proper defense to be prepared as to the issues in the case pertaining to the plaintiff's alleged loss of earnings and alleged loss of earning capacity.

Donald F. Pierce
Donald F. Pierce

Subscribed and sworn to before
me on this 26th day of October
XXXX, 1971.

Notary Public, Mobile County, Alabama

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to T. Dwright Reid , Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this, the 26th day of October, 1971.

Donald J. Herie


FILED

OCT 29 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

CERTIFICATE OF SERVICE

I hereby certify that I have served a correct copy of the foregoing pleading upon each attorney of record for every other party to this cause by depositing a copy of same in the United States Mail, postage prepaid, in a suitable wrapper properly addressed to said attorney at his office in Mobile, Alabama, on this, the 28 day of January, 19 72.


Attorney for Defendants

FILED

FEB 2 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON
LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

February 8, 1972

MAILING ADDRESS:
P. O. DRAWER C
OR P. O. BOX 123

CABLE ADDRESS:
HAB
TELEPHONE
432-5511
AREA CODE 205

CHAS. C. HAND
C. B. ARENDALL, JR.
T. MASSEY BEDSOLE
THOMAS G. GREAVES, JR.
VIVIAN G. JOHNSTON, JR.
PAUL W. BROCK
ALEX F. LANKFORD, III
EDMUND R. CANNON
LYMAN F. HOLLAND, JR.
J. THOMAS HINES, JR.
DONALD F. PIERCE
LOUIS E. BRASWELL
HAROLD D. PARKMAN
G. PORTER BROCK, JR.
HARWELL E. COALE, JR.
STEPHEN G. CRAWFORD
JERRY A. McDOWELL
W. RAMSEY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, III
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHT
G. HAMP UZZELLE, III

Mrs. Eunice B. Blackmon
Circuit Clerk and Register
Circuit Court of Baldwin County
Bay Minette, Alabama

Re: Rose Marie Busby vs. Huey G.
Bryant, et al - Case No. 10,053
In the Circuit Court of Baldwin
County, Alabama

Dear Mrs. Blackmon:

Enclosed please find an order for the Court for the
granting of our motion to require answers to interrogatories
in the above-referenced case.

With best regards,

Very truly yours,



For the Firm

DFP/dm
Encl.

ROSE MARIE BUSBY,	§	IN THE CIRCUIT COURT OF
Plaintiff,	§	
VS.	§	BALDWIN COUNTY, ALABAMA
HUEY G. BRYANT, GEORGE PURVEY	§	AT LAW
THAMES, individually and		
d/b/a PURVEY'S AMBULANCE, ET AL.,	§	
Defendants.	§	CASE NO. 10,053

O R D E R

The motion of Huey G. Bryant and George Purvey Thames, individually and d/b/a Purvey's Ambulance, to require answers to interrogatories having been taken under submission by the Court, after due consideration, the Court of the opinion that same should be granted;

It is, therefore, ORDERED, ADJUDGED and DECREED that such motion be granted and that this action shall be dismissed with prejudice unless said answers to interrogatories are filed in Court within thirty (30) days hereof.

Done this 10th day of February in Bay Minette, Alabama.

Telfair J. Mashburn
Telfair J. Mashburn
Circuit Judge

FILED

FEB 10 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

ROSE MARIE BUSBY, (IN THE CIRCUIT COURT OF
Plaintiff, (BALDWIN COUNTY, ALABAMA,
vs. (AT LAW
HUEY G. BRYANT, GEORGE (
PURVEY THAMES, et al, (
Defendants. CASE NO. 10,053

Comes now the plaintiff in the above styled cause and for answer to the interrogatories propounded to her by the defendant, says as follows:

1. Rose Marie Busby, age 24, 4459 Winchester Road, Eight Mile, Alabama; business address, 3323 Pleasant Valley Road, Mobile, Alabama.

2. Merchants Color Portraits, Old Shell Road, Mobile, Ala.

(a) \$72.00 per week

(b) 5 days, from May 10th to May 14th, 1971.

(c) No.

(d) \$72.00

(e) Li'l General Store, 3323 Pleasant Valley Road, Mobile, Alabama.

(f) \$87.00 per week.

(g)-(j) Not applicable.

3. I was bruised and contused, my back and neck were strained and sore and I had various cuts and scrapes.

4. Dr. M. H. Taylor, Foley, Alabama, in the emergency room of the South Baldwin Hospital on May 8, 1971.

5. No, emergency room treatment only at South Baldwin Hospital. The bill was \$57.00.

6. Yes, by me.

7. No.

8. Yes, \$37.50 for ambulance service, not paid yet, but no other expenses.

9. I was out of work at home for one week.

10. No.

11. 1969 Plymouth, 2 door, owned by myself and driven by me. Purchased on May 5, 1971 for \$1,995.00.

12. The automobile was totally demolished. It was worth \$1,995.00 before the accident and nothing afterwards. It has not been repaired.

13. 4 persons, Rose Busby and Paul Busby, 4459 Winchester Road, Eight Mile, Alabama, and Randy Boykin and Barbara Boykin, Route 1, Box 206, Summerdale, Alabama.

(a) To pick up Paul Busby's girlfriend, Barbara, from work.

(b) James Boykin's home in Loxley, Alabama.

(c) Return to same address.

(d) No.

(e) None

(f) Not applicable.

14. See accident report.

15. Yes.

(a) Highway 90 and Dirt Road.

(b) No.

(c) Not applicable.

(d) Straight and level.

(e) None.

16. See accident report.

(a) About $\frac{1}{2}$ second before collision.

(b) Right on me.

(c) About 3 to 5 feet.

(d) I don't know.

(e) Same.

(f) None

(g)-(i) Not applicable.

17. I was proceeding along Highway 90 and stated to turn left into an intersecting dirt road when the ambulance came up behind me and hit us. Didn't sound siren and was speeding and was hidden by other traffic behind me. I started to make turn when the ambulance suddenly appeared around following traffic and hit me.

18. No, none.

19. All I know is that he was coming fast.

20. Both vehicles were proceeding east on highway 90.

(a) 2 lanes about 15 feet.

(b) I had almost completed the turn when hit.

(c) Not applicable

(d)-(f) Not applicable.

21. Driving along normally.

(a) Changed from right lane into left lane to pass 3 vehicles and hit me in the left rear axle as I made my turn.

22. No.

23. Front of the ambulance with rear fender of my car.

24. The ambulance knocked my car 30 feet and stopped about 10 feet short of us.

(a) East.

The ambulance left skid marks but I don't know how far.

25. 5 to 10 miles per hour at time of accident.

26. No.

27. 1 car approaching me and 2 behind me.

I don't know the names and addresses.

28. Yes.

(a) I told the ambulance driver he didn't have his siren on.

(b) No.

(c)-(e) Not applicable.

Miss Rose Marie Busby
ROSE MARIE BUSBY

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority, a notary public in and for said State and County, personally appeared ROSE MARIE BUSBY, who being by me first duly sworn, deposes and says that she is the plaintiff in the foregoing matter and as such has the authority to answer the interrogatories propounded by the defendant and that said answers are true and correct.

Miss Rose Marie Busby
ROSE MARIE BUSBY

Subscribed and sworn to before me

this the 21 day of February, 1972.

Susan Mitchell
NOTARY PUBLIC, STATE AT LARGE

FILED

FEB 22 1972

EUNICE B. BLACKMON CIRCUIT CLERK

CERTIFICATE OF SERVICE
I do hereby certify that I have on this 21
day of February, 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, and
first class postage prepaid.

L. Lupton Rier