

MAURICE A. DOWNING

ATTORNEY AT LAW
507 First National Bank Building
Telephone HEmlock 2-1218
MOBILE, ALABAMA

March 8, 1955

2521

Mrs. Alice J. Duck
Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama

no 2522

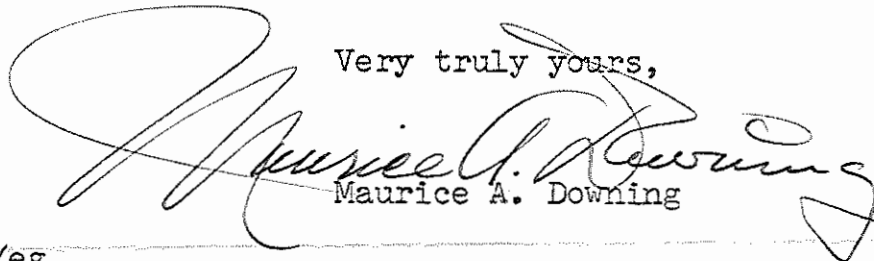
Re: Henry J. Muller vs. Phillip F. Macy
& Robert D. Olds
Anthony Emogene Muller vs. Phillip F.
Macy & Robert D. Olds 2521

Dear Mrs. Duck:

This is to inform you that a settlement has been made
in the above two cases that are now pending in your court,
and to authorize you to dismiss the two cases upon the
payment of costs into your court.

Thank you for your cooperation.

Very truly yours,


Maurice A. Downing

MAD/eg

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

}

Circuit Court, Baldwin County

No. 2521

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Phillip F. Macy and Robert D. Olds

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 Phillip F. Macy and
Robert D. Olds, individually, jointly and severally
-----, Defendant.

by Anthony Eugene Muller

-----, Plaintiff

Witness my hand this 26th day of January 19 55

Eric J. Hark, Clerk

ANTHONY EMOGENE MULLER, * IN THE CIRCUIT COURT OF
 Plaintiff, * BALDWIN COUNTY, ALABAMA
 Vs. * AT LAW
 PHILLIP F. MACY and ROBERT *
 D. OLDS, individually, jointly *
 and severally, *
 Defendants. * NO. 2521

COUNT ONE

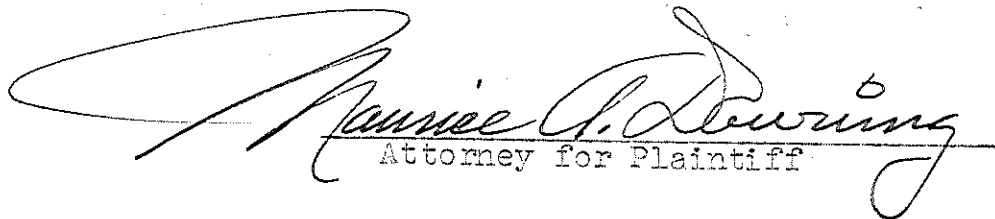
Plaintiff claims of the defendants the sum of FIFTY THOUSAND and NO/100 (\$50,000.00) DOLLARS as damages, for that, heretofore and on, to-wit: The 23rd day of July, 1954, the defendant, Phillip F. Macy, while acting within the line and scope of his employment as the agent, servant or employee of the defendant, Robert D. Olds, did so negligently operate an automobile in an eastwardly direction on Alabama Highway 89, approximately one (1) mile west of Foley, Baldwin County, Alabama, said road or highway being a public road or highway in the County of Baldwin, State of Alabama, as to cause said automobile to collide with, run over, upon or against an automobile then and there operated by the plaintiff, and as a direct and proximate consequence of said negligence of the defendant, Phillip F. Macy, while acting within the line and scope of his employment as the agent, servant or employee of the defendant, Robert D. Olds, the plaintiff was injured and damaged, in that she was caused to suffer acute shock; severe contusions of the left breast; palpation of the ribs on either side which rendered her severe pain; fractures of the right fourth, fifth, sixth, seventh and eighth ribs, the eighth rib containing two fractures, one on the scapula line and the other on the anterior axillary line; fractures on the left side of the third, fourth, fifth, sixth, seventh and eighth ribs, all on the anterior axillary line; aggravation of her asthmatic condition; she was caused to suffer two large incisional hernias in a lower abdominal midline scar which necessitated surgery for repair; she was bruised about the head, limbs and body; made sick and sore and caused to suffer great physical and mental pain and anguish;

