

STATE OF ALABAMA)
 *
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Georgia Life and Health Insurance Company to appear within thirty days from the service of this writ in the Circuit Court, to be held for said county at the place of holding the same, then and there to answer the complaint of Marjorie Jean Matthews:

WITNESS my hand this 16 day of October, 1972.

Eunice B. Blackmon
Clerk

Defendant may be served by service on the Superintendent of Insurance for the State of Alabama, Montgomery, Alabama.

* * * * *

MARJORIE JEAN MATTHEWS,)	
)	
Plaintiff,)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
GEORGIA LIFE AND HEALTH)	AT LAW
INSURANCE COMPANY,)	
)	10,653
Defendant.)	

C O M P L A I N T

COUNT ONE

Plaintiff claims of the defendant One Thousand One Hundred Thirty-three and 34/100 Dollars (\$1,133.34) due on a policy of insurance, whereby the defendant agreed to pay to the plaintiff a monthly income of One Thousand Dollars (\$1,000.00) when the said plaintiff was confined within a hospital as a resident patient, because of accident or sickness, and plaintiff avers that she was confined within a hospital as a resident patient, because of accident or sickness, for a period of seventy-five consecutive days, beginning February 23, 1972, of which the defendant has had notice.

FILED

OCT 16 1972

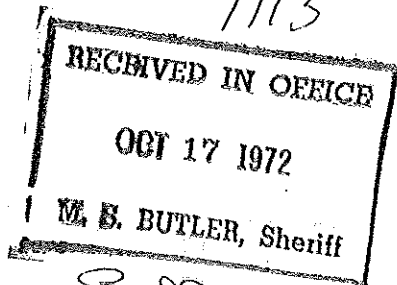
[Signature]
Attorney for Plaintiff

EUNICE B. BLACKMON CIRCUIT CLERK

VOL

69 PAGE 772

10-18-72



10,653

Marjorie Jean Matthews

vs.

Georgia Life & Health
Insurance Company

Executed by serving 2 copies of
the within on J. B. Blackmon

Superintendent
of Insurance, State of Alabama

This The 18 day of Oct 19 72

Sheriff of Montgomery County

M. S. Butler,

By M. J. Matthews D. S.

M. S. Butler, Sheriff of Montgomery
County, Alabama, Claim \$1.50 each for
serving 1 process(es) and \$1.00
travel expense on each of 1
process(es), or a total of 2.50

M. J. Matthews
Deputy Sheriff

RECEIVED

OCT 16 1972

TAYLOR WILKINS
SHERIFF

FILED

OCT 16 1972

EUNICE B. BLACKMON
CIRCUIT
CLERK

J. R. Owen

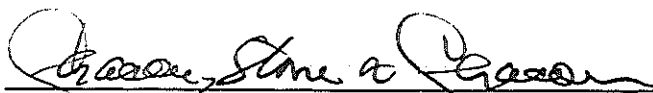
MARJORIE JEAN MATTHEWS,	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
GEORGIA LIFE AND HEALTH INSURANCE COMPANY,	X	AT LAW NO. 10,653
Defendant.	X	

DEMURRER

Comes the Defendant in the above styled cause and demurs to the Complaint heretofore filed in said cause and assigns the following separate and several grounds, viz:


1. That said complaint does not state a cause of action.
2. That said complaint does not allege any duty owing by the Defendant to the Plaintiff.
3. That said complaint is vague and indefinite.
4. That said complaint is vague and indefinite in that it alleges that the Defendant agreed to pay the Plaintiff the sum of \$1,000.00 a month while she was confined in a hospital as a resident patient, because of accident or sickness, and further alleges that she was so confined for 75 consecutive days yet the complaint claims only the sum of \$1,133.34 without alleging whether there is any additional sum due and owing by the Defendant to the Plaintiff.
5. That said complaint fails to allege that the premiums were paid on the policy under which the Plaintiff claims a sum of money as set out in the complaint.
6. That the terms of the policy referred to in the

complaint are not sufficiently set out in such complaint.


Attorneys for Defendant

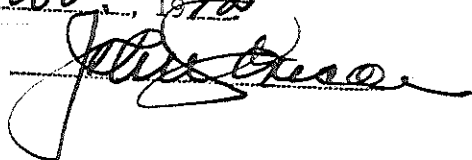
The Defendant respectfully demands

a trial of this cause by a jury.


Attorneys for Defendant

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 2 day
of NOV, 1972



FILED
NOV 2 1972
EUNICE B. BLACKMON CIRCUIT
CLERK

MARJORIE JEAN MATTHEWS,

Plaintiff,

vs.

GEORGIA LIFE AND HEALTH IN-
SURANCE COMPANY,

Defendant.

* * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 10,653

* * * * *

DEMURRER

* * * * *

STATE OF ALABAMA
DEPARTMENT OF INSURANCE

I, the undersigned, as Commissioner of Insurance for the State of Alabama,
hereby certify that on the 18th day of October, 1972, I
sent by registered mail in an envelope as follows:

Georgia Life & Health Insurance Company
66 Luckie Street, N. W.
Atlanta, Georgia 30303

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:

Marjorie Jean Matthews, Plaintiff CASE NO. 10,653

in the Circuit Court of Baldwin County

VERSUS

(Name of Court)

Georgia Life & Health Insurance Company, Defendant

And that on the 27th day of October, 1972, I received
the return card showing receipt by the designated addressee of said envelope on
the 25th day of October, 1972.

Witness my hand and official seal this the 27th day of October,
1972.

John B. Bookout
COMMISSIONER OF INSURANCE

FILED

OCT 30 1972

EUNICE B. BLACKMON CIRCUIT
CLERK