




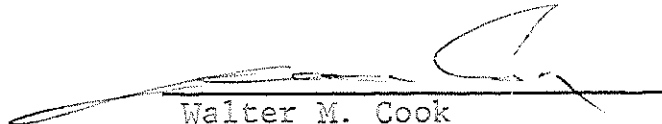
result of the negligence of the defendant as aforesaid.

LYONS, PIPES, AND COOK  
Attorneys for the Plaintiff

By:   
Walter M. Cook

By:   
Norton Brooker, Jr.

Plaintiff respectfully requests a trial by jury.

  
Walter M. Cook

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 25  
day of June, 1974, 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**  
JUN 26 1974  
EUNICE B. BLACKMON CIRCUIT  
CLERK

JAMES B. DENNIS,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
CHARLES F. CARPENTER,	)	
Defendant.	)	CASE NO: <u>10,604</u>

COUNT ONE

Plaintiff claims of the defendant the sum of TWO HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 (\$285,000.00) DOLLARS as damages for that on, to-wit, March 16, 1972, the plaintiff for a valuable consideration was a guest of the Gulf Shores Golf & Country Club and while playing golf at the said Gulf Shores Golf & Country Club, the defendant so negligently operated an electric golf cart on or near the #9 golf tee so as to cause or allow the said electric golf cart operated by the defendant to run into, upon or collide with the person of the plaintiff; and as a proximate result of the negligence of the defendant in and about the operation of the said electric golf cart, the plaintiff has been injured and damaged as follows: His right leg was broken, his right knee was injured, he received cuts on both elbows, he was injured internally and externally, he was caused to suffer an ano Rectal Prolapse, he was made sick, sore and lame, he was caused to incur doctor and medical bills and will incur doctor and medical bills in the future, he was permanently disabled, he was caused to lose income from his business and will continue to lose income in the future, and was caused to suffer severe physical pain and will so suffer in the future, all as a direct and proximate

result of the negligence of the defendant as aforesaid.

LYONS, PIPES AND COOK  
Attorneys for the Plaintiff


BY: 

WALTER M. COOK

BY: 

NORTON BROOKER, JR.

Plaintiff respectfully requests a trial by jury.

  
WALTER M. COOK

Defendant may be served as follows:

Mr. Charles F. Carpenter  
554 Jan Drive  
Fairhope, Alabama

SUMMONS AND COMPLAINT

Moore Printing Co. - Bay Minette, Ala.

STATE OF ALABAMA  
Baldwin County

Circuit Court, Baldwin County

No. 10,604

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Charles F. Carpenter

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.....

Charles F. Carpenter ..... Defendant.....

by James B. Dennis

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

Witness my hand this 18th day of September 19 72.

Eunice B. Blackmon, Clerk

No. 10,604

Page.....

STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

JAMES B. DENNIS

Plaintiffs

vs.

CHARLES F. CARPENTER

Defendants

SUMMONS AND COMPLAINT

Filed September 18, 1972

Eunice B. Blackmon Clerk

Lyons, Pipes & Cook

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED  
Received in Office

SEP 18 1972

TAYLOR WILKINS Sheriff

I have executed this summons

this 25 Sept 1972

by leaving a copy with

Charles F. Carpenter

20  
\$17.00  
TAYLOR WILKINS  
Deputy Sheriff

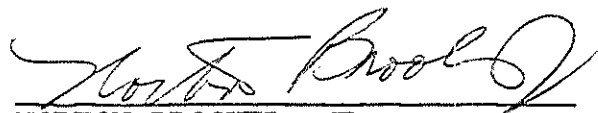
IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

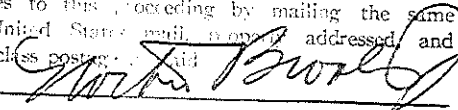
JAMES B. DENNIS, :  
Plaintiff, :  
-vs- : CASE NO. 10604  
CHARLES F. CARPENTER, :  
Defendant. :

TO: Mr. Donald F. Pierce  
Hand, Arendall, Bedsole,  
Greaves & Johnston  
Post Office Box 123  
Mobile, Alabama 36601

Please take notice that at 4:00 p.m. on the 19th day of March, 1974, at 211 South Catherine Street, the Defendant, Charles F. Carpenter, will take the deposition of Dr. James S. Dumas, whose address is 211 South Catherine Street upon oral examination pursuant to the Alabama Rules of Civil Procedure, before Walter Wise, an officer authorized to administer oaths in the County of Mobile, State of Alabama, duly authorized to take depositions and swear witnesses in said County, in said State. The oral examination will continue from day to day until completed and you are invited to attend and examine the witness.

LYONS, PIPES AND COOK

  
NORTON BROOKER, JR.

CERTIFICATE OF SERVICE  
I do hereby certify that I have on this 14  
day of March, 1974, 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 paid 

FILED

MAR 19 1974

EUNICE B. BLACKMON CIRCUIT  
CLERK

RAY DEPARTMENT  
RADIOLOGISTS  
JOHN DAY PEAKE  
MARSHALL ESKRIDGE  
JAMES K V. WILLSON  
WILLIAM J WETTA  
J. WATSON MAXWELL  
DONALD L. STONE  
PRESCOTT MILLER

# STATEMENT MOBILE INFIRMARY

1015 EIGHTH STREET, P.O. BOX 330, MOBILE, ALABAMA 36601

MOBILE, ALABAMA 36601

CLINICAL LABORATORY  
PATHOLOGISTS

DR. EARL B. WERT  
DR. EDWIN L. SCOTT  
DR. BRIAN K. MONTGOMERY

TO INSURE PROPER CREDIT, INSERT  
THIS STUB IN ENCLOSED ENVELOPE  
WITH YOUR REMITTANCE

STATEMENT DATE

10/09/74 AS OF 10/07/74

MS E B BLACKMON  
BALDWIN CO CIRCUIT CT  
BAY MINETTE AL

ACH  
ERS

PATIENT DENNIS J B

ACC'T. No. B120673 DOCTOR

DETACH  
HERE

DATE	DESCRIPTION	CHARGES	CREDIT	BALANCE
PREVIOUS 04/03/74 05/22/74	SERVICE FROM 04/03/74 TO 04/10/74 BILL 26.75 DUE BY 10/07/74 MEDICAL RECORD-COU/DENNIS 983288 LATE PAYMENT CHARGE 05/74 981324	25.25 1.50		25.25 26.75
				26.75

MAKE ALL CHECKS PAYABLE TO: MOBILE INFIRMARY AND MAIL TO: P.O. BOX 330, MOBILE, ALABAMA 36601

THE AMOUNT DUE IS PAYABLE WHEN STATEMENT IS RENDERED



**LYONS, PIPES & COOK**

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES

WALTER M. COOK

GORDON B. KAHN

G. SAGE LYONS

AUGUSTINE MEAHER, III

WESLEY PIPES

NORTON W. BROOKER, JR.

