

THERESA CAROL O'BRIEN, a : IN THE CIRCUIT COURT OF
 minor, suing through her next :
 friend JOHN R. ROBERTSON, :

 Plaintiff, : BALDWIN COUNTY, ALABAMA

 VS. :

 KENNETH LEROY HAGLE, and : AT LAW
 JAMES W. NEUMILLER, and :
 X, Y, and Z, a corporation, and :
 X, Y, and Z, individuals, whose :
 names are otherwise unknown to the :
 Plaintiff but will be added when :
 ascertained, :

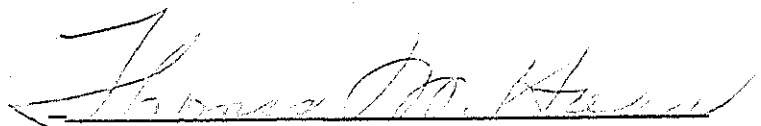
 Defendants. : CASE NO. 10,501

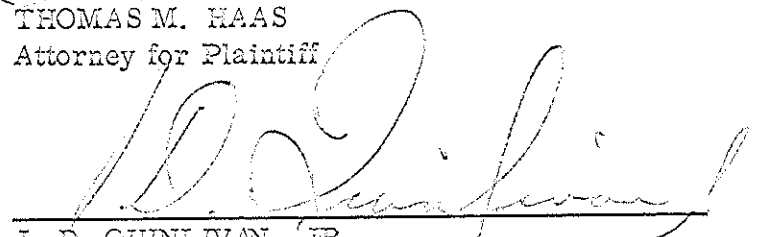
COMPLAINT

Plaintiff claims of the Defendants, jointly and severally, the sum of
 FIFTY THOUSAND (\$50,000.00) DOLLARS, as damages, for that heretofore and
 on, to-wit: May 6, 1972, the Defendant, KENNETH LEROY HAGLE, while acting
 as a agent, servant or employee of the Defendant, JAMES W. NEUMILLER, and
 who was then and there acting within the line and scope of his authority as such, so
 negligently operated a motor vehicle on and along Highway 182 West at a point
 approximately one-half ($\frac{1}{2}$) mile west of its intersection with Main Street, said
 Highway 182 West being a public highway in Gulf Shores, Baldwin County, Alabama,
 so as to negligently cause or allow said motor vehilce to collide with Plaintiff, a
 pedestrain, walking beside the paved surface of Highway 182 West, at said time and
 place and as a proximate result of said negligence, the Plaintiff was injured as
 follows, to-wit: she suffered injuries to her neck and back, she suffered muscle
 strain to her neck, back, arms and legs, her arms, body, and legs were bruised,
 contused and lacerated, she was caused to suffer great physical pain and mental
 anguish, she will suffer great physical pain and mental anguish in the future, she
 lost time from school, she was permanently disabled, she will be caused to lose
 income in the future, she will be caused to incur medical expenses in the future,

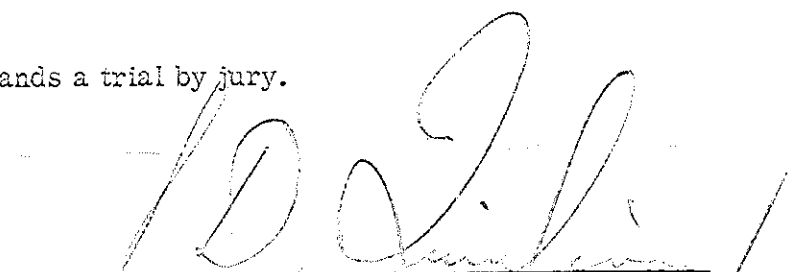
hence this suit.

Respectfully submitted,


THOMAS M. HAAS
Attorney for Plaintiff


J. D. QUINLIVAN, JR.
Attorney for Plaintiff

Plaintiff respectfully demands a trial by jury.


J. D. QUINLIVAN, JR.
Attorney for Plaintiff

Defendants may be served at:

James W. Neumiller
Rt. 2, Box 160-A
Foley, Alabama

Kenneth Leroy Hagle
Rt. 1, Box B
Foley, Alabama

FILED

JUL 24 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,501

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Kenneth Leroy Hagle, and James W. Neumiller, and
X, Y, and Z, a corporation, and X, Y, and Z, individuals, whose names are otherwise unknown
to the Plaintiff but will be added when ascertained.

