

SUMMONS

STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon RHODES DISTRIBUTING COMPANY, INC. 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, Alabama, at the place of holding same by WERTHAN INDUSTRIES, INC.

Witness my hand this the 29 day of December, 1971.

Eunice B. Blackmon
Clerk

CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

COMPLAINT

WERTHAN INDUSTRIES, INC.)

PLAINTIFF)

VS:)

RHODES DISTRIBUTING
COMPANY, INC.)

DEFENDANT)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

10,172

COUNT I:

The plaintiff claims of the defendant THREE THOUSAND SIX HUNDRED THIRTY-THREE & 08/100 DOLLARS (\$3,633.08) due from him by account on, to wit: the 28th day of April, 1971, which sum of money, with interest thereon, is still unpaid.

COUNT II:

The plaintiff claims of the defendant THREE THOUSAND SIX HUNDRED THIRTY THREE & 08/100 DOLLARS (\$3,633.08), due from him on account stated between the plaintiff and the defendant on, to wit: the 28th day of April, 1971, which sum of money, with interest thereon, is still unpaid.

COUNT III:

The plaintiff claims of the defendant THREE THOUSAND SIX HUNDRED THIRTY THREE & 08/100 DOLLARS (\$3,633.08), due from him for merchandise, goods and chattels sold by the plaintiff to the defendant on, to wit: the 28th day of April, 1971, which sum of money, with interest thereon, is still unpaid.

There is attached to the original hereof, an itemized statement of account, verified by the affidavit of a competent witness, sworn to before a notary public, which shows the amount due on this account as of the 30th November, 1971.

Address:

Serve the president of the company,
Charles L. Rhodes, Foley, Alabama

FILED

DEC 29 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

Mark C. Cline
Attorney for Plaintiff

County of Davidson

State of Tennessee

} SS.

Before me, Birda Woodall a Notary Public duly commissioned and sworn in and for the above state and county, this day personally appeared G.W. Jungmichel to me well known, who being by me first duly sworn says that:

- *1. He is an individual trading as _____
- *2. That he and V.P. are partners trading as _____
- *3. That he is ~~treasurer~~ of Werthan Industries, Inc. of Nashville, Tennessee a corporation incorporated under the laws of the State of Delaware and that the foregoing account in favor of Werthan Industries, Inc. and against Rhodes Distributing Company, Foley, Alabama

showing a balance and amount due of ----\$3,633.08----- with _____ interest from the _____ day of _____ 19____, until paid, is within his knowledge just, true and correct; that it is justly and truly due and unpaid; that all just and lawful offsets, credits, discounts and payments have been allowed and the said amount is due after said allowance and exclusive of all set-offs and just grounds of defense; that the goods in said accounts were sold and delivered as therein charged and on said last named day said amount became due and payment thereof was demanded and no part of same has been paid.

Sworn to and subscribed before me this 30 day of Nov 1971
Birda Woodall
Notary Public.

*Use paragraph covering.

My commission expires May 6, 1972

NASHVILLE

STATEMENT

NEW ORLEANS



IMPORTERS — MANUFACTURERS

TEXTILE BAGS FROM BURLAP, WOVEN, PLASTIC AND COTTON, SPECIALTY BAGS,
POLY TUBING, SIDEWELD & BOTTOM SEALED PLASTIC BAGS, WOVEN POLYPROPYLENE,
WERTH-TEK BALL N' WRAP, NURSERY SQUARES, 50'S FIRM PILE, 50'S MULTI-WALL BAGS,
BLOCK WRAPPERS, FLAT & SQUARE BAGS, 50'S & 70'S, CONSUMER SIZE PAPER BAGS,
PIECE GOODS, SHEETINGS, OSNABURGS, PASTELS, DRESS PRINTS, BATH TOWELS

Rhodes Distributing Co., Inc.

July 23, 1971

Hwy. 59 S.

P.O. Box 233

Foley, Alabama 36535

INVOICE DATE	INVOICE NUMBER	INVOICE AMOUNT
05/22/70	43013	\$ 1,510.44
05/22/70	43014	1,049.08
05/28/70	43241	767.62
05/28/70	43242	2,062.94
05/26/70	77565	162.00
05/29/70	77658	81.00
08/21/70	47264	1,518.75
		<hr/> 7,151.83
09/09/70	Payment	1,000.00
12/07/70	Payment	1,000.00
04/28/71	Payment	1,518.75
		<hr/> 1,518.75
	Balance-----	\$ 3,633.08

10, 172

SUMMONS AND COMPLAINT

WERTHAN INDUSTRIES, INC.
PLAINTIFF,

VS:

RHODES DISTRIBUTING COMPANY,
INC.
DEFENDANT.

FILED

DEC 29 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

DEC 29 1971

TAYLOR WILKINS
SHERIFF

LAW OFFICE OF
FOREST A. CHRISTIAN
(205) 943-2201
P. O. DRAWER 190
FOLEY, ALABAMA 36535

Received 29 day of December 1971
and on 6 day of January 1972
I served a copy of the within 111
on Rhodes Distributing Co.
Charles H. Rhodes, President
By service on _____

TAYLOR WILKINS, Sheriff
By Robert Wilkins D.S.

122
172
Sheriff claims 172 miles at
Ten Cents per mile Total \$ 17.20
TAYLOR WILKINS, Sheriff
By Robert Wilkins
DEPUTY SHERIFF

FOREST A. CHRISTIAN

ATTORNEY AT LAW

P. O. DRAWER 190

AREA CODE 205 - PHONE 943-2201

FOLEY, ALABAMA 36535

December 1, 1972

Honorable Telfair Mashburn
Judge of Circuit Court
Bay Minette, Alabama

Re: Werthan Industries, Inc.
Vs: Rhodes Distributing Co.
Case #10,172

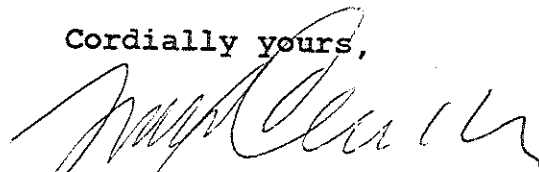
Dear Judge Mashburn:

I notice that you are setting non-civil jury docket for December 12-13 and this case is on page 4 of the docket sheet.

I wish to alert you by having the clerk attach this to the docket sheet concerning this case. It is very important that this case NOT BE dismissed since we do not have a judgment on it.

We are working on it to have Mr. J. Connor Owens, Jr. settle this case for 50¢ on the dollar. The last letter to Mr. Owens was dated November 21. I also telephoned him stating that the offer has been accepted and that we wish to have a cash settlement at once. It should be any day now.

Cordially yours,



FOREST A. CHRISTIAN

cc: J. Connor Owens, Jr., Esq.

Kenneth Cooper, Esq.

FOREST A. CHRISTIAN
ATTORNEY AT LAW
P. O. DRAWER 190
AREA CODE 205 - PHONE 943-2201
FOLEY, ALABAMA 36535

August 28, 1972

Honorable Telfair Mashburn
Judge of Circuit Court
Bay Minette, Alabama

Re: Werthan Industries, Inc.

Vs: Rhodes Distributing Co., Inc.

Case #10,172

Dear Judge:

It is my understanding that Rhodes Distributing Company is in bankruptcy but the creditors have received no notice of said bankruptcy.

It is my understanding that Mr. Kenneth Cooper is checking this and it should probably be left on the docket until we determine the status of the bankruptcy.

Cordially yours,


FOREST A. CHRISTIAN

CONFIDENTIAL

CONFIDENTIAL AND SECRETARY OF THE INTERIOR
AND THE UNITED STATES DEPARTMENT OF THE INTERIOR
IN THE MATTER OF THE UNITED STATES DEPARTMENT OF THE INTERIOR
AND THE UNITED STATES DEPARTMENT OF THE INTERIOR

place in
file # 10,172

CONFIDENTIAL

CONFIDENTIAL

THE STATE OF ALABAMA

CIRCUIT COURT

Baldwin COUNTY

Term, 19

Wardham Industries Inc.No. 10,172 vs.Rhodes Distributing Co.