COOPER C. THURBER

MACK B. BINION

October 28, 1974

*Call Files*  
*N.F.*

AREA CODE 205  
TEL. 432-4483  
P. O. DRAWER 2727

Hon. Eunice Blackmon, Clerk  
Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama 36507

Re: James B. Dennis vs. Charles F. Carpenter  
Civil Action No. 10,604

Dear Mrs. Blackmon:

Enclosed please find Stipulation of Dismissal, and as  
per Mr. Brooker's letter of October 23, 1974 please  
add the costs mentioned therein to the court costs,  
forwarding the bill to Donald F. Pierce, Esquire.

Yours truly,

LYONS, PIPES, AND COOK

  
Walter M. Cook

WMC/mlg

cc: Mr. Donald F. Pierce

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

---

JAMES B. DENNIS,

Plaintiff,

vs.

CHARLES F. CARPENTER,

Defendant.

\*

\*

\*

\*

\*

Civil Action

No. 10,604

STIPULATION OF DISMISSAL

This case having been settled between the parties it is hereby stipulated and agreed by and between the undersigned attorneys for the respective parties hereto that it be and hereby is dismissed, with prejudice to each and every claim actually made or which could have been made by or against any of the parties to this action, in the Complaint or any other pleading whatsoever, and which claim arises out of the facts and circumstances upon which this action is based. It is further stipulated that costs are to be taxed against the Defendant.

Dated this 28 day of October, 1974.

LYONS, PIPES & COOK

By: 

Walter M. Cook  
Attorney for Plaintiff

HAND, ARENDALL, BEDSOLE,  
GREAVES & JOHNSTON

By: 

Donald F. Pierce  
Attorney for Defendant

FILED

OCT 29 1974

EUNICE B. BLACKMON CIRCUIT  
CLERK

FILED

OCT 30 1974

E. B. BLACKMON CIRCUIT  
CLERK

LYONS, PIPES & COOK

ATTORNEYS AT LAW

2510 FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

JOSEPH H. LYONS (1900-1957)

SAM W. PIPES

WALTER M. COOK

G. SAGE LYONS

AUGUSTINE MEAHER, III

WESLEY PIPES

NORTON W. BROOKER, JR.

COOPER C. THURBER

MACK B. BINION

AREA CODE 205

TEL. 432-4483

P. O. DRAWER 2727

August 7, 1974

Mrs. Eunice Blackmon, Clerk  
Circuit Court of Baldwin County  
Baldwin County Courthouse  
Bay Minette, Alabama

Re: James B. Dennis v. Charles F. Carpenter  
Civil Action No. 10,604

Dear Mrs. Blackmon:

The above referenced matter is at issue and we would appreciate the case being set on the next regular scheduled jury docket.

Very truly yours,

LYONS, PIPES AND COOK

  
Norton Brooker, Jr.

NB/vgp

cc: Mr. Donald Pierce

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
DAHLBERG BUILDING  
P. O. BOX 729  
BAY MINETTE, ALABAMA 36507

September 30, 1974

TELEPHONE 937-9473

Mrs. Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama 36507

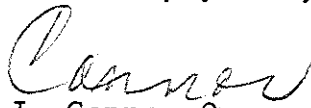
Subject: James B. Dennis vs. Charles F. Carpenter  
Civil Action No. 10,604, Circuit Court of  
Baldwin County, Alabama

Dear Eunice:

This is with reference to the above styled matter  
and to request that you please enter my name as attorney  
for the defendant in this case.

Thank you for your consideration in this matter.

Sincerely yours,

  
J. Connor Owens, Jr.

JCO:am

FILED

SEP 30 1974

EUNICE B. BLACKMON, CLERK  
CIRCUIT COURT OF BALDWIN COUNTY

JAMES B. DENNIS,	:	IN THE CIRCUIT COURT OF
	:	BALDWIN COUNTY,
	:	<del>MOBILE COUNTY</del> , ALABAMA
Plaintiff	:	AT LAW
v.	:	
CHARLES F. CARPENTER,	:	
	:	
Defendant	:	CASE NO. <u>10,604</u>

D E M U R R E R

Comes now each of the following defendants, -----Charles F. Carpenter,

separately and severally, and demurs to the plaintiff's complaint filed herein and each count thereof, separately and severally, and for separate and several grounds of demurrer, sets down and assigns, separately and severally, the following:

1. That it does not state facts sufficient to constitute a cause of action against this defendant.

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 defendant is called on 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 owed by defendant to the plaintiff.

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

**FILED**  
**OCT 20 1972**  
 EUNICE B. BLACKMON  
 CIRCUIT CLERK

7. For that the averments set up, if true, do not show any liability on the part of the defendant.

8. For that the pleader sets out in what said negligence consisted, and the facts so set out do not show negligence.

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

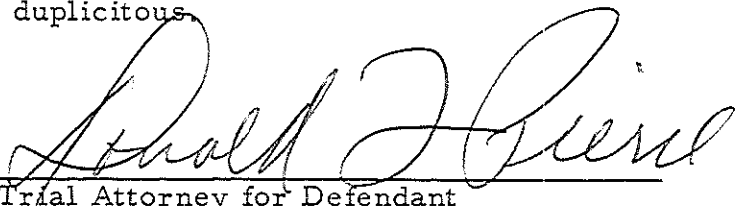
10. No facts are alleged to show that plaintiff sustained any damage or injury as the proximate result of any negligence or breach of duty on the part of this defendant.

11. It is not alleged with sufficient certainty where said accident occurred.

12. For aught that appears, plaintiff had no right to be where plaintiff was at the time and place of said accident.

13. It is not alleged that the negligence complained of proximately caused the accident and the injuries and damages complained of.

14. For that said count is duplicitous.



Trial Attorney for Defendant

Donald F. Pierce

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

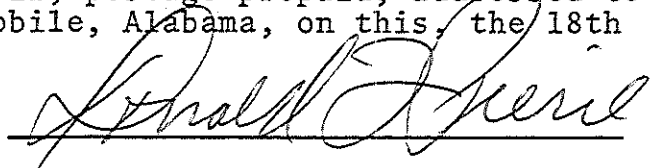
CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing demurrer to Norton Brooker, Jr., by depositing a copy of same in the United States mail, postage prepaid, addressed to Mr. Brooker at his office in Mobile, Alabama, on this, the 18th day of October, 1972.