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 Kenneth Leroy Hagle,
and James W. Neumiller, and X, Y, and Z, a corporation, and X, Y, Z, individuals, whose names
are otherwise unknown to the Plaintiff but will be added when Defendant.
ascertained

by

Theresa Carol O'Brien, a minor, suing through her next friend Plaintiff.

John R. Robertson

Witness my hand this 24th day of July 1972.

Currie B. Blackburn, Clerk

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Theresa Carol O'Brien, a minor,
suing through her next friend
John R. Robertson

Plaintiffs

Kenneth Leroy Hagle, and James W.
Neumiller, and X, Y, and Z, a corp.
and X, Y, and Z, individuals, whose
names are otherwise unknown to the
Plaintiff but will be added when
ascertained

Defendants

SUMMONS AND COMPLAINT

Filed 7/24/72 19.....

Clerk

FILED

JUL 24 1972

EUNICE B. BLACKMON
Thomas Hayes

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

RECEIVED

19.....

JUL 24 1972

Sheriff

I have executed this summons

SHERIFF

this 19.....

by leaving a copy with

8-2-72
Kenneth Leroy Hagle
James W. Neumiller
5-3-72

Sheriff claims 14.64 miles at

Ten Cents per mile Total \$ 1.464

TAYLOR WILKINS Sheriff

BY [Signature] Deputy Sheriff

[Signature] Sheriff

[Signature] Deputy Sheriff

THERESA CAROL O'BRIEN, a
minor, suing through her next
friend JOHN R. ROBERTSON,

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VS.

KENNETH LEROY HAGLE, and
JAMES W. NEUMILLER, and
X, Y, and Z, a corporation, and
X, Y, and Z, individuals, whose
names are otherwise unknown to the
Plaintiff but will be added when
ascertained,

Defendants.

: IN THE CIRCUIT COURT OF

: BALDWIN COUNTY, ALABAMA

: AT LAW

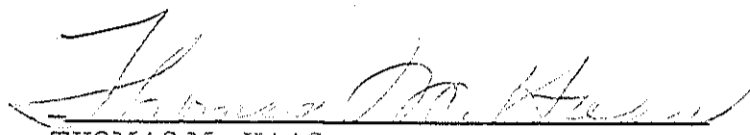
: CASE NO. 10,501

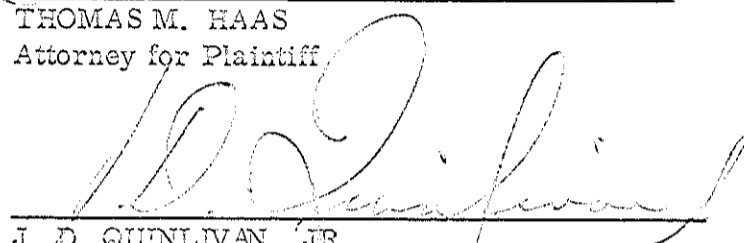
COMPLAINT

Plaintiff claims of the Defendants, jointly and severally, the sum of FIFTY THOUSAND (\$50,000.00) DOLLARS, as damages, for that heretofore and on, to-wit: May 6, 1972, the Defendant, KENNETH LEROY HAGLE, while acting as a agent, servant or employee of the Defendant, JAMES W. NEUMILLER, and who was then and there acting within the line and scope of his authority as such, so negligently operated a motor vehicle on and along Highway 182 West at a point approximately one-half ($\frac{1}{2}$) mile west of its intersection with Main Street, said Highway 182 West being a public highway in Gulf Shores, Baldwin County, Alabama, so as to negligently cause or allow said motor vehicle to collide with Plaintiff, a pedestrian, walking beside the paved surface of Highway 182 West, at said time and place and as a proximate result of said negligence, the Plaintiff was injured as follows, to-wit: she suffered injuries to her neck and back, she suffered muscle strain to her neck, back, arms and legs, her arms, body, and legs were bruised, contused and lacerated, she was caused to suffer great physical pain and mental anguish, she will suffer great physical pain and mental anguish in the future, she lost time from school, she was permanently disabled, she will be caused to lose income in the future, she will be caused to incur medical expenses in the future,

