JOHN E. KONIAR,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.	)	AT LAW
MICHAEL A. KAISER,	)	
Defendant.	)	CASE NUMBER 10 187

# COMPLAINT

Plaintiff claims of the defendant the sum of FIFTEEN HUNDRED AND NO/100 (\$1500.00) DOLLARS, as damages for that heretofore and on, to-wit, September 20, 1971, the plaintiff was operating his motor vehicle on or upon County Highway No. 32 (sometimes known as the Old Summerdale Road) at or near its intersection with County Highway No. 34 (sometimes known as the Dixie Road), both of said roads being public roads in Baldwin County, Alabama, and at said time and place, the defendant so negligently operated his motor vehicle as to cause or allow the same to collide with the plaintiff's motor vehicle. Plaintiff further avers that as a proximate result of the negligence of the defendant as aforesaid plaintiff's motor vehicle was broken, bent, smashed and damaged; hence, this suit.

MICHAEL D. KNIGHT

Attorney for Plaintiff

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

Defendant may be served at:

Route 1, Box 112 Elberta, Alabama

FILED

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EUNICE B. BLACKMON CIRCUIT

STATE O	F ALA	BAMA				urt, Baldwi	County	
Baldw	in County	,		$N_0.10, 18$	37			
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***************************************	*************	Michae	el A. Kaiser	• ·		** ; Chief Chief Chief	., Defenda	nt
by		John l	E. Koniar					
15. 15. 14.	947] 9777 1						Plai	ntiff
witness my ha							·	11644 1
	nd this	10th	day of	January	1			

STATE OF ALABAM	A	Defendant lives at
BALDWIN COUNTY		
CIRCUIT COURT		Received In Office
JOHNE, KONIAR		Jan 10 19
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	Plaintiffs	I have executed this summons
VS.		this 19/
MICHAEL A. KAISER		by eaving a copy with
De	fendants	Michael a. Kaiser
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EUNICE B. BLACKMON	Clerk	Shoriff claims miles as
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JATLU: SHERRIKINTIFF's A	Attorney	Jan 10 William She
Defendant's A	***********	Calle Com Deputy Sho

#### HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

January 6, 1972

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

CABLE ADDRESS: HAB TELEPHONE 432-5511 AREA CODE 205

Mrs. Eunice Blackmon, Clerk Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

> Re: John E. Koniar vs. Michael A. Kaiser

Dear Mrs. Blackmon:

I have enclosed herein the original and one copy of a complaint against the defendant, Michael A. Kaiser. Would you please file the same for me and acknowledge receipt of the complaint and the date it is filed.

Best regards.

Yours very truly,

For the Firm

MDK.er Enc.

CHAS. G. HAND C. B. ARENDALL, JR. T. MASSEY BEDSOLE

PAUL W. BROCK

THOMAS G. GREAVES, JR. VIVIAN G. JOHNSTON, JR.

ALEX F. LANKFORD, III

EDMUND R. CANNON LYMAN F. HOLLAND, JR. J. THOMAS HINES, JR. DONALD F. PIERCE

LOUIS C. BRASWELL
MAROLD D. PARKMAN
O. PORTER BROCK, JR.
HARWELL C. COALE, JR.
STEPHEN G. GRAWFORD
JERRY A. MCDOWELL
W. RAMSCY MCKINNEY, JR.
LARRY U. SIMS
A. CLAY RANKIN, IX
EDWARD A. HYNDMAN, JR.
MICHAEL D. KNIGHT
G. HAMP UZZELLE, IX

FILED

JAN 90 1972

EUNICE B. BLACKMON CIRCUIT

### LYONS, PIPES & COOK

ATTORNEYS AT LAW 2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA 36601

JOSEPH H. LYONS (1900-1957) SAM W. PIPES WALTER M. COOK GORDON B. KAHN G. SAGE LYONS AUGUSTINE MEAHER, III. WESLEY PIPES NORTON W. BROOKER, JR.

COOPER C. THURBER

February 27, 1972

AREA CODE 205 TEL. 432-4483 P. O. DRAWER 2727

Mrs. Eunice Blackmon Clerk, Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

Case Number 10,187 Re: John E. Koniar versus Michael A. Kaiser

Dear Mrs. Blackmon:

Enclosed please find pleading to be filed in the above captioned case. Please acknowledge receipt of the pleading on copy of this letter, returning the same to us in the enclosed stamped, self-addressed envelope.

