

HOWARD GIBSON	X	IN THE CIRCUIT COURT OF
PLAINTIFF	X	BALDWIN COUNTY, ALABAMA
VS	X	AT LAW
GULF LUMBER COMPANY, INCOR-	X	
PORATED, a corporation, MILFORD	X	
HOMAN, and JOHNNIE LEE RAY,	X	
jointly and severally,	X	
DEFENDANT	X	CASE NO: 10631

COUNT I.

Plaintiff claims of the Defendants, jointly and severally, the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages for that heretofore and on, to-wit, October 8, 1971, the Defendant, Johnnie Lee Ray, while acting as an agent, servant or employee of the Defendants, Gulf Lumber Company, Incorporated, a corporation, and Milford Homan, and who was then and there acting within the line and scope of his authority as such, so negligently operated a motor vehicle on Alabama Highway Number 59, a public road in the County of Baldwin, State of Alabama, at a point approximately, to-wit, 1.5 miles north of Stockton, Baldwin County, Alabama, as to cause said motor vehicle which he was then and there operating to run over, upon or against a motor vehicle which the Plaintiff's wife, Thelma Gibson, was then and there operating, at said time and place, and as a proximate consequence and result of the negligence of the Defendants, as aforesaid, Plaintiff's said wife received personal injuries in this, to-wit: she suffered an injury to her back, she suffered an injury to the muscles in her neck and back, she was caused to go into a state of shock, she was bruised, contused and lacerated over her body, she was made sick, sore and lame, and she suffered and continues to suffer great mental and physical pain and anguish.

Plaintiff avers that he is totally physically disabled and dependent upon his wife's services to assist him in his daily living requirments, and as the proximate consequence of the injuries to his wife, as aforesaid, the Plaintiff

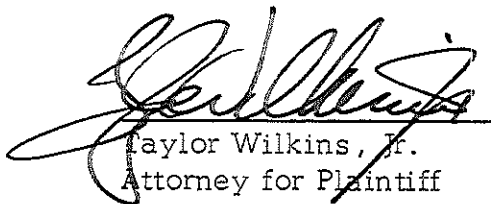
was caused to incur considerable expense for medical, hospital and drug bills in and about the care and treatment of her injuries, and will incur further expenses in the future, and the Plaintiff lost and continues to lose the consortium and services of his said wife; for all of which he claims damages as aforesaid, hence this suit.

COUNT II.

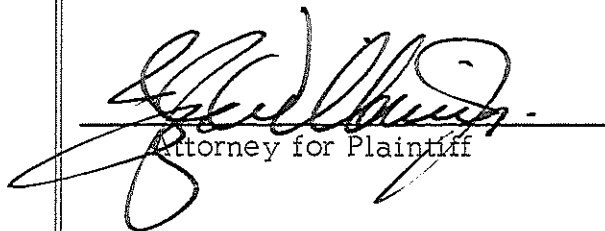
Plaintiff claims of the Defendants, jointly and severally, the sum of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, as damages for that heretofore and on, to-wit, October 8, 1971, the Defendant, Johnnie Lee Ray, while acting as an agent, servant or employee of the Defendants, Gulf Lumber Company, Incorporated, a corporation, and Milford Homan, and who was then and there acting within the line and scope of his authority as such, wantonly injured the Plaintiff's wife, Thelma Gibson, by then and there willfully and wantonly operating a motor vehicle on Alabama Highway Number 59, a public road, in the County of Baldwin, State of Alabama, at a point approximately, to-wit, 1.5 miles north of Stockton, Baldwin County, Alabama, so as to cause or allow the same to run over, upon or against a motor vehicle which the Plaintiff's said wife was then and there operating, at said time and place, and as a proximate result and consequence of the wilful and wanton conduct of the Defendants as aforesaid, Plaintiff's said wife received personal injuries in this, to-wit: she suffered an injury to her back, she suffered an injury to the muscles in her neck and back, she was caused to go into a state of shock, she was bruised, contused and lacerated over her body, she was made sick, sore and lame, and she suffered and continues to suffer great mental and physical pain and anguish.

Plaintiff avers that he is totally physically disabled and dependent upon his wife's services to assist him in his daily living requirements, and as the proximate consequence of the injuries to his wife, as aforesaid, the Plaintiff was caused to incur considerable expense for medical, hospital and drug bills in and about the care and treatment of her injuries, and will incur further

expenses in the future, and the Plaintiff lost and continues to lose the consortium and services of his said wife; for all of which he claims damages as aforesaid, hence this suit.


Taylor Wilkins, Jr.
Attorney for Plaintiff

Plaintiff respectfully demands a
trial of this cause by jury.


Attorney for Plaintiff

FILED

OCT 3 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. 10631

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon GULF LUMBER COMPANY, INCORPORATED,
MILFORD HOMAN, and JOHNNIE LEE RAY
.....
.....

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 Gulf Lumber
Company, Inc., Milford Homan and Johnnie Lee Ray Defendant.....

by Howard Gibson
.....

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

witness my hand this 3rd " day of Oct

19 72

Eunice B. Blackmon Clerk
.....

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

HOWARD GIBSON

Plaintiffs

10 11 Mrs. Phillips, Inc
GULF LUMBER CO., INC., et al
Defendants

SUMMONS AND COMPLAINT

Filed 19.....

Clerk

FILED

OCT 3 1972

EUNICE B. BLACKMON CIRCUIT
CLERK J

Taylor Wilkins, Jr.

Plaintiff's Attorney

Defendant's Attorney

Received 10 Day of Oct 19 72
and on 11 Day of Oct 19 72
I served a Copy of the within
on Gulf Lumber Co.
by service on Mrs. Phillips, Inc

RAY D. BRIDGES, Sheriff

By R. D. Bridges

Taylor Wilkins Sheriff
W. A. Zeller Deputy Sheriff

HOWARD GIBSON, * IN THE CIRCUIT COURT
Plaintiff, OF
Vs * BALDWIN COUNTY, ALABAMA
GULF LUMBER COMPANY, INCORPORATED,
a Corporation, MILFORD HOMAN, and *
JOHNNIE LEE RAY, jointly and * AT LAW
severally,
Defendants. CASE NUMBER: 10,631
*

A N S W E R

Come now the Defendants, Gulf Lumber Company, Incorporated, a Corporation, Milford Homan and Johnnie Lee Ray, separately and severally, in the above styled cause and for Answer to the Complaint, and each and every Count thereof, separately and severally, files the following separate and several pleas:

1. Not guilty.

2. The Defendants allege that at the time and place referred to in the Complaint the Plaintiff's wife was herself guilty of negligence which proximately contributed to the Plaintiff's wife's alleged injuries and damages in that the Plaintiff's wife so negligently operated a motor vehicle at the time and place referred to in the Complaint as to cause or allow it to collide with the motor vehicle being operated at the time and place referred to in the Complaint by the Defendant, Johnnie Lee Ray, wherefore, the Plaintiff should have and recover nothing of the Defendants.

BROWN, HUDGENS, FULFORD,
SINTZ & RICHARDSON
Attorneys for Defendants

by

Alton R. Brown, Jr.

FILED

JAN 9 1973

NICE B. BLACKMON

CIRCUIT
CLERK

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 4th
day of Jan. 19 73 served a copy of the
foregoing pleading on counsel for all parties
to this proceeding by mailing same by United
States mail, properly addressed, and first
class postage prepaid.

Alton R. Brown, Jr.