to incur large hospital bills, doctor bills, medical bills and nurses' bills; she was caused to spend a great length of time in the hospital and to lose time from her chores, and to expend large sums of money for the care and cure of said injuries; she was compelled to hire a housekeeper for and in the care of her convalescence at home; all as a proximate consequence of said negligence of the defendant, Phillip F. Macy, while acting within the line and scope of his employment as the agent, servant or employee of the defendant, Robert D. Olds, hence this suit.

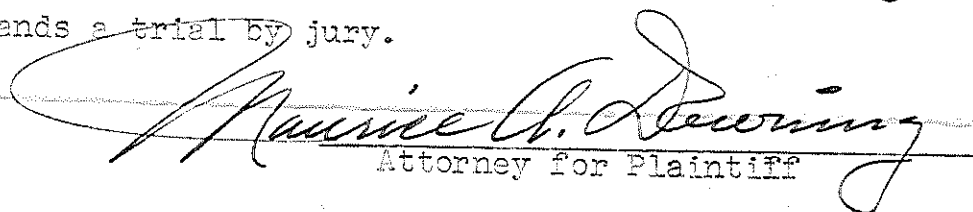
COUNT TWO

The plaintiff claims of the defendants, the sum of FIFTY THOUSAND and NO/100 (\$50,000.00) DOLLARS as damages, for that, heretofore and on, to-wit: The 23rd day of July, 1954, the defendant, Phillip F. Macy, while acting within the line and scope of his employment as the agent, servant or employee of the defendant, Robert D. Olds, while driving an automobile, the property of the defendant, Robert D. Olds, in an eastwardly direction on a public road or highway commonly known as Alabama Highway 89, said public road or highway being in the County of Baldwin, State of Alabama, at a point to-wit, approximately one (1) mile west of Foley, Baldwin County, Alabama, did wilfully or wantonly injure the plaintiff by wilfully or wantonly driving the said automobile over, upon or against an automobile which was then and there operated by the plaintiff, and as a direct and proximate consequence of the said wilfull or wanton act on the part of the defendant, Phillip F. Macy, while acting within the line and scope of his employment as the agent, servant or employee of the defendant, Robert D. Olds, the plaintiff was injured and damaged, in that she was caused to suffer acute shock; severe contusions of the left breast; palpation of the ribs on either side which rendered her severe pain; fractures of the right fourth, fifth, sixth, seventh, and eighth ribs, the eighth rib containing two fractures, one on the scapula line and the other on the anterior axillary line; fractures on the left side of the third, fourth, fifth, sixth, seventh and eighth ribs, all on the anterior axillary line; aggravation of her asthmatic condition; she was caused to suffer two large incisional hernias in a lower abdominal midline scar which necessitated surgery

for repair; she was bruised about the head, limbs and body; made sick and sore and caused to suffer great physical and mental pain and anguish; to incur large hospital bills, doctor bills, medical bills and nurses' bills; she was caused to spend a great length of time in the hospital and to lose time from her chores, and to expend large sums of money for the care and cure of said injuries; she was compelled to hire a housekeeper for and in the care of her convalescence at home; all as a proximate consequence of said wilful or wanton act on the part of the defendant, Phillip F. Macy, while acting within the line and scope of his employment as the agent, servant or employee of the defendant, Robert D. Olds, hence this suit.


Attorney for Plaintiff

Plaintiff demands a trial by jury.


Attorney for Plaintiff

Defendants' Addresses:

Ensign Phillip F. Macy (573139)
Barin Field
Foley, Ala

Robert D. Olds
Barin Field
Foley, Ala

FILED
1-26-55
ALICE J. BUCH, Clerk

SUMMONS AND COMPLAINT

Moore Print. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

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Defendant.

by Anthony Emogene Muller

Plaintiff.

Witness my hand this 26th day of January 19 55

FILED

W. J. French

Clerk

1-26-55

JOE L. BUCK, Clerk

BOOK 003 PAGE 320