

MERCHANTS ADJUSTMENT SERVICE, INC.

Plaintiff

VS

AARON YELLING

Defendant

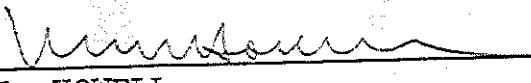
IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10422

Plaintiff claims of the defendant ONE THOUSAND THREE HUNDRED NINE and 65/100 (\$1,309.65) DOLLARS due from him by account on April, 1969, which sum of money with the interest thereon, is still unpaid. This suit is filed on an itemized verified account, which will be offered in evidence at trial.


WILLIAM L. HOWELL
Attorney for Plaintiff

Serve the defendant at:

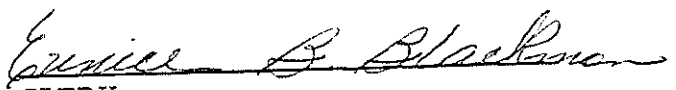
Rt. 2, Box 173 or Box 198
Daphne, Alabama

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon Aaron Yelling, TO appear in the Circuit Court of Baldwin County, Alabama, within 30 days from the service of this writ, at the place of holding the same, then and there to answer the annexed complaint of Merchants Adjustment Service, Inc.

Witness my hand, as Clerk, this 26 day of May 1972.


CLERK

FILED

MAY 26 1972

EUNICE B. BLACKMON CIRCUIT CLERK

Received 26 May 1972
and on 1 day of June 1972
I served a copy of the within to Aaron Gelling
on Aaron Gelling
By service on Aaron Gelling
Taylor Wilkins, Sheriff
By David H. Jensen, D.S.

Sheriff Claims 54 Miles
Ten Cents per mile Total \$ 5.40
TAYLOR WILKINS, Sheriff
DEPUTY SHERIFF
SHERIFF'S OFFICE
SHERIFF'S OFFICE

William J. Howell

MAY 26 1972
TAYLOR WILKINS
SHERIFF

EUNICE B. BLACKMON
CLERK

MAY 26 1972

FILED

Merchants Adjustment
Service

Aaron Gelling

B-18

10,422

AVAILABLE TO OTHERS
TAYLOR WILKINS

SHERIFF'S OFFICE

in regard to the above named person is being reviewed and not
and more than 100 miles, and the person is being reviewed and not
and the person is being reviewed and not
and the person is being reviewed and not

David H. Jensen

CLERK

MAY 26 1972

TAYLOR WILKINS

STATEMENT OF ACCOUNT

Creditor Merchants Adv. Inc. Assignee of Dr. Bennett, Davis & Jackson & Thomas Hospital
 Debtor Uelling, Aaron Address Rt. 2 Box 173 or Box 158
 Employment Farmer Address Daphne, Ala.

Professional Services Rendered On Account \$ 1,309.⁶⁵

Merchandise, Goods, Sold and Delivered On Account \$ _____

Date of Last Charge 4/69

Date of Last Payment 5/71

SWORN STATEMENT OF CLAIM

STATE OF ALABAMA

COUNTY OF MOBILE

I hereby certify that the above account is just and correct and that all proper credits have been given and that the balance as indicated above is due and payable.

X B. E. Savage

Affiant

Sworn and subscribed to before me this

18th day of May 1972

Mary Jane Holze
 Notary Public

STATE OF ALABAMA
COUNTY OF MOBILE

FOR A CONSIDERATION OF One and No/100 (\$1.00) Dollars and other valuable considerations to

Thomas Hospital

hereinafter called Vendor, paid by Merchants Adjustment Service, Inc. hereinafter called Vendee, the receipt of which is hereby acknowledged, and a further valuable consideration to be paid by Vendee to Vendor does hereby Sell, Assign, Transfer and set over to the Merchants Adjustment Service, Inc. of Mobile, Alabama, the following accounts:

Yelling, Aaron. (For Evelyn) #117465

with full right and authority to demand, collect and receive payment thereof, and to execute any and all necessary receipts and releases thereof, with full right to enforce said claims by suit in the name of the Vendor or in the name of the said Vendee, but at the cost and expense of the Vendee. The Vendor warrants the said claims to be just, correct, due and owing and free from set-offs or counter-claims, and agrees to furnish on demand of the Vendee, all necessary statements, evidence and proof to support said claims.

Because of the uncertainty of the value of the said accounts, the exact consideration for this assignment is to be determined in accordance with an existing contract between Vendor and Vendee. However, it is expressly understood that Vendor hereby conveys to Vendee the absolute title to said accounts and the Vendor retains no title or interest, legal or equitable, in or to said accounts, or any proceeds that Vendee may obtain therefrom.

Executed on this the 3rd day of May, 1972

Thomas Hospital
x Claud Clark, Jr.

