

PAUL BUSBY, A Minor, suing ( IN THE CIRCUIT COURT OF  
through his Mother and next ( BALDWIN COUNTY, ALABAMA,  
friend, MARIE BUSBY, ( AT LAW  
Plaintiff, (

vs. (

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. 10,127

COUNT ONE

Plaintiff claims of the defendants the sum of TEN THOUSAND & no/100 (\$10,000.00) DOLLARS as damages for that he 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 in which plaintiff was a passenger 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: he received a whip lash; he was rendered sick, sore and lame; he was bruised and contused, from which injuries he suffered and continues to suffer great mental and physical pain, for all of which he 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 he 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 in which the plaintiff was a passenger 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, the plaintiff received personal injuries in this, to-wit: he received a whip lash; he was rendered sick, sore and lame; he was bruised and contused, from which injuries he suffered and continues to suffer great mental pain and physical pain, for all of which he claims damages as aforesaid.

PERLOFF, REID & BRISKMAN

  
Attorney for Plaintiff

Plaintiff respectfully demands a trial by jury in this cause.

  
Attorney for Plaintiff

Defendants may be served:

Robertsdale, Alabama

**FILED**

NOV 22 1971

EUNICE B. BLACKMON CIRCUIT CLERK

PAUL BUSBY, a Minor, suing  
through his Mother and next  
friend, MARIE BUSBY,

Plaintiff,

VS.

HUEY GENE BRYANT, GEORGE  
PURVEY THAMES, individually  
and d/b/a PURVEY'S AMBULANCE,  
ET AL., jointly and severally,

Defendants.

§ IN THE CIRCUIT COURT OF  
§ BALDWIN COUNTY, ALABAMA

§ AT LAW

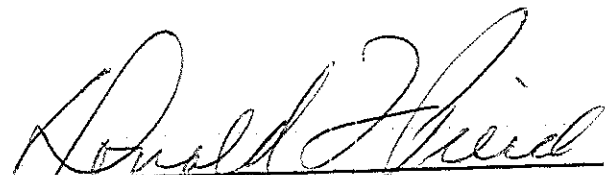
§  
§ CASE NO. 10,127

§

A N S W E R

Comes now each of the defendants in the above-styled  
cause, Huey Gene Bryant and George Purvey Thames, individu-  
ally 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.

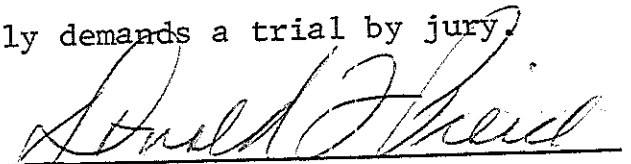
  
Donald F. Pierce

\_\_\_\_\_  
Trial Attorneys for Defendants

OF COUNSEL

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

Each defendant respectfully demands 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. Dwight Reid, 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 10th day of December, 1971.

A handwritten signature in cursive script, reading "Donald J. Reid", is written over a horizontal line.

**FILED**

DEC 13 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK

PAUL BUSBY, a Minor, suing  
through his Mother and next  
friend, MARIE BUSBY,

Plaintiff

) IN THE CIRCUIT COURT OF

) BALDWIN  
) ~~MOBILE~~ COUNTY,

) ALABAMA.

vs.

) AT LAW

HUEY GENE BRYANT, GEORGE PURVEY THAMES,  
individually and d/b/a PURVEY'S AMBU-  
LANCE, XYZ CORPORATION, and JOHN DOE  
AND RICHARD ROE, jointly and severally,  
Defendants.

) CASE NO. 10,127

### INTERROGATORIES TO THE PLAINTIFF

Comes now each of the following defendants, separately and severally, Huey Gene Bryant and George Purvey Thames, individually 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 in which you were engaged.
3. Describe, to the best of your knowledge, each and every injury received by your minor child in the occurrence made the basis of this suit. (a) Describe and locate, to the best of your knowledge, each and every laceration or cut your said minor child sustained in said occurrence. (b) Describe and locate, to the best of your knowledge, each and every bruise, sprain, strain or contusion sustained by your said minor child in said occurrence. (c) Specify which, if any, of said injuries are permanent in nature, as best you know, and state the manner and degree in which said injury disables your said minor child. (d) 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 who has attended your minor child for the injuries said minor child is alleged to have received in the occurrence made the basis of this suit. (a) Give the dates of treatment or examination of your said minor child by each and every said doctor, respectively. (b) What was the condition of your said minor child when said child was first attended by each of said doctors, separately and severally? (c) What was your said minor child's condition when said child was last attended by each of said doctors, separately and severally? (d) State the date on which your said minor child was 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, your said minor child and each said doctor, and include the substance of each of said doctor's instructions to you or to your said minor child with reference to further treatment. (e) State the amount of the bill, separately and severally, of each respective doctor for the treatment rendered your said minor child for services performed for your said minor child, resulting from the occurrence made the basis of this suit. (f) State which of said doctors have been paid, and, if so, by whom. (g) State whether or not your said minor child had any form of medical insurance or other protection which took care of said doctors' bills. (h) Were you or your

minor child 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 or your minor child to the attorney or attorneys who represent you or your said minor child and, if so, state which of said doctors did so.