**FILED**

OCT 20 1972

EUNICE B. BLACKMON  
CIRCUIT  
CLERK



IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

JAMES B. DENNIS, )  
Plaintiff, )  
vs. ) CIVIL ACTION NO. 10,604.  
CHARLES F. CARPENTER, )  
Defendant. )

FIRST DEFENSE:

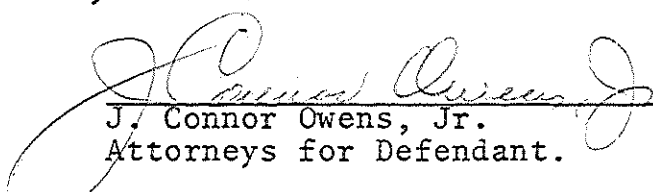
Defendant admits that on March 16, 1972, that the Plaintiff, while a guest of the Gulf Shores Golf & Country Club, was struck by a golf cart, but denies the remainder of the allegations.

AFFIRMATIVE DEFENSE:

Defendant alleges that at the time and place alleged in the complaint, the Plaintiff so negligently conducted himself in and about his movements on said golf course, so as to proximately contribute to the injuries and damages complained of, and hence should not recover.

  
Donald F. Pierce.

OF COUNSEL:  
Hand, Arendall, Bedsole, Greaves  
& Johnston.

  
J. Connor Owens, Jr.  
Attorneys for Defendant.

I, the undersigned, one of the Attorneys of Record for the Defendant in the foregoing cause, do hereby certify that I have caused a copy of the foregoing to be served on Norborne C. Stone and Walter M. Cook, the Attorneys of Record for the Plaintiff, by placing the same in the United States Mail, properly addressed, with postage prepaid, this 10th day of October, 1974.

FILED

OCT 11 1974

EUNICE B. BLACKMON CIRCUIT  
CLERK

JAMES B. DENNIS,	)	IN THE CIRCUIT COURT OF
	)	BALDWIN
	)	<del>MOBILE</del> COUNTY, ALABAMA
Plaintiff	)	AT LAW
vs.	)	
CHARLES F. CARPENTER,	)	
Defendant	)	CASE NO. 10,604

MOTION FOR PRODUCTION OF RECORDS

Comes now each of the following defendants in the above cause, separately and severally, CHARLES F. CARPENTER

and moves the court to require the plaintiff to produce at the trial hereof and, for the inspection of said defendant, within a reasonable time prior to said trial, such time to be determined by this court, true and correct copies of the federal and state income tax returns filed by the plaintiff for all years from 1970 through 1971, inclusive.

As grounds for said motion, said defendant avers the following:

Said action brought by the plaintiff against this defendant seeks damages from defendant for alleged loss of earnings or of the earning capacity of the plaintiff, and the copies of said income tax returns contain evidence necessary and material to the proper presentation of defendant's case, which evidence is pertinent to the issues herein. Defendant further avers that he is informed and believes and, based upon such information and belief, states that the plaintiff has possession of, custody of, control

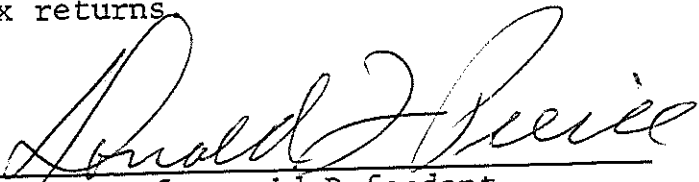
**FILED**

**OCT 20 1972**

**EUNICE B. BLACKMON** CIRCUIT CLERK



of or power over said income tax returns

  
Attorney for said Defendant  
DONALD F. PIERCE

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

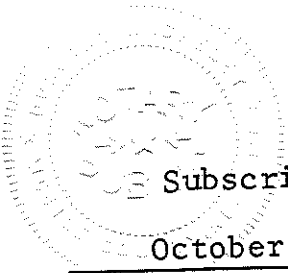
A F F I D A V I T

COUNTY OF MOBILE

STATE OF ALABAMA

Before me, the undersigned authority in and for said County in said State, personally appeared DONALD F. PIERCE, who is known to me, and known to me to be one of the attorneys for said defendant named in the foregoing motion, who, being first duly sworn on oath, doth depose and say as follows:

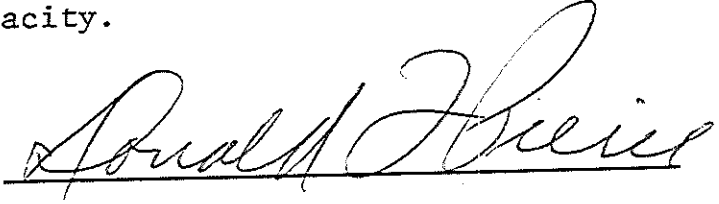
My name is DONALD F. PIERCE, and I am one of the attorneys of record for the defendant named in the body of the foregoing motion filed in this cause. The income tax returns designated in said motion are necessary and material to the issues in this cause, and it is necessary and material that they be produced for inspection on behalf of said defendant at the trial and at a reasonable time prior to the date of said trial, in order to enable a proper defense to be prepared as to the issues in the case pertaining to the plaintiff's alleged loss of earnings or alleged loss of earning capacity.

  
Subscribed and sworn to before me on this, the 18th day of October, 1972.

FILED

OCT 20 1972

EUNICE B. BLACKMON  
CIRCUIT  
CLERK

  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing motion upon the attorney of record for the plaintiff, by depositing a copy of same in the United States Mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this, the 18th day of October, 1972.

Ronald Thiers

FILED  
OCT 20 1972  
EUNICE B. BLACKMON CIRCUIT CLERK

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

MAILING ADDRESS:  
P. O. DRAWER C  
OR P. O. BOX 123

CABLE ADDRESS:  
HAB  
TELEPHONE  
432-5511  
AREA CODE 205

CHAS. C. HAND  
G. B. ARENDALL, JR.  
T. MASSEY BEDSOLE  
THOMAS G. GREAVES, JR.  
VIVIAN G. JOHNSTON, JR.  
PAUL W. BROCK  
ALEX F. LANKFORD, III  
EDMUND R. CANNON  
LYMAN F. HOLLAND, JR.  
J. THOMAS HINES, JR.  
DONALD F. PIERCE  
LOUIS E. BRASWELL  
HAROLD D. PARKMAN  
G. PORTER BROCK, JR.  
HARWELL E. COALE, JR.  
STEPHEN G. CRAWFORD  
JERRY A. MCDOWELL  
W. RAMSEY MCKINNEY, JR.  
LARRY U. SIMS  
A. CLAY RANKIN, III  
EDWARD A. HYNDMAN, JR.  
MICHAEL D. KNIGHT  
G. HAMP UZZELLE, III  
BENJAMIN T. ROWE  
G. L. LEATHERBURY, JR.  
WILLIAM C. ROEDDER, JR.

