

WILLIAM L. THORNTON	*	IN THE CIRCUIT COURT OF
Plaintiff	*	
VS.	*	BALDWIN COUNTY, ALABAMA
PARGAS, INC.,	*	
a corporation, and	*	
GAY E. JOHNSON	*	AT LAW
jointly and separately	*	
Defendants	*	CASE <u>10,542</u>

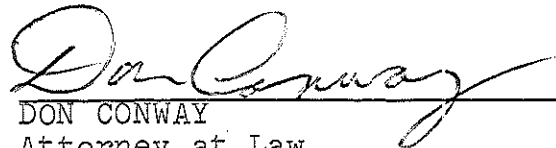
COUNT ONE

Plaintiff claims of Defendants \$10,000.00 damages in that heretofore to-wit, May 23, 1972, Plaintiff was operating an automobile on a public road in Bay Minette, Baldwin County, Alabama, to-wit, McMeans Avenue (Highway 31) at a point near or in front of a truck stop on the east side of said road about two miles south of the County Court House, when at said time and place, Defendants so negligently operated a truck as to collide with the automobile operated by Plaintiff as aforesaid and as the proximate result of said negligent operation of a truck by Defendants as aforesaid, Plaintiff sustained the following injuries and damages: Plaintiff suffered a painful bruise to his left knee, Plaintiff incurred reasonable expenses for doctors, x-rays and medicines, Plaintiff suffered much physical pain and mental anguish and Plaintiff's automobile was wrecked and damaged, wherefore Plaintiff claims damages as aforesaid.

COUNT TWO

Plaintiff claims of Defendants the sum of \$10,000.00 damages in that heretofore to-wit, May 23, 1972, Plaintiff was operating an automobile on a public road in Bay Minette, Baldwin County, Alabama, to-wit, McMeans Avenue (Highway 31) at a point near or in front of a truck stop on the east side of said road about two miles south of the County Court House, when at said time and place Defendants wantonly injured and damaged Plaintiff by wantonly colliding a truck with the automobile operated by Plaintiff as aforesaid and as the proximate result of said

wantonness by Defendants, Plaintiff sustained those injuries and damages set out herein before in Count One of this complaint.



DON CONWAY
Attorney at Law
201 First Federal Savings Building
116 St. Michael Street
Mobile, Alabama 36602

ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands this cause be tried by a jury.



DON CONWAY
ATTORNEY FOR PLAINTIFF

NOTE FOR SERVICE:

Both Defendants are non-residents and may be served via the Secretary of State of Alabama per Title 7 Code of Alabama §199. For that purpose, 6 copies of this complaint are provided along with the fee of \$10.00 for such service.

Defendant Pargas, Inc., a corporation, is located at P. O. Box 1176, Pascagoula, Mississippi. Its managing agent is Mr. Roy King.

Defendant Gay E. Johnson resides at Route 1 Box 330, Lucedale, Mississippi 39452, and is employed by Pargas, Inc.

FILED

AUG 9 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. 10,542

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon PARGAS, INC., a corporation, and GAY E. JOHNSON,
Jointly and separately
.....
.....
.....

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 PARGAS, INC.,
a corporation, and GAY E. JOHNSON Jointly and separately Defendant.....

by WILLIAM L. THORNTON
.....

Plaintiff.....

witness my hand this 9th day of August 1972

Eunice B. Blackmon Clerk

24 8-11-72

70 526

No. 10,542

Page.....

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

WILLIAM L. THORNTON

Plaintiffs

VS.

PARGAS, INC., a corporation, and
GAY E. JOHNSON, jointly & separately
Defendants

SUMMONS AND COMPLAINT

Filed August 9, 1972

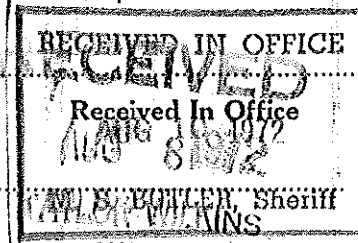
EUNICE B. BLACKMON Clerk

DON CONWAY

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at



19.....

6

Sheriff

I have executed this summons

this 19.....

Executed by serving
by leaving a copy with..... copies of

the within on

Secretary of State of The State of
Alabama.

This the 11 day of Aug 1972

Sheriff of Montgomery County

M. S. Butler,

By: McMath D. S.