5. State whether or not your minor child was hospitalized as a result of the occurrence made the basis of this suit. (a) If so, give the name and address of each said hospital where your said minor child was so confined. (b) Give the dates of your said minor child's confinement. (c) State the amount of each hospital bill incurred for your said minor child's confinement. (d) State whether or not any portion of said hospital bill was taken care of by hospitalization insurance or by any other form of protection. (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 your said minor child 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 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. (c) Give the amount of each of said X-ray bills, and state by whom each was paid.

7. State whether or not special nurses, registered nurses or practical nurses attended your said minor child in and about the treatment of the injuries alleged to have been received by said minor child in the occurrence made the basis of this suit. (a) If so, give the name and address of each. (b) Give the dates your said minor child was 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 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 your said minor child was confined to bed at home, after, and as the result of, the occurrence made the basis of this suit, if said minor child was so confined, and state the dates of said confinement. (a) State how many days elapsed from the date of the said occurrence until your said minor child was able to be out of bed and up and about said child's home. (b) State how many days elapsed from the date of the occurrence made the basis of this suit until your said minor child was able to leave home and go to town or other places. (c) State the number of days which elapsed from the date of said occurrence before your said minor child was able to resume normal activities.

10. State whether or not, prior to the occurrence made the basis of this suit, your said minor child was ever at any time injured in any manner whatsoever to any extent. (a) If said minor child was injured prior to the occurrence made the basis of this suit in any manner, please describe in detail how said minor child was injured, giving the date of each such injury and the extent of said minor child's said injury. (b) Has your said minor child 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) Has your said

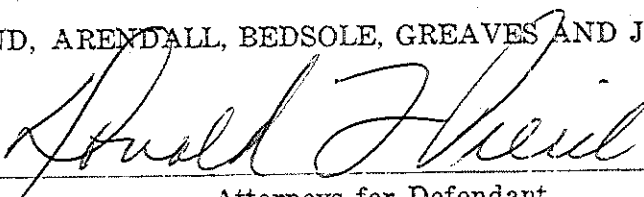
minor child ever made claim or filed suit for any injury or damage arising out of any occurrence prior to the accident made the basis of this suit? (e) If so, state where each such occurrence happened, against whom each such claim was made and the outcome of each. (f) Give the name and address of each and every doctor who has treated or examined your said minor child during the five years next preceding the date of the occurrence made the basis of this suit. (g) Describe the condition for which said minor child was treated or examined.

11. Do the following, if you were employed on the date of the accident made the basis of this suit: (a) State your average weekly earnings at the time of said occurrence. (b) State the number of days you actually lost from work as a result of the injuries received by your minor child as a result of the accident made the basis of this suit, and what you did during said days. (c) State the amount lost in wages by you as a result of the injuries received by your minor child as a result of said occurrence.

12. State whether your said minor child was employed as of the date of the accident made the basis of this suit. (a) If so, state the name and address of his employer and state in what capacity said child was employed. (b) State the child's average weekly earnings as of the time of said accident. (c) State the number of days and the dates thereof said child actually lost from his employment as a result of the injuries received by him from said accident. (d) State the total amount in wages, commissions or otherwise lost by said minor child as the result of the injuries received from said accident. (e) Who supported said child, financially, as of the time of the said accident? (f) With whom did said child live as of the time of said accident? (g) Who was paying for the maintenance and education of said child as of the time of said accident? (h) Was said minor child dependent upon his own resources for a livelihood at the time of said accident?

HAND, ARENDALL, BEDSOLE, GREAVES AND JOHNSTON

By:

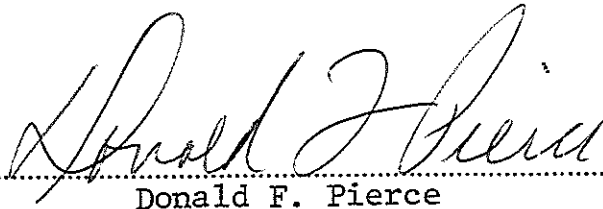


Attorneys for Defendant

THE STATE OF ALABAMA:

COUNTY OF MOBILE :

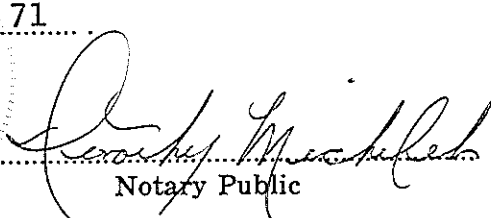
Before me, the undersigned authority in and for said county in said state, this day personally appeared ..... Donald F. Pierce, who is known to me, and who, being by me first duly sworn, upon oath deposes and says that he is one of the attorneys for said specified defendant in the above entitled cause, 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 S on the trial of this cause.