Yours truly,

LYONS, PIPES & COOK

Walter M. Cook

WMC/dds Enclosures

Service Court

JOHN E. KONIAR,	) IN THE CIRCUIT COURT OF
Plaintiff,	) BALDWIN COUNTY, ALABAM
vs.	) AT LAW
MICHAEL A. KAISER,	)
Defendant.	) CASE NUMBER 10,187

Comes now the defendant in the above cause and, for answer to the complaint filed herein and to each count thereof, separately and severally, does file the following separate and several pleas:

- 1. That he is not guilty.
- 2. That the allegations are untrue.
- 3. The defendant says that at the time and place complained of the plaintiff himself was guilty of negligence which proximately contributed to his own damages, in that at said time and place the plaintiff so negligently operated his motor vehicle as to cause or allow the same to collide with the motor vehicle of the defendant; WHEREFORE, the defendant says that the plaintiff ought not to have and recover of him.
- 4. The defendant, pleading specially by way of recoupment, sues to recover from the plaintiff the sum of Three Hundred Eighty-Six and No/100 Dollars (\$386.00) as damages for that, at the time and place complained of in said count, the plaintiff so negligently operated his motor vehicle upon County Highway 32 (sometimes known as the Old Summerdale Road) at or near its intersection with County Highway 34 (sometimes known as Dixie Road), both of said roads being public roads in Baldwin County, Alabama, as to cause or allow the same to collide with the defendant's motor vehicle, and as a proximate result of the negligence of the plaintiff as aforesaid, the defendant's motor vehicle was broken, bent, smashed and damaged.

Filed 3-8-72 Eunice B. Blackman liverit black LYONS, PIPES AND COOK Attorneys for the Defendant,

Walter M. Cook

JOHN E.	KONIAR,	)	IN THE CIRCUIT COURT OF
	Plaintiff,	)	BALDWIN COUNTY, ALABAMA
vs.		)	AT LAW
MICHAEL	A. KAISER,	)	
	Defendant.	)	CASE NUMBER 10,187

# REPLICATION

Comes now the plaintiff in the above-styled cause,

John E. Koniar, and in reply to the plea of recoupment

heretofore filed herein by the defendant says as follows,

separately and severally:

- 1. Not guilty.
- 2. The material allegations are untrue.

3. The plaintiff joins issue on said plea.

MICHAEL D. KNIGHT

Attorney for the Plaintiff

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

## CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing "Replication" to Walter M. Cook, Esquire, Attorney for the Defendant, 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 day of May, 1972.

FILED

MAY 15 1972

EUNICE B. BLACKMON CIRCUIT

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LYONS, PIPES & COOK

ATTORNEYS AT LAW

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MOBILE, ALABAMA

36601

AREA CODE 205 TEL. 432-4483 P. O. DRAWER 2727

JOSEPH H. LYONS (1900-1957)
SAM W. PIPES
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GORDON B. KAHN
G. SAGE LYONS
AUGUSTINE MEAHER, III.
WESLEY PIPES
NORTON W. BROOKER, JR.
COOPER C. THURBER

June 8, 1972

Mrs. Eunice Blackmon, Clerk Circuit Court of Baldwin County Baldwin County Courthouse Bay Minette, Alabama

Re:

John E. Koniar, Plaintiff

vs.

Michael A. Kaiser, Defendant

In the Circuit Court of Baldwin County,

Alabama, At Law Case No. 10,187

Dear Mrs. Blackmon:

At such time as the Plaintiff dismisses his Complaint, please at the same time dismiss the Defendant's Plea of Recoupment, forwarding to me the bill covering the Court costs.

Thanking you in advance, I am

Very truly yours,

LYONS, PIPES AND COOK

Walter M. Cook

WMC/see

September 25, 1972

Mr. John D. Richardson, III Attorney at Law Suite 210 Van Antwerp Building Mobile, Alabama 36602

> RE: George Long vs Hudson Oil Company

Dear John:

The costs in the above styled cause have not been paid. The amount is \$33.00, and I would very much appreciate you taking care of this matter immediately.

With kindest regards, I am

Very truly yours,

Taylor Wilkins, Jr.

TWI:sp

BCC: Eunice B. Blackmon