M. S. Butler, Sheriff of Montgomery

County, Alabama, Claim \$1.50 each for

serving 2 process(es) and \$1.00

travel expense on each of 2

process(es) or a total of \$5.00

McMath Deputy Sheriff

Sheriff

Deputy Sheriff

August 22, 1972

WILLIAM L. THORNTON, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, AT LAW

VS

GAY E. JOHNSON, et al, Defendants

CASE NO. 10,542

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on August 11, 1972
I sent by certified mail in an envelope addressed as follows:" Gay E. Johnson
Route 1, Box 330
Lucedale, Mississippi 39452""Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of the State of Alabama in words and figures as follows:

"Gay E. Johnson
Route 1, Box 330
Lucedale, Mississippi 39452You will take notice that on August 11, 1972 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: WILLIAM L. THORNTON, Plaintiff VS GAY E. JOHNSON, et al,
Defendantsin the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW
Case No. 10,542 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.WITNESS MY HAND and the Great Seal of the State of Alabama this the 11th
day of August, 1972

Enclosure (1)

(Signed) Mabel S. Amos
Secretary of StateI further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.I further certify that on August 18, 1972 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Lucedale, Ms.
on 8/19/72WITNESS MY HAND and the Great Seal of the State of Alabama this the 22nd day
of August, 1972
MABEL S. AMOS
Secretary of StateEnclosures: Return Receipt Card and copy
of Summons and Complaint.CC: Honorable Don Conway
201 First Federal Savings Building
116 St. Michael Street
Mobile, Alabama 36602

70-528

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,542

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon PARGAS, INC., a corporation, and GAY E. JOHNSON,
Jointly and separately

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 PARGAS, INC.,

a corporation, and GAY E. JOHNSON jointly and separately

Defendant.....

by WILLIAM L. THORNTON

Plaintiff.....

witness my hand this 9th day of August 1972

Eunice B. Blackmon, Clerk

No. 10,542

Page.....

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

WILLIAM L. THORNTON

Plaintiffs

VS.

PARGAS, INC., a corporation, and
GUY B. JOHNSON, jointly & separately
Defendants

SUMMONS AND COMPLAINT

Filed August 7, 1977

RONALD B. BLACKMAN

Clerk

RON CORLEY

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

WILLIAM L. THORNTON	*	IN THE CIRCUIT COURT OF
Plaintiff	*	
VS.	*	BALDWIN COUNTY, ALABAMA
PARGAS, INC.,	*	
a corporation, and	*	
GAY E. JOHNSON	*	AT LAW
jointly and separately	*	
Defendants	*	CASE


COUNT ONE

Plaintiff claims of Defendants \$10,000.00 damages in that heretofore to-wit, May 23, 1972, Plaintiff was operating an automobile on a public road in Bay Minette, Baldwin County, Alabama, to-wit, McMeans Avenue (Highway 31) at a point near or in front of a truck stop on the east side of said road about two miles south of the County Court House, when at said time and place, Defendants so negligently operated a truck as to collide with the automobile operated by Plaintiff as aforesaid and as the proximate result of said negligent operation of a truck by Defendants as aforesaid, Plaintiff sustained the following injuries and damages: Plaintiff suffered a painful bruise to his left knee, Plaintiff incurred reasonable expenses for doctors, x-rays and medicines, Plaintiff suffered much physical pain and mental anguish and Plaintiff's automobile was wrecked and damaged, wherefore Plaintiff claims damages as aforesaid.

COUNT TWO

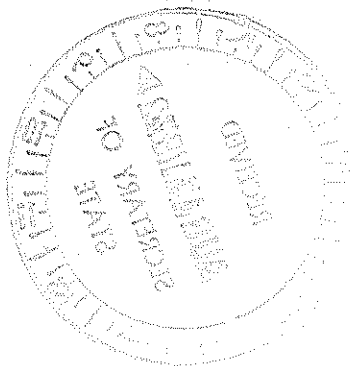
Plaintiff claims of Defendants the sum of \$10,000.00 damages in that heretofore to-wit, May 23, 1972, Plaintiff was operating an automobile on a public road in Bay Minette, Baldwin County, Alabama, to-wit, McMeans Avenue (Highway 31) at a point near or in front of a truck stop on the east side of said road about two miles south of the County Court House, when at said time and place Defendants wantonly injured and damaged Plaintiff by wantonly colliding a truck with the automobile operated by Plaintiff as aforesaid and as the proximate result of said

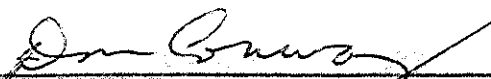
wantonness by Defendants, Plaintiff sustained those injuries and damages set out herein before in Count One of this complaint.