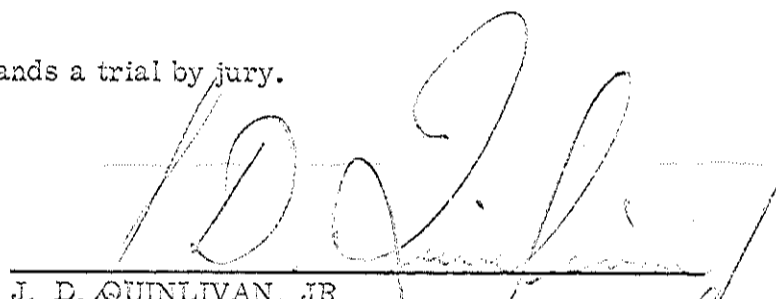
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Respectfully submitted,


THOMAS M. HAAS
Attorney for Plaintiff


J. D. QUINLIVAN, JR.
Attorney for Plaintiff

Plaintiff respectfully demands a trial by jury.


J. D. QUINLIVAN, JR.
Attorney for Plaintiff

FILED

Defendants may be served at:

JUL 24 1972

James W. Neumiller
Rt. 2, Box 160-A
Foley, Alabama

EUNICE B. BLACKMON CIRCUIT
CLERK

Kenneth Leroy Hagle
Rt. 1, Box B
Foley, Alabama

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,501

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Kenneth Leroy Hagle, and James W. Neumiller, and
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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 Kenneth Leroy Hagle,
and James W. Neumiller, and X, Y, and Z, a corporation, and X, Y, and Z, individuals,
whose names are otherwise unknown to the Plaintiff but will be added when ascertained
Defendant.

by Theresa Carol O'Brien, a minor, suing through her next friend John R. Robertson

Plaintiff.....

witness my hand this 24th day of July 19 72

Ernie B. Blackmon Clerk

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Theresa Carol O'Brian, a minor,

suing through her next friend

John R. Robertson

Plaintiffs

VS.

Kenneth Leroy Hagle, and James W.
Neumiller, and X, Y, and Z, a corp., and
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SUMMONS AND COMPLAINT

Filed 7/24/72 19.....

Clerk

FILED

JUL 24 1972

EUNICE R. BLACKMON CIRCUIT
CLERK

Thomas Hayes

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19.....

Sheriff

I have executed this summons

this 19.....

by leaving a copy with

Sheriff

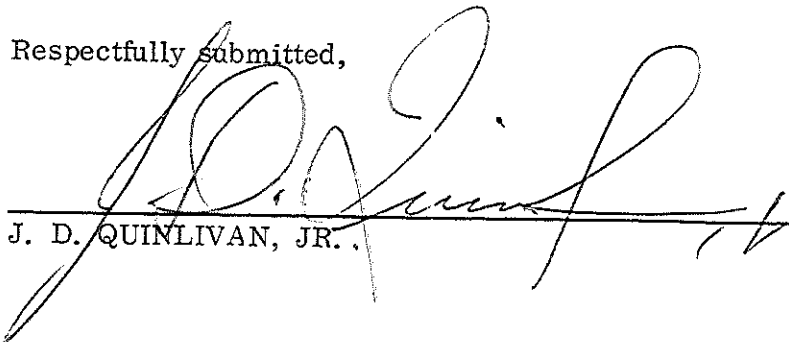
Deputy Sheriff

THERESA CAROL O'BRIEN, : IN THE CIRCUIT COURT OF
Plaintiff, : BALDWIN COUNTY, ALABAMA
VS. : AT LAW
KENNETH LEROY HAGLE, et al, :
Defendant, : CASE NO. 10,501

Comes now J. D. Quinlivan, Jr., having heretofore appeared as attorney for the Plaintiff and files this his motion to withdraw as counsel for Plaintiff and as grounds for said motion shows unto the Court as follows:

1. Plaintiff's father has retained the Honorable Ben H. Kilborn, Attorney at Law, Mobile, Alabama to represent her in the above style case.

Respectfully submitted,


J. D. QUINLIVAN, JR.

FILED

AUG 21 1972

LUNICE B. BLACKMON CIRCUIT CLERK

CC: Ben H. Kilborn

THERESA CAROL O'BRIEN, : IN THE CIRCUIT COURT OF
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VS. : AT LAW
KENNETH LEROY HAGLE, et al, :
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CC: Ben H. Kilborn

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VS. : AT LAW
KENNETH LEROY HAGLE, et al, :
Defendant, : CASE NO. 10,501

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Respectfully submitted,


J. D. QUINLIVAN, JR.,

CC: Ben H. Kilborn

THERESA CAROL O'BRIEN, a
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friend, JOHN R. ROBERTSON,

Plaintiff,

VS.

KENNETH LEROY HAGLE, and
JAMES W. NEUMILLER, and
X, Y, Z, a corporation, and
X, Y, Z, individuals, whose
names are otherwise unknown
to the Plaintiff but will be added
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Defendants.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

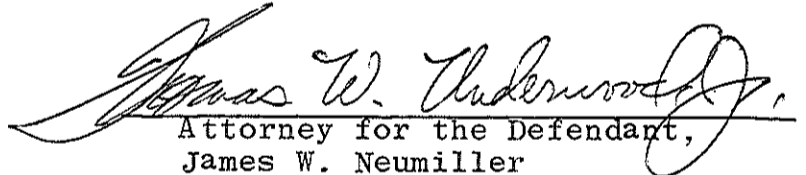
AT LAW

CASE NO. 10,501

ANSWER

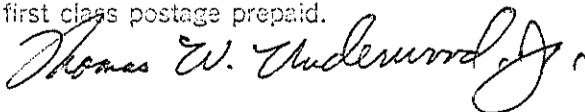
Comes the Defendant, James W. Neumiller, an individual, and
for answer to the Complaint of Theresa Carol O'Brien, a minor,
suing through her next friend, John R. Robertson, says as follows:

The Defendant denies all allegations set out in the Complaint
and specifically denies that the Defendant, Kenneth Leroy Hagle,
was the agent, servant or employee of the Defendant, James W.
Neumiller on, to-wit: the 6th day of May, 1972, and further
alleges that the Defendant, Kenneth Leroy Hagle, has never been
the agent, servant, or employee of the Defendant, James W.
Neumiller, and the Defendant denies any liability or responsi-
bility for any act of Kenneth Leroy Hagle as set out in the
Complaint.


Attorney for the Defendant,
James W. Neumiller

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 21st
day of August, 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.



FILED

AUG 23 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

THERESA CAROL O'BRIEN, a
minor, suing through her
next friend, JOHN R.
ROBERTSON,

Plaintiff,

versus

KENNETH LEROY HAGLE, and
JAMES W. NEUMILLER, and
X, Y, Z, a corporation, and
X, Y, Z, individuals, whose
names are otherwise unknown
to the Plaintiff, but will
be added when ascertained,

Defendants.


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CASE NO. 10,501

APPEARANCE

Comes now Ben H. Kilborn and appears as attorney for the
Plaintiff.


BEN H. KILBORN
Attorney for Plaintiff

FILED

SEP 6 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy
of the above and foregoing on counsel for all
parties to this proceeding by mailing the same
by United States Mail, properly addressed, and
adequate first class postage thereon, this.....
day of Sept, 1972



BEN H. KILBORN

LAWYER

P. O. BOX 1072

604 COMMERCE BUILDING

118 NORTH ROYAL STREET

MOBILE, ALABAMA 36601

BEN H. KILBORN

LES MCINTYRE

AREA CODE 205
432-7536

August 22, 1973

Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama

Re: Teresa Carol O'Brien
vs Kenneth Leroy Hagal
Case Number: 10,501

Dear Sir:

It is requested that the above styled case be dismissed with prejudice and the costs bill taxed against Teresa O'Brien and forwarded to P. O. Box 1072, Mobile, Alabama.

Sincerely,


LES MCINTYRE

LMcI/dkb

cc: Hon. Jerry McDowell