STATE OF ALABAMA
COUNTY OF MOBILE

FOR A CONSIDERATION OF One and No/100 (\$1.00) Dollars and other valuable considerations to

Drs. Barrett, Green & Tucker

hereinafter called Vendor, paid by Merchants Adjustment Service, Inc. hereinafter called Vendee, the receipt of which is hereby acknowledged, and a further valuable consideration to be paid by Vendee to Vendor does hereby Sell, Assign, Transfer and set over to the Merchants Adjustment Service, Inc. of Mobile, Alabama, the following accounts:

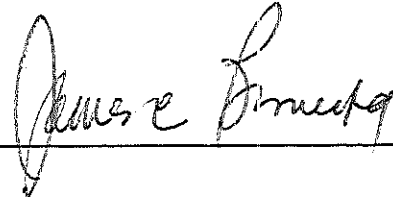
Yelling, Aaron (For Evelyn) \$135⁰⁰

with full right and authority to demand, collect and receive payment thereof, and to execute any and all necessary receipts and releases thereof, with full right to enforce said claims by suit in the name of the Vendor or in the name of the said Vendee, but at the cost and expense of the Vendee. The Vendor warrants the said claims to be just, correct, due and owing and free from set-offs or counter-claims, and agrees to furnish on demand of the Vendee, all necessary statements, evidence and proof to support said claims.

Because of the uncertainty of the value of the said accounts, the exact consideration for this assignment is to be determined in accordance with an existing contract between Vendor and Vendee. However, it is expressly understood that Vendor hereby conveys to Vendee the absolute title to said accounts and the Vendor retains no title or interest, legal or equitable, in or to said accounts, or any proceeds that Vendee may obtain therefrom.

Executed on this the 3rd day of May, 19 72

x



IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

MERCHANTS ADJUSTMENT SERVICE,

Plaintiff

VS

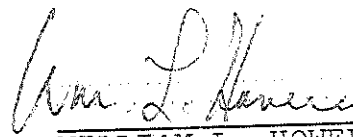
AARON YELLING,

Defendant

CIVIL ACTION NO. 10,422

MOTION FOR COURT TO IMPOSE SANCTIONS PURSUANT
TO RULE 37 OF THE ALABAMA RULES OF CIVIL PROCEDURE
FOR FAILURE TO COMPLY WITH DISCOVERY

Plaintiff moves the court to impose sanctions pursuant to Rule 37 of the Alabama Rules of Civil Procedure against defendant and judgment debtor for his failure to answer interrogatories and respond to a motion to produce heretofore served on the defendant and judgment debtor on October 31, 1974, which the defendant, having failed to respond to said discovery, and the plaintiff further prays the court would award to plaintiff an attorney's fee of ONE HUNDRED AND NO/100 (\$100.00) DOLLARS, caused by the defendant's failure to comply with said discovery.


WILLIAM L. HOWELL
Attorney for Plaintiff
2204 First National Bank Bld
Mobile, Alabama 36602
438-2516

FILED

DEC 9 1974

EUNICE B. BLACKMON CIRCUIT
CLERK

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

MERCHANTS ADJUSTMENT SERVICE,]

Plaintiff]

VS]

CIVIL ACTION NO. 10,422

AARON YELLING,]

Defendant]

TO: AARON YELLING

YOU ARE HEREBY COMMANDED to appear before the Circuit Court of Baldwin County, Alabama on the 18th day of December 1974; at 10:00 A.M., in Courtroom No. 2, then and there to show cause if any you have, why you should not be adjudged guilty of contempt of this court and punished for your failure to answer the plaintiff's interrogatories and respond to plaintiff's motion to produce heretofore served upon you in the above entitled cause, and herein fail not, and have you then and there this writ.

WITNESS my hand this 18th day of December 1974.

Telfair A. Mashburn
TELFAIR MASHBURN, Judge
Circuit Court, Baldwin County, Ala.

STATE OF ALABAMA
COUNTY OF BALDWIN:

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALA.

TO THE SHERIFF OF BALDWIN COUNTY ALABAMA, send greetings:

YOU ARE HEREBY COMMANDED to serve a copy of the above and foregoing on Aaron Yelling, and make due return hereon according to law.

WITNESS my hand this 18th day of December 1974.

Telfair A. Mashburn
TELFAIR MASHBURN, Judge
Circuit Court, Baldwin County, Ala.

SERVE DEFENDANT: ROUTE 2, Box 173 (or 198) Daphne, Alabama.

Epps

Case # 10,422

MERCHANTS ADJUSTMENT SERVICE

VS:

AARON YELLING
Rt. 2 Box 173 (or 198) Daphne, Ala.