DON CONWAY
Attorney at Law
201 First Federal Savings Building
116 St. Michael Street
Mobile, Alabama 36602

ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands this cause be tried by a jury.




DON CONWAY
ATTORNEY FOR PLAINTIFF

NOTE FOR SERVICE:

Both Defendants are non-residents and may be served via the Secretary of State of Alabama per Title 7 Code of Alabama §199. For that purpose, 6 copies of this complaint are provided along with the fee of \$10.00 for such service.

Defendant Pargas, Inc., a corporation, is located at P. O. Box 1176, Pascagoula, Mississippi. Its managing agent is Mr. Roy King.

Defendant Gay E. Johnson resides at Route 1 Box 330, Lucedale, Mississippi 39452, and is employed by Pargas, Inc.

FILED

AUG 9 1972

EUNICE B. BLACKMON CIRCUIT CLERK

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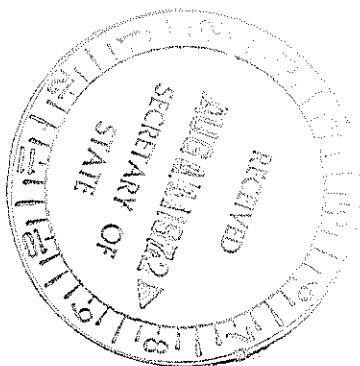
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WILLIAM L. THORNTON,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
v.	:	AT LAW
PARGAS, INC., a corporation,	:	
and GAY E. JOHNSON, jointly	:	
and separately,	:	
Defendants.	:	CASE NO. 10,542

DEMURRER

Come now Pargas, Inc., a corporation, and Gay E. Johnson, two of the defendants in the above captioned cause, and demur to the complaint of the plaintiff heretofore filed against them in said cause and to each and every count thereof, separately and severally, and as grounds of said demurrer set down and assign the following, separately and severally, to-wit:

1. For that it does not state facts sufficient to constitute a cause of action.

2. For that negligence is therein alleged merely as a conclusion of the pleader.

3. For that it is vague, indefinite and uncertain, in that it does not apprise this defendant with sufficient certainty against what act or acts of negligence this defendant is called upon to defend.

4. For that it does not appear with sufficient certainty what duty, if any, this defendant may have owed to the plaintiff.

5. For that it does not appear with sufficient certainty wherein this defendant violated any duty which this defendant might have owed to the plaintiff.

6. For that it does not sufficiently appear that this defendant owed any duty to the plaintiff which this defendant negligently failed to perform.

7. For that there does not appear sufficient causal connection between this defendant's alleged breach of duty and the plaintiff's injuries and damages.

8. For that no facts are alleged to show that the plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.

9. For that it is not alleged with sufficient certainty where said accident occurred.

10. For that it is not alleged that the negligence complained of proximately caused the accident, the injuries and damages complained of.

11. For that the averments thereof are conflicting and repugnant.

12. For that no causal connection appears between this defendant's alleged negligence and the injuries and damages complained of by the plaintiff.

13. For that it is not alleged that the willful or wanton conduct complained of proximately caused the accident, the injuries and damages complained of.

14. For that the facts averred in said complaint do not constitute willful or wanton negligence.

15. For aught that appears from said complaint, plaintiff's injuries and damages were not the direct and proximate result of any willful or wanton negligence on the part of this defendant.

16. For that it is not alleged that this defendant willfully or wantonly injured the plaintiff.

17. For that the willful or wanton conduct complained of is but the conclusion of the plaintiff with no facts alleged in support thereof.

INGE, TWITTY, DUFFY & PRINCE

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 29 day of Aug., 1972.

James J. Duffy, Jr.
Attorney for

By: James J. Duffy, Jr.
JAMES J. DUFFY, JR.
P. O. Box 1109
Mobile, Alabama 36601
Designated Trial Attorney

FILED

AUG 30 1972

EUNICE B. BLACKMON CIRCUIT CLERK

August 16, 1972

WILLIAM L. THORNTON, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, AT LAW

VS

PARGAS, INC., A CORPORATION, et al, Defendants

CASE NO. 10,542

TO THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW

I, Mabel Amos, Secretary of State, hereby certify that on August 11, 1972
I sent by certified mail in an envelope addressed as follows:

" Roy King, Agent
Pargas, Inc., a Corporation
P. O. Box 1176
Pascagoula, Mississippi 39452"

