

CLIFFORD L. MCLAIN and
LOUISE MCLAIN

PLAINTIFFS

VS

CAVALIER INSURANCE CORPORATION,
a Corporation

DEFENDANT

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA

) AT LAW

)

)

) CASE NO:


COUNT 1.

Plaintiffs claim of the Defendant the sum of SEVEN THOUSAND (\$7,000.00) DOLLARS, due them on a policy of insurance whereby the Defendant on, to-wit, June 22, 1970, insured a 1970 mobile home, Plantation model, serial #10436, owned by James T. and Shirley Tyler, which mobile home was subsequently sold by James T. and Shirley Tyler to the Plaintiffs on, to-wit, November 2, 1970, and which policy of insurance was assigned and endorsed by the Defendant to the Plaintiffs on November 16, 1970, and in said policy the Defendant insured said mobile home for its actual cash value for the loss thereof in the event said mobile home was destroyed by fire. Plaintiffs aver that said mobile home insured by the Defendant was totally destroyed by a fire on, to-wit, January 4, 1972, and Plaintiffs aver that said mobile home at the time it was destroyed by fire had an actual cash value of SIX THOUSAND NINE HUNDRED (\$6,900.00) DOLLARS; and before default in payment of any premiums due under said policy, and although the Plaintiffs have furnished due proof to the Defendant, yet the Defendant has failed to pay to the Plaintiffs the actual cash value of said mobile home, in accordance with the insurance policy issued by the Defendant. The Plaintiffs claim punitive damages from the Defendant.

COUNT 2.

Plaintiffs claim of the Defendant the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.) DOLLARS, due them on a policy of insurance whereby the Defendant, on, to-wit, June 22, 1970, insured a 1970 mobile home, Plantation

model, serial #10436, owned by James T. and Shirley Tyler, which mobile home was subsequently sold by James T. and Shirley Tyler to the Plaintiffs on, to-wit, November 2, 1970, and which policy of insurance was assigned and endorsed by the Defendant to the Plaintiffs on November 16, 1970, and in said policy, the Defendant insured the Plaintiffs in the amount of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS for loss of their personal effects within said mobile home should the same be destroyed by fire. Plaintiffs aver that said mobile home was destroyed by fire on, to-wit, January 4, 1972, and that the Plaintiffs suffered a total loss of their personal effects with a value of One Thousand Five Hundred (\$1,500.00) Dollars; and before default in payment of any premiums due under said policy, and although the Plaintiffs have furnished due proof to the Defendant, yet the Defendant has failed to pay to the Plaintiffs the actual cash value of said mobile home, in accordance with the insurance policy issued by the Defendant.


Taylor Wilkins, Jr.
Attorney for Plaintiffs

Plaintiffs respectfully demand a trial
of this cause by jury.


Attorney for Plaintiffs

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No.

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CAVALIER INSURANCE CORPORATION

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.....

Cavalier Insurance Corporation

....., Defendant.....

by Clifford L. McLain and Louise McLain

....., Plaintiff.....

witness my hand this.....day of..... 19.....

..... Clerk

No. 10,518

Page.....

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Clifford L. McLain and

Louise McLain

Plaintiffs

VS.

Cavalier Insurance Corporation

Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

FILED

JUL 31 1972

EUNICE B. BLACKMON

CIRCUIT
CLERK

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

244
RECEIVED IN OFFICE

Serve: Mr. John Bookout

Superintendent of Insurance

~~Defendant xxxxxx~~

Administrative Bldg.
M. S. BUTLER, Sheriff
Montgomery, Alabama.

Received In Office

RECEIVED

AUG 2 1972

19.....

Sheriff

TAYLOR WILKINS
I have executed this summons
SHERIFF

this 19.....

Executed by serving 2 copies of
by leaving a copy with J. McMath
the within on J. McMath

Superintendent
of Insurance, State of Alabama

This The 1 day of Aug 1972

Sheriff of Montgomery County

M. S. Butler,

By McMath D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.00 each for

serving 1 process(es) and \$1.00

travel expense on each of 1

process(es) or a total of 250

McMath Deputy Sheriff

Sheriff

Deputy Sheriff

STATE OF ALABAMA
DEPARTMENT OF INSURANCE

I, the undersigned, as Commissioner of Insurance for the State of Alabama,
hereby certify that on the 7th day of August, 1972, I

sent by registered mail in an envelope as follows:

Mr. S. M. Chesney, President
Cavalier Insurance Corporation
300 St. Paul Place
Baltimore, Maryland 21202

REGISTERED MAIL
RETURN RECEIPT REQUESTED

bearing sufficient prepaid postage, a copy of a summons and complaint served upon
me by the Sheriff of Montgomery County, Alabama, in a cause styled as follows:

Clifford L. McLain & Louise McLain, Plaintiff CASE NO. 10,518

in the Circuit Court of Baldwin County

VERSUS

(Name of Court)

Cavalier Insurance Corporation, Defendant

And that on the 14th day of August, 1972, I received
the return card showing receipt by the designated addressee of said envelope on
the 10th day of August, 1972.

Witness my hand and official seal this the 14th day of August,
1972.

John B. Bookout
COMMISSIONER OF INSURANCE

FILED

AUG 16 1972

EUNICE B. BLACKMON CIRCUIT
CLERK

#10,518 J.

"Dismissed with Prejudice -
tax cost to Dept"