  
Donald F. Pierce

Sworn to and subscribed before me on

this 10<sup>th</sup> day of December

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Notary Public

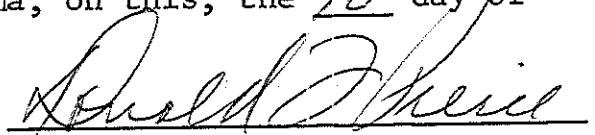
CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing interrogatories to T. Dwight Reid, Esquire, 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 10 day of December, 1971.

**FILED**

DEC 13 1971

EUNICE B. BLACKMON CIRCUIT  
CLERK





SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,127

.....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 Corporation and John Doe and  
.....  
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..... Huey Gene Bryant,  
George Purvey Thames, Ind. & d/b/a Purvey's Ambulance, et al ..... Defendant.....

by ..... Paul Busby, a minor suing through his mother and next friend, Marie Busby  
.....  
....., Plaintiff.....

witness my hand this 22nd day of November 1971

*Erin B. Blackmon* Clerk

Ex 11-26-71

R. Dale

No. 10,127.....

Page.....

STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

PAUL BUSBY, a minor suing through his  
mother and next friend, MARIE BUSBY,

Plaintiffs

VS.

HUEY GENE BRYANT, GEORGE PURVEY THAMES,  
Ind. & d/b/a Purvey's Ambulance,

Defendants

SUMMONS AND COMPLAINT

Filed November 22, 1971

Eunice B. Blackmon Clerk

NOV 23 1971

Perloff, Reid & Briskman  
257 St. Anthony St. Plaintiff's Attorney  
Mobile, Ala.

Defendant's Attorney

Defendant lives at

Received In Office

Nov. 23

1971

Sheriff

I have executed this summons

this 11-26 1971

by leaving a copy with

Huey Gene Bryant d/b/a  
George Purvey Thames d/b/a

Sheriff claims 100 miles at

Ten Cents per mile Total \$ 10.00

TAYLOR WILKINS, Sheriff

BY H. J. Brown Deputy Sheriff

Taylor Wilkins Sheriff

H. J. Brown Deputy Sheriff

50 mi R. T. Dale

PAUL BUSBY, a Minor, suing	(	IN THE CIRCUIT COURT OF
through his Mother and next	(	BALDWIN COUNTY, ALABAMA,
friend, MARIE BUSBY,	(	AT LAW
Plaintiff,	(	
vs.	(	
HUEY GENE BRYANT, GEORGE	(	
PURVEY THAMES, et al,	(	
Defendants.		CASE NO. 10,127

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

1. Marie Busby, age <sup>46</sup>~~45~~, 4459 Winchester Road, Eight Mile, Alabama.

2. ~~Un~~employed.

3. His back and neck were strained, he had a fractured rib on his left side, cuts on his elbows and arms, he was bruised and sore. His rib has not healed correctly and protrudes prominently.

4. Dr. M. H. Taylor, Foley, Alabama, treated him there in the emergency room of South Baldwin Hospital on May 8, 1971, and he went back to Dr. Taylor's office one week later.

The bills incurred were to Dr. Taylor, \$25.00, and to South Baldwin Hospital, \$90.00, and both of these have been paid.

5. Yes, one day following the accident.

6. Yes, South Baldwin Hospital.

7. No.

8. Yes, \$37.50 paid by Marie Busby.

9. He was out of school for a week.

10. No.

11. None.

12. No.

Marie Marie Busby  
MARIE BUSBY

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority, a notary public in and for said State and County, MARIE BUSBY, who being by me first duly sworn, deposes and says that she is the Mother of Paul Busby and a party plaintiff in the foregoing matter and as such has the authority to make the above and foregoing answers to the interrogatories propounded by the defendant and that said answers are true and correct.

Mrs. Marie Busby  
MARIE BUSBY

Subscribed and sworn to before me

this the 21 day of February, 1972.

Susan Mitchell  
NOTARY PUBLIC, STATE AT LARGE

CERTIFICATE OF SERVICE *Not*  
I do hereby certify that I have on this 21st  
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.  
Perloff Reid

**FILED**

FEB 22 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK