

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Auto-Owners Insurance Company 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 the same, then and there to answer the complaint of Emperor Clock Company, Inc., a corporation, formerly Ritz Instrument Company, Inc.

WITNESS my hand this 8<sup>th</sup> day of May, 1972.

Eunice B. Blackmon  
Clerk

Defendant may be served by service on the Superintendent of Insurance, Montgomery, Alabama.

\* \* \* \* \*

EMPEROR CLOCK COMPANY, INC., )  
a corporation, formerly Ritz )  
Instrument Company, Inc., )  
Plaintiff, )  
VS. )  
AUTO-OWNERS INSURANCE COMPANY, )  
Defendant. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

10,383

C O M P L A I N T

COUNT ONE

The plaintiff claims of the defendant Forty Thousand Dollars (\$40,000.00) for gross earnings actually lost resulting directly from necessary interruption of business caused by damage to or destruction of real or personal property on the 23rd day of May, 1971, which the defendant insured against by its policy issued to plaintiff on November 5, 1969, for a period of three years of which the defendant has had notice.

JAMES R. OWEN and WILSON HAYES

By [Signature]  
Attorneys for Plaintiff

Plaintiff demands a trial by jury of said cause.

JAMES R. OWEN and WILSON HAYES

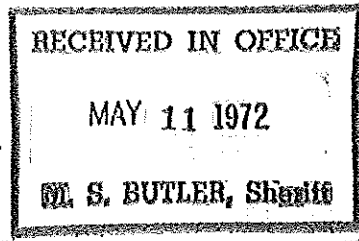
By [Signature]  
Attorneys for Plaintiff

**FILED**

MAY 9 1972

EUNICE B. BLACKMON CIRCUIT CLERK

2417



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70,383

Emperor Clock Co. Over-  
a corp. formerly Ritz  
Instrument Co.

vs.

Auto-Owners Insurance  
Co.

Executed by serving 2 copies of  
the within on Barbant

Superintendent  
of Insurance, State of Alabama

This The 12 day of May, 19 72

Sheriff of Montgomery County

M. S. Butler,

By Mc Smith 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

Mc Smith Deputy Sheriff

FILED

MAY 9 1972

EUNICE B. BLACKMON CIRCUIT CLERK

MAY 9 1972

TAYLOR WILKINS

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

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EMPEROR CLOCK COMPANY, INC., \*

a corporation, formerly Ritz \*

Instrument Company, Inc., \*

Plaintiff, \*

vs. \*

CIVIL ACTION NO. \_\_\_\_\_

AUTO OWNERS INSURANCE COMPANY, \*

Defendant. \*

KNOW ALL MEN BY THESE PRESENTS: That the undersigned AUTO OWNERS INSURANCE COMPANY, acting herein by and through one of its attorneys in the above entitled cause, being duly authorized in the premises, and ST. PAUL FIRE AND MARINE INSURANCE COMPANY, a corporation, as Surety, are held and firmly bound unto EMPEROR CLOCK COMPANY, a corporation, formerly Ritz Instrument Company, Plaintiff in the above entitled cause, in the sum of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS, for the payment of which well and truly to be made, the undersigned, and each of the undersigned, do bind themselves, their successors and assigns, jointly and severally and firmly by these presents.

DATED this 1st day of June, 1972.

The condition of the obligation is such that whereas said AUTO OWNERS INSURANCE COMPANY, the principal obliger, has applied to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, to remove a cause from the Circuit Court of Baldwin County, Alabama, wherein the said EMPEROR CLOCK COMPANY, INC., a corporation, formerly Ritz Instrument Company, Inc., is the Plaintiff and Petitioner is defendant, to the District Court of the United States for the Southern District of Alabama, Southern Division thereof, held in the City of Mobile, Alabama, and that all further action in the Circuit Court aforesaid be stayed.

NOW, THEREFORE, if the Petitioner shall pay all costs and disbursements that may be awarded by the United States District Court if the said District Court shall hold that such suit was not removable

or was wrongfully removed thereto, then this obligation shall be void, otherwise to be and remain in full force and effect.

Witness our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 1972.

AUTO OWNERS INSURANCE COMPANY

BY

For the Firm of BROWN, BUDGENS,  
FULFORD, SINTZ & RICHARDSON

ST. PAUL FIRE AND MARINE INSURANCE  
COMPANY

BY

As its Attorney-in-Fact

SURETY

ACCEPTED AND APPROVED ON THIS \_\_\_\_\_ day of \_\_\_\_\_, 1972.

\_\_\_\_\_  
Clerk, United States District Court

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Auto-Owners Insurance Company 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 the same, then and there to answer the complaint of Emperor Clock Company, Inc., a corporation, formerly Ritz Instrument Company, Inc.

WITNESS my hand this 9<sup>th</sup> day of May, 1972.

Eunice B. Blackmon  
Clerk

Defendant may be served by service on the Superintendent of Insurance, Montgomery, Alabama.

\* \* \* \* \*

EMPEROR CLOCK COMPANY, INC.,  
a corporation, formerly Ritz  
Instrument Company, Inc.,

Plaintiff,

VS.

AUTO-OWNERS INSURANCE COMPANY,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
AT LAW

10383

C O M P L A I N T

COUNT ONE

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JAMES R. OWEN and WILSON HAYES

By [Signature]

Attorneys for Plaintiff

Plaintiff demands a trial by jury of said cause.

JAMES R. OWEN and WILSON HAYES

By [Signature]

Attorneys for Plaintiff

**FILED**

MAY 9 1972

EUNICE B. BLACKMON  
CIRCUIT CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 1st day of June, 1972, served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing same by United States mail, properly addressed, and first class postage prepaid.

  
J. GEORGE WHITFIELD, JR.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF ALABAMA

213 U.S. COURT HOUSE & CUSTOM HOUSE

MOBILE, ALABAMA 36602

WILLIAM J. O'CONNER  
CLERK

JUNE 9, 1972

Mrs. Eunice B. Blackmon,  
The Clerk,  
Circuit Court of Baldwin County,  
The Court House,  
Bay Minette, Ala. 36507

In Re: Civil Action No. 7174-72-P  
Circuit Court No. 10383  
Emperior Clock v. Auto Owners Ins.

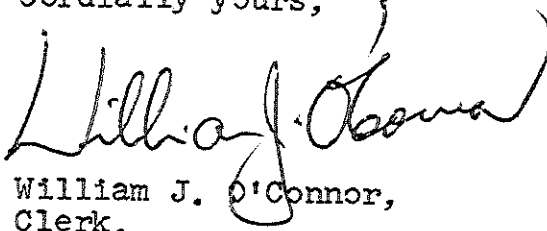
Dear Mrs. Blackmon:

On June 1, 1972, the Attorneys for the Defendant removed the above entitled case from your Court to the U.S. District Court for the Southern District of Alabama. I am not positive that the number of your court that I set out above is absolutely correct. However, I feel you know the case to which I refer.

At your convenience, please send to me a cost bill from your Court in reference to this case. As you know, this office makes every effort to collect the costs of the Circuit Court. I will need your cost bill when the case is concluded in this Court.

With regards and asking to be remember to Judge Mashburn, I am

Cordially yours,

  
William J. O'Connor,  
Clerk.

P.S. For your use and convenience I enclose an envelope that requires no postage.