"Certified Mail—
Return Receipt Requested
Deliver to Addressee Only"

bearing sufficient and proper prepaid postage, a notice bearing my signature and the Great Seal of
the State of Alabama in words and figures as follows:

" Roy King, Agent
Pargas, Inc., a Corporation
P. O. Box 1176
Pascagoula, Mississippi 39452

You will take notice that on August 11, 1972 the Sheriff of Montgomery
County, Alabama, served upon me, in my official capacity, summons and complaint in a
case entitled: WILLIAM L. THORNTON, Plaintiff vs PARGAS, INC., A CORPORATION,
et al, Defendants

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AT LAW
Case No. 10,542 a true copy of which summons and complaint is attached hereto
and the said service upon me as Secretary of State of the State of Alabama has the force and
effect of personal service upon you.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 11th
day of August, 1972

Enclosure (1)

(Signed) Mabel Amos
Secretary of State"

I further certify that the notice above set out which was so mailed in the envelope addressed
as above set forth had attached to it a true copy of the summons and complaint in the above-styled
cause.

I further certify that on August 16, 1972 I received the return card, showing
receipt by the designated addressee of the aforementioned matter at Pascagoula, MS
on August 14, 1972

WITNESS MY HAND and the Great Seal of the State of Alabama this the 16th day
of August, 1972

Mabel S. Amos
MABEL S. AMOS
Secretary of State

Enclosures: Return Receipt Card and copy
of Summons and Complaint.

CC: Honorable Don Conway
201 First Federal Savings Building
116 St. Michael Street
Mobile, Alabama 36602

70-527

SUMMONS AND COMPLAINT

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. 10,542

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon PARSONS, INC., a corporation, and CAT E. JOHNSON,
Jointly and separately

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.....
PARSONS, INC.,

a corporation, and CAT E. JOHNSON Jointly and separately Defendant.....

by WILLIAM L. THOMPSON

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

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

Eunice B. Blackman, Clerk

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

WILLIAM L. THORNTON

Plaintiffs

VS.

PARGAS, INC., a corporation, and
GAY E. JOHNSON, jointly & separately
Defendants

SUMMONS AND COMPLAINT

Filed **August 9,** 19**72**

EUNICE B. BLACKMON Clerk

DON CONWAY

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

WILLIAM L. THORNTON	*	IN THE CIRCUIT COURT OF
Plaintiff	*	
VS.	*	BALDWIN COUNTY, ALABAMA
PARGAS, INC.,	*	
a corporation, and	*	
GAY E. JOHNSON	*	AT LAW
jointly and separately	*	
Defendants	*	CASE _____


COUNT ONE

Plaintiff claims of Defendants \$10,000.00 damages in that heretofore to-wit, May 23, 1972, Plaintiff was operating an automobile on a public road in Bay Minette, Baldwin County, Alabama, to-wit, McMeans Avenue (Highway 31) at a point near or in front of a truck stop on the east side of said road about two miles south of the County Court House, when at said time and place, Defendants so negligently operated a truck as to collide with the automobile operated by Plaintiff as aforesaid and as the proximate result of said negligent operation of a truck by Defendants as aforesaid, Plaintiff sustained the following injuries and damages: Plaintiff suffered a painful bruise to his left knee, Plaintiff incurred reasonable expenses for doctors, x-rays and medicines, Plaintiff suffered much physical pain and mental anguish and Plaintiff's automobile was wrecked and damaged, wherefore Plaintiff claims damages as aforesaid.

COUNT TWO

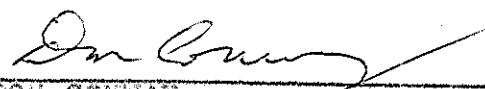
Plaintiff claims of Defendants the sum of \$10,000.00 damages in that heretofore to-wit, May 23, 1972, Plaintiff was operating an automobile on a public road in Bay Minette, Baldwin County, Alabama, to-wit, McMeans Avenue (Highway 31) at a point near or in front of a truck stop on the east side of said road about two miles south of the County Court House, when at said time and place Defendants wantonly injured and damaged Plaintiff by wantonly colliding a truck with the automobile operated by Plaintiff as aforesaid and as the proximate result of said

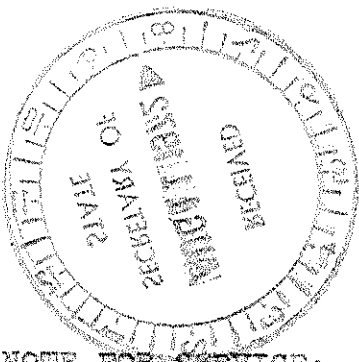
wantonness by Defendants, Plaintiff sustained those injuries and damages set out herein before in Count One of this complaint.