Call
Cammor
if settled
write refund

BILL OF COSTS

CLERK'S FEES:	AMOUNT	SUMMARY OF FEES, COSTS AND JUDGMENT:	AMOUNT
1. Suits for \$100.00 or less.....\$ 6.00		1. Clerk's Fees	2000
2. Suits for over \$100.00 but less than \$1000 10.00		2. Ex-Clerk's Fees	1500
3. Suits for \$1000.00 and over..... 20.00	2000	3. Sheriff's Fees	8,170
4. Suits Detinue, ejectment, etc..... 10.00		4. Ex-Sheriff's Fees	450
5. Suits not otherwise provided for..... 10.00		5. Trial Tax	
6. Appeal from Justice of Peace, etc..... 6.00		6. Court Reporter's Fee, per day.....\$.....	
7. Garnishment on Judgment, etc..... 6.00		7. Witness Fees	
8. Workmen's Compensation-Petition Settlement 10.00		8. Commissioner's Fees	
9. Appeals from State Dept. of Pub. Safety, etc..... 10.00		9. Garnishee's Fees	
10. Motion to sell real estate-J. P. levy..... 6.00		10. Publisher's Fees	
11. Mandamus, writ of prohibition, etc..... 15.00		11. 27	200
12. Recording Executions-State Agencies 3.00		12.	
13. Copy of Record-per 100 words15		13. Clerk's Fees in Inferior Court	
14. Certifying Abstract in transcript..... 5.00		14. Sheriff's Fees in Inferior Court.....	
15. Record for Supreme-Appeals Ct. per 100 wds.15		15. Witness Fees in Inferior Court.....	
16. Additional copies Record-Appeals per 100 wds.05		16.	
17. Taking Appeal Bond75		17. Justice of Peace Fees.....	
18. Reporter's Transcript on Appeal..... 10.00		18. Constable's Fees	
19. Appeals Courts Concurrent Jurisdiction 15.00		19. Law Library Fee.....	1 0 0
20. Application-Habeas Corpus 6.00		20. Cost in Appealed Cases Docketed (Total).....	
21.		TOTAL FEES AND COST	
22.		21.	
Total Clerk's Fees	2000	22. Judgment\$.....	
SHERIFF'S FEES:		23. 10% Damages\$.....	
23. Serving summons and complaint.....\$ 1.50	150	24. Interest\$.....	
24. Levying attachment and return 6.25		TOTAL JUDGMENT.....	
25. Seizing personal property-Detinue 6.00		TOTAL FEES, COST AND JUDGMENT.....	4240
26. Approving bond, each..... 2.00			3520
27. Serving Garnishee-Writ 1.50			
28. Serving Sci. Fa. or notice 1.50			
29. Serving subpoenas, each..... .75			
30. Impanelling Jury75			
31. Serving Contempt Attachment 1.50			
32. Collecting execution for cost only..... 1.50			
33. Commissions on Execution			
34. Executing Writ of Possession, each 5.00			
35. Making Deed to Real Estate sold, each 2.50	720		
36. Mileage, each10	440		
37.			
38.			
Total Sheriff's Fees	1590		

No. 10,172 Page _____

THE STATE OF ALABAMA

Baldwin COUNTY

CIRCUIT COURT

Western Industries

vs. Plaintiff _____

Robert L. Dickinson

Defendant _____

CIVIL COST BILL

Term, 19 _____

Fee Book _____, Page _____

J. A. Christian
Plaintiff's Attorney

J. L. Conner
Defendant's Attorney

*request
J.C.*

10,172

ATTEST: Clerk Circuit Court _____ County, Ala.

Received payment, this _____ day of _____, 19 _____

ATTEST: Clerk Circuit Court Baldwin County, Ala.

James B. Allen

I certify that the within is a true and correct Bill of Cost in the within styled case.