Motion & Order

RECEIVED

DEC 11 1974

TAYLOR WILKINS
SHERIFF

William L. Howell,
Attorney for Plaintiff

Sheriff claims 54 miles at
Ten Cents per mile. Total \$ 5.40
TAYLOR WILKINS, Sheriff
BY W. L. Howell
DEPUTY SHERIFF

Received 11 day of Dec. 1974
and on 17 day of Dec. 1974
I served a copy of the within Motion & Order
on Aaron Yelling
By service on Aaron Yelling
TAYLOR WILKINS, Sheriff
BY W. L. Howell D. S.

WILLIAM L. HOWELL
ATTORNEY AT LAW

SUITE 2204
FIRST NATIONAL BANK BLDG.
MOBILE, ALABAMA 36602

July 18, 1974

TELEPHONE
AREA CODE 205
438 - 2516

MS EUNICE B. BLACKMON
CLERK OF CIRCUIT COURT
BALDWIN COUNTY COURTHOUSE
BAY MINETTE, ALABAMA 36507

RE: Merchants Adjustment Service vs Aaron Yelling, Case # 10,422


(PLEASE REFER TO ITEMS CHECKED BELOW)

Dear Sir:

1. () Please issue an alias (pluries) complaint and summons at the following address:
2. () Please issue a Writ of Discovery to the defendant, commanding him to file in Court a sworn list of his assets, if any.
3. () Please discharge the garnishee in the above styled cause.
4. () Please also send the garnishment release to the garnishee in the enclosed self-addressed, pre-metered envelope.
5. () Please furnish me with a Certificate of Judgment in the above case. My check in the amount of \$.50 is enclosed.
6. () Please issue a Certificate of Judgment and I would appreciate it if you would also record it in the Probate Court. My check for \$2.00 is enclosed.
7. (b) Please issue an alias execution against the defendant. Also, please forward the enclosed letter to the Sheriff requesting a levy.
8. () Please (dismiss) (non-suit) the above case on motion of plaintiff.
9. () Please give the bearer of this letter a copy of the release.
10. () Please find my check enclosed in the amount of \$_____ to pay the court costs.
11. () Please send me your bill of costs.

REMARKS:

Sincerely yours,


William L. Howell

WLH:gd

WILLIAM L. HOWELL

Attorney at Law

SUITE 2204
FIRST NATIONAL BANK BLDG.
MOBILE, ALABAMA 36602

May 25, 1972

TELEPHONE
AREA CODE 205
438-2516

Clerk of Circuit Court
Baldwin County Court House
Bay Minette, Alabama


Re: Merchants Adjustment Service, Inc. vs Aaron Yelling
Field Enterprises Educational Corp. vs Virgil Fleming

Dear Sir:

Please advise me at your earliest convenience as to the case numbers and the date of service of process on the above defendants.

Thanking you in advance for your cooperation in this matter.

Very truly yours,


William L. Howell

WLH:gd

Encl:

WILLIAM L. HOWELL
LAWYERS

WILLIAM L. HOWELL
M. LLOYD ROEBUCK

June 23, 1975

2204 FIRST NATIONAL BANK BLDG.
MOBILE, ALABAMA 36602
AREA CODE (205) 438-2516

MS. EUNICE B. BLACKMON, CLERK
CIRCUIT COURT, BALDWIN COUNTY
BAY MINETTE, ALABAMA 36507

RE: Case No. 10422 Merchants Adjustment Service vs. Aaron Yelling

(PLEASE REFER TO ITEMS CHECKED BELOW)

Dear Sir:

1. () please issue an alias (pluries) complaint and summons at the following address:
2. () Please issue a Writ of Discovery to the defendant, commanding him to file in Court a sworn list of his assets, if any.
3. () Please discharge the garnishee in the above styled cause.
4. () Please also send the garnishment release to the garnishee in the enclosed self-addressed, pre-metered envelope.
5. () Please furnish me with a Certificate of Judgment in the above case. My check in the amount of \$.50 is enclosed.
6. () Please issue a Certificate of Judgment and I would appreciate it if you would also record it in the Probate Court. My check for \$2.00 is enclosed.
7. () Please issue an alias execution against the defendant. Also, please forward the enclosed letter to the Sheriff requesting a levy.
8. () Please (dismiss) (non-suit) the above case on motion of plaintiff.
9. () Please give the bearer of this letter a copy of the release.
10. () Please find my check enclosed in the amount of \$_____ to pay the court costs.
11. () Please send me your bill of costs.

REMARKS:

Sincerely yours,


William L. Howell

Notice of Levy on Real Estate

MERCHANTS ADJUSTMENT SERVICE

Plaintiff,

vs.