DON CONWAY
Attorney at Law
201 First Federal Savings Building
116 St. Michael Street
Mobile, Alabama 36602

ATTORNEY FOR PLAINTIFF

Plaintiff respectfully demands this cause be tried by a jury.


DON CONWAY
ATTORNEY FOR PLAINTIFF



NOTE FOR SERVICE:

Both Defendants are non-residents and may be served via the Secretary of State of Alabama per Title 7 Code of Alabama §199. For that purpose, 6 copies of this complaint are provided along with the fee of \$10.00 for such service.

Defendant Pargas, Inc., a corporation, is located at P. O. Box 1176, Pascagoula, Mississippi. Its managing agent is Mr. Roy King.

Defendant Gay E. Johnson resides at Route 1 Box 330, Lucedale, Mississippi 39452, and is employed by Pargas, Inc.

FILED

AUG 9 1972

EUNICE B. BLACKMON CIRCUIT CLERK

up 2.01

WILLIAM L. THORNTON,	:	IN THE CIRCUIT COURT OF
Plaintiff,	:	BALDWIN COUNTY, ALABAMA
v.	:	AT LAW
PARGAS, INC., a corporation,	:	
and GAY E. JOHNSON, jointly	:	
and separately,	:	
Defendants.	:	CASE NO. 10,542

ANSWER

Come now Pargas, Inc., a corporation, and Gay E. Johnson, two of the defendants in the above captioned cause, and for answer to the complaint of the plaintiff heretofore filed herein, and to each count thereof, separately and severally, file the following pleas, separately and severally, that is to say:

1. This defendant is not guilty of the matters and things contained therein.
2. This defendant denies each and every one of the material allegations contained therein.
3. The plaintiff ought not recover of this defendant for that at the time and place complained of in the plaintiff's complaint, the plaintiff himself was guilty of contributory negligence in the operation of his said automobile which contributory negligence proximately contributed to the injuries and damages complained of by him.

INGE, TWITTY, DUFFY & PRINCE

By

James J. Duffy, Jr.
JAMES J. DUFFY, JR.
Designated Trial Attorney

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding, by mailing the same to each by First Class United States Mail, properly addressed and postage prepaid on this 9th day of September, 1972.

FILED

SEP 11 1972

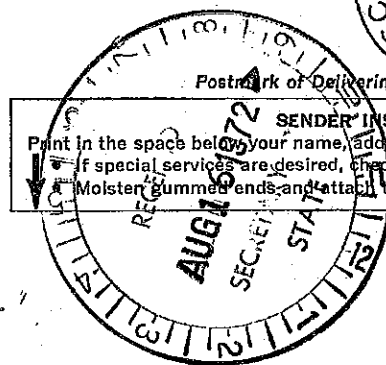
EUNICE B. BLACKMON CLERK

James J. Duffy, Jr.
JAMES J. DUFFY, JR.

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PS Form 3811 Nov. 1970

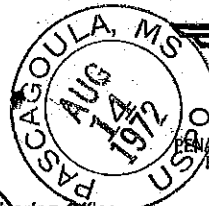
es5-16-81277-1



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

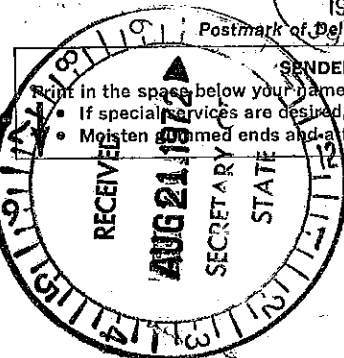
RETURN TO

SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PS Form 3811 Nov. 1970

es5-16-81277-1



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

RETURN TO

SECRETARY OF STATE
MONTGOMERY, ALABAMA 36104

WILLIAM L. THORNTON VS FARGAS, INC. (ROY KING, AGENT)

SENDER: Be sure to follow instructions on other side (10,542)

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☒ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

51963

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Deliver to addressee only

DATE DELIVERED

AUG 14 1972

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

WILLIAM L. THORNTON VS GAY E. JOHNSON (10,542)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☒ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

51960

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Deliver to addressee only

DATE DELIVERED

8-19-72

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)