March 15, 1974

Mrs. Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: James B. Dennis vs. Charles F. Carpenter  
Civil Action 10,604 - Circuit Court of  
Baldwin County, Alabama

Dear Mrs. Blackmon:

Enclosed please find a notice of deposition which I would appreciate your filing in the Circuit Court of Baldwin County concerning the above referenced civil action. You will note that I have this day forwarded a copy of this Notice to Norton Brooker, Esquire, attorney for the plaintiff.

Please indicate receipt of this notice by signing and returning to me the enclosed copy of this letter.

Thank you for your cooperation.

Yours very truly,



For the Firm

DFP:sth

Enclosures

IN THE CIRCUIT COURT OF  
BALDWIN  
~~MOBILE~~ COUNTY, ALABAMA

AT LAW

JAMES B. DENNIS

Plaintiff,

vs.

CIVIL ACTION 10,604


CHARLES F. CARPENTER

Defendant

NOTICE

TO: Norton W. Brooker, Jr., Esquire  
Suite 2510  
First National Bank Building  
Mobile, Alabama

Please take notice that on the 21st day of March,  
1974, in the offices of Hand, Arendall, Bedsole, Greaves &  
Johnston located at 1000 First Federal Tower, Mobile, Alabama,  
the defendant, Charles F. Carpenter  
will take the deposition of James B. Dennis  
beginning at 8:30 a.m., upon oral examination pursuant to the  
Alabama Rules of Civil Procedure, before Virginia Paschall  
or another officer duly authorized to take depositions and  
swear witnesses in said County in said State. The oral examina-  
tion will continue from day to day until completed and you are  
invited to attend and cross-examine.

  
Donald F. Pierce

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

FILED

MAR 18 1974

EUNICE B. BLACKMON CIRCUIT  
CLERK

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to Norton Brooker, Jr., Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this, the 15th day of March, 1974.

Donald F. Piner

FILED

MAR 18 1974

EUNICE B. BLACKMON CIRCUIT  
CLERK

LYONS, PIPES & COOK  
ATTORNEYS AT LAW  
2510 FIRST NATIONAL BANK BUILDING  
MOBILE, ALABAMA  
36601

AREA CODE 205  
TEL. 432-4483  
P. O. DRAWER 2727

JOSEPH H. LYONS (1900-1957)  
SAM W. PIPES  
WALTER M. COOK  
GORDON B. KAHN  
G. SAGE LYONS  
AUGUSTINE MEAHER III  
NORTON W. BROOKER, JR.  
COOPER C. THURBER

September 15, 1972

10,604

Mrs. Eunice Blackmon  
Clerk, Circuit Court  
Baldwin County Courthouse  
Bay Minette, Alabama

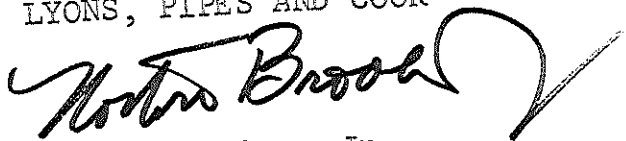
Re: James B. Dennis vs. Charles F. Carpenter

Dear Mrs. Blackmon:

We enclose herewith original and one copy of a law suit which we would like filed in the Circuit Court of Baldwin County, Alabama at Law and we enclose herewith our yellow copy of the Complaint which we would appreciate your marking filed and endorsing the date thereon.

Very truly yours,

LYONS, PIPES AND COOK

  
Norton Brooker, Jr.

NB/bn

Encl.

JAMES B. DENNIS,  
Plaintiff,

-VS-

CHARLES F. CARPENTER,  
Defendant.

\* IN THE CIRCUIT COURT OF  
\* BALDWIN COUNTY, ALABAMA  
\*  
\* CASE NO. 10,604  
\*

MOTION TO AMEND COMPLAINT

Comes now the Plaintiff, and moves the Court to  
allow him to amend his complaint heretofore filed in this  
cause in accordance with the proposed amendment attached  
hereto as Exhibit "A".

LYONS, PIPES, AND COOK  
Attorneys for the Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 25  
day of June, 19 74, 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.

By:

Norton Brooker, Jr.

ORDER

Upon consideration of the above and foregoing Motion  
it is ORDERED, ADJUDGED and DECREED that the Plaintiff be  
and he hereby is permitted to amend his complaint by  
filing Exhibit "A" attached hereto.

**FILED**

JUN 28 1974

EUNICE B. BLACKMON CIRCUIT  
CLERK

Jefferson A. Madaleno  
Circuit Judge

JAMES B. DENNIS

Plaintiff,

vs.

CHARLES F. CARPENTER

Defendant

: IN THE CIRCUIT COURT OF

: BALDWIN COUNTY, ALABAMA

: AT LAW

:

:

: CASE NO. 10604

NOTICE

TO: Norton W. Brooker, Jr., Esq.  
Suite 2510 First National Bank Bldg.

Please take notice that on the 6th day of November, 1973,  
in the offices of Dr. Marion Dodson  
located at 1733 Springhill Ave., Mobile, Alabama  
the defendant, Charles F. Carpenter  
will take the deposition of Dr. Marion Dodson  
beginning at 12:00 noon, upon oral examination pursuant to the  
Alabama Rules of Civil Procedure, before Walter Wise  
or another officer duly authorized to take depositions and swear witnesses  
in said County in said State. The oral examination will continue from  
day to day until completed and you are invited to attend and cross-  
examine.

Of Counsel

William C. Roedder, Jr.  
Attorney for Defendant

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

NOTE TO CLERK: Please issue a subpoena duces tecum to Dr. Marion Dodson  
at 1733 Springhill Ave., Mobile, Ala., to appear and testify at said  
deposition and to bring with him all records, notes, memoranda, and x-rays  
pertaining to his treatment of James B. Dennis.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 30  
day of Oct, 1973, 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.

William C. Roedder

FILED

OCT 31 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK



HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

CHAS. C. HAND  
C. B. ARENDALL, JR.  
T. MASSEY BEDSOLE  
THOMAS G. GREAVES, JR.  
VIVIAN G. JOHNSTON, JR.  
PAUL W. BROCK  
ALEX F. LANKFORD, III  
EDMUND R. CANNON  
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J. THOMAS HINES, JR.  
DONALD F. PIERCE  
LOUIS E. BRASWELL  
HAROLD D. PARKMAN  
G. PORTER BROCK, JR.  
HARWELL E. COALE, JR.  
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W. RAMSEY MCKINNEY, JR.  
LARRY U. SIMS  
A. CLAY RANKIN, III  
EDWARD A. HYNDMAN, JR.  
MICHAEL D. KNIGHT  
G. HAMP UZZELLE, III  
BENJAMIN T. ROWE

MAILING ADDRESS:  
P. O. DRAWER C  
OR P. O. BOX 123

CABLE ADDRESS:  
HAB  
TELEPHONE  
432-5511  
AREA CODE 205

May 17, 1973

Mrs. Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: James B. Dennis vs. Charles F. Carpenter  
Case No. 10,604 - In The Circuit Court  
of Baldwin County, Alabama

Dear Mrs. Blackmon:

Enclosed please find two Notices of Depositions which I would appreciate your filing in the Circuit Court of Baldwin County concerning the above referenced case. You will note that I have this day forwarded a copy of these Notices to Norton Brooker, Esquire, attorney for the plaintiff.

Will you please indicate receipt of this letter and the enclosed notices by signing and returning the duplicate copy of this letter enclosed herewith.

Thank you for your cooperation.

Yours very truly,

*Donald Pierce*

For the Firm

DFP:sth

Enclosures

JAMES B. DENNIS : IN THE CIRCUIT COURT OF  
BALDWIN  
: ~~MOBILE~~ COUNTY, ALABAMA.  
Plaintiff : AT LAW

vs. :

CHARLES F. CARPENTER :

Defendant : CASE NO. 10,604

NOTICE

TO: Norton Brooker, Jr.  
Post Office Box 2727  
Mobile, Alabama

Please take notice that on the 5th day of June,  
19 73, in the offices of Dr. Marion Dobson,  
~~Hand, Arendall, Bedsole, Greaves & Johnston~~  
1733 Springhill Avenue,  
~~Hand, Arendall, Bedsole, Greaves & Johnston~~ Mobile, Alabama,  
the defendant, Charles F. Carpenter,  
will take the deposition of Dr. Marion Dobson whose  
address is 1733 Springhill Avenue, at 10:00,  
upon oral examination pursuant to an Act of the Legislature of  
the State of Alabama, designated as Act. No. 375, Regular Session  
1955, Approved September 8, 1955, before Maggie Garcia,  
or another officer duly authorized to take depositions and swear  
witnesses in said County in said State. The oral examination  
will continue from day to day until completed and you are  
invited to attend and cross-examine.

Donald F. Pierce

Donald F. Pierce

Of Counsel:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

**FILED**

MAY 21 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to Norton Brooker, Jr., Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this, the 17th day of May, 1973.

Donald F. Pierce

Donald F. Pierce

**FILED**

MAY 21 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON

MAY 17 4 15 PM '73

Paul Marshall  
CLERK



CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing pleading to Norton Brooker, Jr. , Esq., Attorney for Plaintiff, by depositing a copy of same in the United States mail, postage prepaid, addressed to said attorney at his office in Mobile, Alabama, on this, the 17th day of May, 1973.

Donald F. Pierce

Donald F. Pierce

**FILED**

MAY 21 1973

EUNICE B. BLACKMON CIRCUIT  
CLERK

STATE OF ALA. MOBILE CO.  
I CERTIFY THIS PLEADING  
WAS FILED ON  
MAY 17 4 15 PM '73  
*[Signature]*  
CLERK

JAMES B. DENNIS,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
VS.	)	AT LAW
CHARLES F. CARPENTER,	)	
Defendant.	)	CASE NO: 10,604

PLAINTIFF'S ANSWERS TO THE DEFENDANT'S  
INTERROGATORIES

COMES NOW the plaintiff, James B. Dennis and for answer to the Interrogatories heretofore propounded by the defendant on to-wit, October 23, 1972 says as follows:

1. James B. Dennis, 54, 200 South Monterey,  
Mobile, Alabama and 2465 Commercial Park Drive,  
Mobile, Alabama.
2. Self-employed as an independent insurance adjuster.
  - (a) \$375.00.
  - (b) 87 days, or the period from March 17, 1972,  
through June 11, 1972.
  - (c) No.
  - (d) \$5,900.00 during the period of total disability.
  - (e) Self-employed as an independent insurance adjuster.
  - (f) \$195.00.
  - (g) No other employer or wages.
  - (h) Shown on 1971 tax return produced in response to  
defendant's Motion to Produce.
  - (i) No return has been filed for this year at the  
present time.
  - (j) No return has been filed for 1973 income.
3. Lacerations both elbows and arms, fracture, right  
tibial plateau, and ano rectal prolapse.

(a-b-c) Included in the answer to 3.

(d) The injury to my right leg appears to be permanent and is weak, unstable and painful.

(e) Same as (d).

4. Lacerations to both elbows and arms - unattended by a physician.

Fracture, right leg - Dr. Robert T. King, Mobile, Alabama.

Ano rectal prolapse - Drs. Dodson and Lane, Mobile, Alabama.

In addition to these doctors, I also saw Dr. James Dumas, Mobile, Alabama in reference to all injuries as the result of the occurrence made the basis of this suit and also saw the doctor on duty at Thomas Hospital, Fairhope, Alabama on March 16, 1972, the date of the occurrence made the basis of this suit.

(a) Doctor on duty, Thomas Hospital, Fairhope, Alabama on March 16, 1972.

Dr. Robert T. King, March 16, 1972

Drs. Dodson and Lane, March 20, 1972.

The foregoing dates were of first examination by each doctor. I have no record of subsequent dates except as shown on the respective bills from each doctor.

(b) Painful and completely disabling.

(c) Lacerations on arms and elbows healed without treatment in approximately four months.

Right leg is still under treatment by Dr. Robert T. King and I am scheduled for a return visit on December 20, 1972.

Ano rectal prolapse - I was last seen by Dr. Lane on date of departure from Mobile Infirmary, or

April 1, 1972 and instructed to return during recovery only in the event of a post surgical complication. I have not returned to this doctor.

(d) Same as (c).

(e) Dr. Dumas - \$76.00.

Thomas Hospital - \$5.00.

Dodson and Lane - \$275.00.

Mobile Infirmary - \$1,106.40.

Dr. King - \$200.00 plus future medical bills.

Drs. Lane, Bryant, Eubanks & Dulaney - \$60.00.

(f) On advice of counsel, I refuse to answer this question on the grounds that any response thereto is immaterial, irrelevant and not admissible as evidence in this case.

(g) See (f).

(h) No.

(i) No.

5. Yes.

(a) Mobile Infirmary, Mobile, Alabama.

(b) March 16, 1972 through April 1, 1972.

(c) \$1,106.40.

(d) See answer to 4. (f).

(e) I became obligated to pay said hospital bill.

6. Yes.

(a) All x-rays were made under the direction of Dr. Dumas and/or Dr. King.

(b) First x-rays taken at Mobile Infirmary on admission on March 16, 1972 by direction of Dr. James Dumas I understand showed fracture of the right tibial



plateau, which involved breaks in both bones below the knee and extending into the knee itself. Subsequent x-rays I understand showed extent of healing.

- (c) First x-ray bill of March 16, 1972 was the sum of \$44.00 and was included in the Mobile Infirmary charges shown above. Subsequent x-rays on July 7, 1972 and September 1, 1972 at Dr. King's office amount to \$16.00 each. I paid said bills.

7. Only nursing service was at Mobile Infirmary.

- (a) Mobile Infirmary personnel only.
- (b) During hospital confinement.
- (c) Included in hospital bill.
- (d) I did.

8. No ambulance expense was incurred. Drugs and miscellaneous expenses were as follows:

(a) Walgreen's Pharmacy, Jackson, Mississippi	\$ 1.99
Other prescriptions, bandages, and miscellaneous medicines during convalescence estimated at	\$50.00
Dr. Willard Boggan, Jackson, Mississippi	\$16.00
Expenses to and from Jackson, Mississippi	\$50.00
Room and board, Jackson, Mississippi	\$200.00
Driver's return fare to Jackson, Mississippi	\$ 25.00
Total	<u>\$342.99</u>

- (b) I paid said expenses.

9. On April 1, 1972, following agreement with Dr. King, I voluntarily left Mobile Infirmary for convalescence at the home of my brother in Jackson, Mississippi, where I remained for approximately one month, or until the leg cast was removed by Dr. King, and then continued recovery in my home in Mobile, Alabama.

- (a) Approximately 45 days.
- (b) Approximately 70 or 75 days.
- (c) I voluntarily, and out of necessity returned to my office on June 12, 1972, and I am still unable to resume my normal activities.

10. Yes.

- (a) I do not have a date record of previous injuries.  
  
About 10 years ago I broke two ribs when I fell in a boat in a Louisiana marsh.  
  
About 4 years ago I broke two more ribs in an automobile accident near Mendenhall, Mississippi.  
  
About 7 or 8 years ago and following a foot injury and because of resultant blood poisoning, I was hospitalized for about 5 days here in Mobile.
- (b) I have fallen twice and sustained forearm lacerations but no injury requiring medical treatment.
- (c) The first occasion was about two months ago in my home when my right leg seemed to collapse and I fell into a metal end table. The second occasion was about one month ago when I fell into a table.  
  
None of these minor injuries required medical attention.
- (d) A suit was filed in my name in Baldwin County, Alabama some five or six years ago by my collision insurer in an effort to recover auto property damage from the other party. My collision deductible was included in that suit, wherein the jury gave a verdict to the defendant. I did not claim injuries. I also made claim for injury and property damage resulting from an auto accident near Mendenhall, Mississippi some four years ago and the defendant's

insuror paid that claim. There was no litigation.

- (e) The first automobile accident occurred near Gulf Shores, Alabama, when I was forced off the road by a hit and run driver. I did not require medical treatment. The other party was uninsured and he was given a verdict in a jury trial in Bay Minette, Alabama.

Following the other accident near Mendenhall, Mississippi, I was paid for my damages by the other party's insuror.

- (f) Dr. James Dumas, Mobile, Alabama and Dr. Willard Boggan, Jackson, Mississippi.

- (g) Dr. Dumas is my family doctor and has treated me for numerous minor sicknesses related to my condition as a diabetic. Dr. Boggan treated me for injuries received in the Mendenhall, Mississippi automobile accident approximately four years ago.

11. On March 16, 1972, I left Mobile around 11:00 A.M. with Mr. Chris Hume to play golf at Gulf Shores Golf & Country Club in Gulf Shores, Baldwin County, Alabama. We commenced to play at about 12:30 P.M. on the back nine of this 18 hole course as paying guests, using an electric golf cart rented from the club. On the tee of #8 we were overtaken by a threesome and Mr. Hume invited the threesome to finish the front nine with us. With this fivesome we completed play without incident on Hole #8. I then drove our car over to #9 tee and parked on the cart path about midway of the tee on the left side, where Mr. Hume and myself dismounted from the cart. Mr. Charles Carpenter and his companions making the threesome meantime followed us and parked directly behind our cart at a distance of

approximately two or three feet, where they also dismounted. I then walked to the rear of our cart to get the driver out of my bag and was taking the head cover off the driver, facing the cart and angled slightly toward the rear, when I was struck suddenly below the right knee by the front of the cart being used by Mr. Carpenter and his companions. I was knocked down and on my back on the clam shell covered path. The pain from my right leg and knee was excruciating and it was several minutes before I was able to recover sufficiently to be assisted to my feet by the members of our fivesome. Weight bearing on the right leg was not possible and I was then assisted into the right side of our car and driven about 700 yards down the ninth fairway and to my car. In addition to the leg injury, I had deep cuts on both elbows from the fall on the clam shells. After I was knocked down and on several subsequent occasions, Mr. Carpenter apologized for the accident and explained he had seen his car moving forward and had jammed his leg into the cart in an effort to hit the brake and had instead hit the accelerator and had caused the cart to jump forward.

(a) He failed to set the brake on his golf cart and failed to turn the ignition key off.

(b) See answer to 11.

(c) See answer to 11.

12. Not to my knowledge.

(a) Unknown.

(b) Unknown.

13. The only statement made was in reference to the pain in my right leg.

(a) I expressed the hope that it was not broken.

(b) He apologized and explained he had noticed his golf cart moving forward and had tried to hit the brake with his leg and hit the accelerator instead.

(c) Mr. Chris Hume, Hume & Company, Mobile, Alabama.


I did not know the names or addresses of the other persons in our group.

  
JAMES B. DENNIS

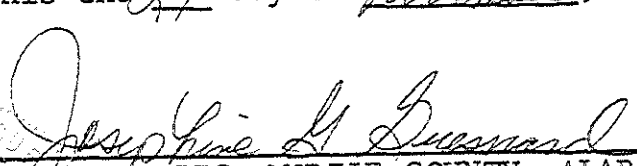
STATE OF ALABAMA

COUNTY OF MOBILE

Personally appeared before me, the undersigned authority, James B. Dennis, who being first duly sworn deposes and says that he is the plaintiff in the above entitled cause, that he has read the above and foregoing answers to Interrogatories and that the same are true and correct to the best of his knowledge, and belief.

  
JAMES B. DENNIS

Subscribed and sworn to before me  
this the 29 day of November, 1972.

  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

LYONS, PIPES AND COOK  
Attorneys for Plaintiff

BY:   
NORTON BROOKER, JR.

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 30  
day of Nov, 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.

-8-

STATE OF ALABAMA  
CLERK OF THE COURT  
MOBILE COUNTY  
NOV 30 9 34 AM '72  
FILED  
DEC 1 1972  
EUNICE B. BLACKMON  
CLERK

DEPARTMENT  
OLOGISTS  
IN DAY PEAKE  
RSHALL ESKRIDGE  
MES K.V. WILLSON  
LLIAM J. WETTA  
WATSON MAXWELL  
DONALD L. STONE  
ESCOTT MILLER

STATEMENT  
MOBILE INFIRMARY

MOBILE, ALABAMA 36601

MOBILE, ALABAMA 36601

TO INSURE PROPER CREDIT, INSERT  
THIS STUB IN ENCLOSED ENVELOPE  
WITH YOUR REMITTANCE

CLINICAL LABORATORY  
PATHOLOGISTS  
DR. EARL B. WERT  
DR. EDWIN L. SCOTT  
DR. BRIAN K. MONTGOMERY

STATEMENT DATE

11/06/74 AS OF 11/04/74

MS E B BLACKMON  
BALDWIN CO CIRCUIT CT  
BAY MINETTE AL

PATIENT DENNIS J B

ACC'T. No. R120673 DOCTOR

DETACH  
HERE

DATE	DESCRIPTION	CHARGES	CREDIT	BALANCE
PREVIOUS 04/03/74 05/22/74	SERVICE FROM 04/03/74 TO 04/10/74 BILL 26.75 DUE BY 11/04/74 MEDICAL RECORD-COU/DENNIS 983288 LATE PAYMENT CHARGE 05/74 981324	25.25 1.50		25.25 26.75
AMOUNT DUE				26.75

MAKE ALL CHECKS PAYABLE TO: MOBILE INFIRMARY AND MAIL TO: P.O. BOX 330, MOBILE, ALABAMA 36601

THE AMOUNT DUE IS PAYABLE WHEN STATEMENT IS RENDERED

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

MOBILE, ALABAMA

36601

October 18, 1972

MAILING ADDRESS:  
P. O. DRAWER C  
OR P. O. BOX 123

CABLE ADDRESS:  
HAB  
TELEPHONE  
432-5511  
AREA CODE 205

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EDWARD A. HYNDMAN, JR.  
MICHAEL D. KNIGHT  
G. HAMP UZZELLE, III

Mrs. Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: James B. Dennis vs. Charles F.  
Carpenter - Case No. 10,604  
In the Circuit Court of Baldwin County  
Alabama

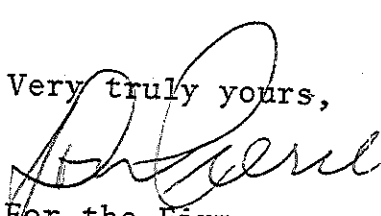
Dear Mrs. Blackmon:

Enclosed please find a demurrer and a motion to produce records pertaining to the above-referenced cause. Would you please file same in the Circuit Court of Baldwin County, Alabama. Would you also please indicate on the copy of this letter enclosed herewith receipt of this letter and these pleadings and return same to me the self-addressed envelope.

Your cooperation is appreciated.

With best regards,

Very truly yours,

  
For the Firm

DFP/dm  
Encl.

JAMES B. DENNIS,	:	IN THE CIRCUIT COURT OF
	:	<del>MOBILE COUNTY</del>
Plaintiff,	:	<del>BALDWIN COUNTY</del> , ALABAMA
	:	BALDWIN COUNTY
vs.	:	AT LAW
CHARLES F. CARPENTER,	:	
	:	
Defendant.	:	CASE NO.

INTERROGATORIES TO THE PLAINTIFF

Comes now the defendant, separately and severally, Charles F. Carpenter and, desiring the testimony of the plaintiff, propounds to the plaintiff the following interrogatories, as is provided under Section 477, et seq. of Title 7 of the CODE OF ALABAMA of 1940, to wit:

1. State your correct name, age, residence address and business address.

2. State the name and address of your employer at the time of the occurrence made the basis of this suit and the type of work you were doing. (a) State your average weekly earnings at the time of said occurrence. (b) State the number of days and the dates of the days you actually lost from work as a result of the injuries you allege you received. (c) State whether or not you continued to receive wages from your said employer during the period of your disability as a result of the occurrence made the basis of this suit. (d) State the amount lost in wages by you as a result of said occurrence. (e) Give the name and address of your present employer and the type of work you are doing. (f) State the amount of your present average weekly earnings. (g) Give the name and address of each and every other person by whom you have been employed since the date of the occurrence made the basis of this suit and your average weekly wage in each employment. (h) How much gross earnings from your employment did you report to the Collector of Internal Revenue for income tax purposes for the calendar year immediately prior to the year of said occurrence? (i) How much gross earnings from your employment did you report to the Collector of Internal Revenue for income tax purposes for the calendar year during which said occurrence happened? (j) How much gross earnings from your employment did you report to the Collector of Internal Revenue for income tax purposes for the calendar year next subsequent to the year of said occurrence?

3. Describe each and every injury received by you in the occurrence made the basis of this suit. (a) Describe and locate each and every laceration or cut you sustained in said occurrence.



(b) Describe and locate each and every bruise, sprain, strain or contusion you sustained in said occurrence. (c) Describe and locate each and every fracture or dislocation suffered by you in said occurrence. (d) Specify which, if any, of said injuries are permanent in nature, and state the manner and degree in which each said injury disables you. (e) Specify and describe in detail any and all other ailments resulting from said occurrence which have not already been enumerated by you, and state how and to what degree said condition manifests itself.

4. Give the name and address of each and every doctor, if any, who has attended you for the injuries you allege to have received in the occurrence made the basis of this suit. (a) Give the dates of treatment or examination of you by each and every said doctor, respectively. (b) What was your condition with reference to said injuries and ailments when you were first attended by each of said doctors, separately and severally? (c) What was your condition with reference to said injuries and ailments when you were last attended by each of said doctors, separately and severally? (d) State the date on which you were last treated, examined or prescribed for by each of said doctors, separately and severally, and relate in substance what transpired at said time between you and each of said doctors, and include the substance of said doctor's instructions to you with reference to further treatment. (e) State the amount of the bill, separately and severally, of each respective doctor for the treatment rendered you or services performed for you, resulting from the occurrence made the basis of this suit. (f) State which of said doctors, separately, have been paid, and, if so, by whom. (g) State whether you had any form of medical insurance or other protection which took care of said doctors' bills, and, if so, to what extent? (h) Were you referred to any of the doctors heretofore mentioned by you in your answers to these interrogatories by the attorney or attorneys who represent you and, if so, state the name or names of such doctors. (i) Did any of the doctors heretofore mentioned by you refer you to the attorney or attorneys who represent you and, if so, state which of said doctors did so.

5. State whether or not you were hospitalized as a result of the occurrence made the basis of this suit. (a) If so, give the name and address of said hospital where you were confined. (b) Give the dates of your confinement. (c) State the amount of the hospital bill incurred for your confinement. (d) State whether or not any portion of said bill was taken care of by hospitalization insurance or by any other form of protection, and, if so, what portion? (e) State who paid or became obligated to pay said hospital bill or portion thereof.

6. State whether or not any X-rays were taken of you as a result of the occurrence made the basis of this suit. (a) Give the name and address of every radiologist who took said X-rays or who supervised their taking and state when all said X-rays,

respectively, were taken. (b) State each X-ray reading or your understanding of what each of the X-rays revealed, respectively. (c) Give the amount of each said X-ray bill, and state by whom each was paid.

7. State whether or not special nurses, registered nurses or practical nurses attended you in the treatment of the injuries you allege you received in the occurrence made the basis of this suit. (a) If so, give the name and address of each. (b) Give the dates you were attended by each of said nurses, separately and severally, and state whether they were special nurses, registered nurses or practical nurses. (c) Give the amount of each of said nurse's bill, separately and severally. (d) State who paid said bills, and whether your said expenses were taken care of by any form of medical insurance or protection.

8. State whether or not you incurred any ambulance bills, drug expense or miscellaneous expense of any nature whatsoever not already enumerated as a result of the occurrence made the basis of this suit. (a) Describe each of said expenses, separately and severally, stating the amount of each. (b) By whom were each of said expenses paid?

9. State how long you were confined to bed at home after, and as the result of, the occurrence made the basis of this suit, if you were so confined, and state the dates of said confinement. (a) State how many days elapsed from the date of said occurrence until you were able to be out of bed and up and about your home. (b) State how many days elapsed from the date of the occurrence until you were able to leave your home and come to town or go other places. (c) State the number of days which elapsed from the date of said occurrence before you were able to resume your normal activities.

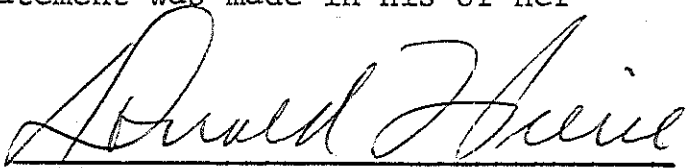
10. State whether or not, prior to the occurrence made the basis of this suit, you were ever at any time injured in any manner whatsoever to any extent. (a) If you were injured prior to the occurrence made the basis of this suit in any manner, please describe in detail how you were injured giving the date of each such injury and the extent of each such injury. (b) Have you sustained any injuries of any nature whatsoever subsequently to the occurrence made the basis of this suit? (c) If so, describe the same fully and in detail. (d) Have you ever made claim or filed suit for any injury or damage arising out of any occurrence prior to the accident made the basis of this suit? (e) If so, state where each such occurrence happened, against whom each such claim was made and the outcome of each. (f) Give the name and address of each and every doctor who has treated or examined you during the five years next preceding the date of the occurrence made the basis of this suit. (g) Describe the condition for which you were so treated or examined.

11. State specifically and in detail exactly how the accident made the basis of this suit occurred and describe chronologically the events that occurred leading up to the same as seen by you.

(a) Describe each and everything which the driver of the defendant's vehicle failed to do to avoid said accident. (b) Describe each and everything done by the driver of defendant's vehicle immediately prior to and at the time of said accident. (c) State each and everything done by you immediately prior to said accident.

12. State whether or not you or the operator of the vehicle involved in the accident made the basis of this suit were intoxicated, in your opinion, or were drinking intoxicating beverages at the time of the said accident. (a) Give the name and address of each of said persons who were drinking or who were intoxicated. (b) State what each of said persons was or had been drinking, where he or she had obtained same, the quantity or amount consumed and the time and place where same was drunk.

13. Did you make any statement or statements concerning said accident following the occurrence of same? (a) If so, state when, where and what, in substance, was said by you. (b) Did the defendant make any statement in your presence concerning the accident following the occurrence of the accident, and, if so, state when, where and what, in substance, was said by said defendant. (c) Give the name and address of each and every person who was present when any and all of said statements, respectively, were made either by you or defendant following the occurrence of the accident made the basis of this suit and further identify each such person as to what statement was made in his or her presence.



DONALD F. PIERCE  
Attorney for Defendant

OF COUNSEL:

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON  
3000 First National Bank Building  
Mobile, Alabama 36602

FILED  
OCT 26 1972  
EUNICE B. BLACKMON  
CIRCUIT  
CLERK

FILED  
OCT 26 1972  
EUNICE B. BLACKMON  
CIRCUIT  
CLERK

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald F. Pierce, who is known to me, and who, being by me first duly sworn, upon oath deposes and says that he is one of the attorneys for said specified defendant in the above entitled cause, and as such is authorized to make this affidavit; that the answers of the plaintiff to the foregoing interrogatories, when well and truly made and filed, will be material testimony for said defendant on the trial of this cause.

Donald F. Pierce

Sworn to and subscribed  
before me on this 27th  
day of October, 1972.

Donald F. Pierce  
NOTARY PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing Interrogatories to the Plaintiff to Walter M. Cook, Esquire, by depositing a copy of same in the United States mail, postage prepaid, addressed to Mr. Cook at his office in Mobile, Alabama, on this 27 day of October, 1972.

Donald F. Pierce

FILED

OCT 26 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

HAND, ARENDALL, BEDSOLE, GREAVES & JOHNSTON

LAWYERS

30TH FLOOR FIRST NATIONAL BANK BUILDING

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October 23, 1972

Mrs. Eunice B. Blackmon, Clerk  
Circuit Court of Baldwin County  
Bay Minette, Alabama

Re: James B. Dennis vs. Charles F.  
Carpenter - Case No. 10,604  
In the Circuit Court of Baldwin County,  
Alabama

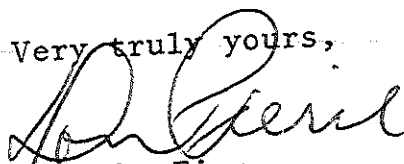
Dear Mrs Blackmon:

Enclosed please find Interrogatories to the Plaintiff which I would appreciate your filing in the Circuit Court of Baldwin County concerning the above-referenced case. You will note that I have this day forwarded a copy of these interrogatories to Walter M. Cook, Esquire, Attorney for the plaintiff.

Will you please indicate receipt of this letter and the enclosed pleading by signing and returning the duplicate copy of this letter enclosed herewith.

Thank you for your cooperation.

Very truly yours,

  
For the Firm

DFP/dm  
Encl.

Mr. Walter Cook  
called & request  
this case Not be  
set in Oct. term  
as Damages &  
injuries Not Resolved  
#10,604 yet

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