Baldwin County Circuit Court

AARON YELLING

Defendant

To HON. HARRY D'OLIVE

Judge of Probate, Baldwin County, Alabama:

Notice is hereby given that under a Writ of CIVIL EXECUTION

issued in favor of the Plaintiff in above entitled cause, I have levied on the following described property of said Defendants, described as follows, viz:

BEG NE COR SE 1/4 SEC. 11-5S-2 RUN W 10 CHS FOR BEG. W 10 CHS S 10 CHS E 10 CHS N 10 CHS TO BEG. 11-5-2 10 AC NE 1/2-NE 1/2 OF SW-NE-SE 11-5S-2 2 1/2 AC. 5 RM FR. HOUSE

E 1/2 OF SW OF NE & SE OF NE 11-5S-2 RUN E 10. 03 CHS N 10.03 CHS W 10.03 CHS S 10.03 CHS TO BEG. 12-5-2 10.05 AC. 1 CHS HOUSE

R A PT ON N LINE DAPHNE-LOXLEY RD RUN N ALG W LINE 15-5S-2 WHICH PT IS 25 FT N & 20 FT E OF SW COR SD SEC. 15 N ALG E SIDE RD. 273 FT FOR PT BEG. N 392 FT. TO S LINE C. M. E.

CHURCH E 84 FT ALG CHURCH PROP. N ALG E LINE 180 FT. E & PAR TO DAPHNE LOXLEY RD. 739 FT TO PT TH S 500 FT 823 FT TO PT BEG. 15-5S-2 10 AC. BEING PT LOTS 2-3-4-5-6-7 & ALL.

LOTS 10-11-12-13- & PT. LOT 14 OF SUBD. OD SW-SW AGNES WILSON SUBD.

The above described Real Estate being in Baldwin County, Alabama

Given under my hand this 23 day of AUGUST 1974

Jaylor Wilkins
Sheriff of Baldwin County, Alabama

Mitchell

CIVIL # 10,422

MERCHANTS ADJUSTMENT SERVICE
VS
AARON YELLING

RECEIVED

AUG 30 1974

TAYLOR WILKINS
SHERIFF

DAPANE 54 miles

Received _____ day of _____ 19____
and on 3 day of SEPT 1974
I served a copy of the within NOTICE
on Aaron Yelling
By service on Aaron Yelling


TAYLOR WILKINS Sheriff
Ed Mitchell 22

MERCHANTS ADJUSTMENT SERVICE, INC.))	IN THE CIRCUIT COURT OF
)	
Plaintiff)	BALDWIN COUNTY, ALABAMA
)	
VS)	AT LAW
)	
AARON YELLING))	
)	
Defendant)	CASE NO. 10,422

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows and represents unto Your Honor that the defendant in the above styled cause was served with process on June 1, 1972 and since that date has failed and refused to plea, answer, or demur to the complaint, and still fails and refuses, to plea, answer or demur;

WHEREFORE, the plaintiff moves Your Honor to make and enter a judgment for the plaintiff in the sum of ONE THOUSAND FIVE HUNDRED THIRTY-TWO and 29/100 (\$1,532.29) DOLLARS.


 WILLIAM L. HOWELL
 Attorney for Plaintiff
 Suite 2204 First National Bank Bldg.
 Mobile, Alabama 36602

FILED

JUL 1 1972


EUNICE B. BLACKMON CIRCUIT CLERK

MERCHANTS ADJUSTMENT SERVICE, INC.)	IN THE CIRCUIT COURT OF
)
Plaintiff) BALDWIN COUNTY, ALABAMA
)
VS) AT LAW
)
AARON YELLING))
)
Defendant) CASE NO. 10,422

MOTION FOR JUDGMENT BY DEFAULT

Comes now the plaintiff in the above styled cause and shows and represents unto Your Honor that the defendant in the above styled cause was served with process on June 1, 1972 and since that date has failed and refused to plea, answer, or demur to the complaint, and still fails and refuses, to plea, answer or demur;

WHEREFORE, the plaintiff moves Your Honor to make and enter a judgment for the plaintiff in the sum of ONE THOUSAND FIVE HUNDRED THIRTY-TWO and 29/100 (\$1,532.29) DOLLARS.


 WILLIAM L. HOWELL
 Attorney for Plaintiff
 Suite 2204 First National Bank Bldg.
 Mobile, Alabama 36602

WILLIAM L. HOWELL

Attorney at Law

July 7, 1972

SUITE 2204
FIRST NATIONAL BANK BLDG.
MOBILE, ALABAMA 36602

TELEPHONE
AREA CODE 205
438-2516

Honorable Telfair Mashburn
Judge of Circuit Court
Baldwin County Court House
Bay Minette, Alabama

Re: Merchants Adjustment Service, Inc. vs Aaron Yelling,
Case No. 10,422


Dear Judge Mashburn:

Please enter a default judgment in the above styled matter
in the sum of \$1,532.29. A breakdown of the computation of
the judgment is as follows:

Principal	\$1,309.65
Interest	<u>222.64</u>
Total	1,532.29

Thanking you for your considerations in the matter, and with
warmest regards, I am,

Very truly yours,


William L. Howell

WLH:gd