

JORDAN CLINIC & HOSPITAL, INC.,
a Corporation,

Plaintiff

vs.

PETE BERGA, SR. and PEARL BERGA

Defendants

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

Come the defendants in the above styled cause and
for answer to the plaintiff's complaint heretofore filed
in said cause say:

1. That the matters alleged therein are untrue.

BEEBE & SWEARINGEN

BY *F. B. Swearingen*
Attorneys for Defendants

The Defendants demand a trial of the said cause by jury.

BEEBE & SWEARINGEN

BY *F. B. Swearingen*
Attorneys for Defendants

Filed
10-11-58

JORDAN CLINIC AND HOSPITAL
INC., A CORPORATION,

PLAINTIFF

VS

PETE BERGA SR., AND
PEARL BERGA

DEFENDANTS

)
IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA,

) AT LAW

) NO. 3571

)
)
Comes now your Petitioners, Pete Berga Sr. and Pearl Berga, and moves the court to set aside the judgment by default heretofore rendered in this cause and for grounds thereof shows unto the court as follows:

That they had retained the firm of Beebe & Swearingen, Attorneys at Law, to represent them in this action and that the said W. C. Beebe has since died and that Floyd Swearingen has left the practice of law and is no longer in Baldwin County. That in their answer filed against the Complaint they demanded a jury trial and the same was set upon the jury docket and transferred to the non jury docket on September 14, 1959, without their authority or consent. That they had no knowledge that a judgment was to be taken against them in this cause and if they had known so they would have objected both to the transfer of this cause from the jury docket to the non jury docket and would have opposed a default judgment.

That the Defendants have a meritorious defense in this suit.

Pete Berga Sr.
Peter Berga Sr.

Pearl Berga
Pearl Berga

Sworn to and subscribed before me this 24 day of February, 1960.

Notary Public
State of Alabama

THE JORDAN CLINIC AND HOSPITAL

19 NORTH SECTION STREET

FAIRHOPE, ALABAMA

October 24, 1958

ITEMIZED STATEMENT OF ACCOUNT:

MR. & MRS. PETE BERGA, SR.
DAFNE, ALABAMA

April 5, 1944	Room & Board	5.00	Pete, Jr., aged 12
" " "	Surgery	200.00	Appendectomy
	Operating Rm.	10.00	
	Assistant	10.00	
	Anesthetic	15.00	
	Blood Count	5.00	
	Credit on Acct.		100.00
April 6, 1944	Room & Board	5.00	
" 7 "	Room & Board	5.00	
" 8 "	Room & Board	5.00	
" 9 "	Room & Board	5.00	
" 10 "	Room & Board	5.00	
" 11 "	Room & Board	5.00	
" 12 "	Room & Board	5.00	
" 13 "	Room & Board	5.00	
" 14 "	Room & Board	5.00	
	Medication	2.00	
April 15, 1944	Credit on Account		100.00
" 25 "	Office call	2.00	Pete, Jr.
(Statements sent through June 26, 1945)			
July 11, 1945	Credit on Account		30.00
October 22, 1945	Credit on Acct.		25.00
Statements through April 25, 1946			
May 3, 1946	Credit on Account		20.73
Statements through April 25, 1947			
Notice of Note Due: July 10, 1947			
Statements through July 5, 1949			
October 13, 1949	Office call	3.00	Pete, Jr. - lacerated foot
October 15, 1949	Credit on acct.		15.00
" " "	Office Call	3.00	Pete
November 8, 1949	Examination	10.00	
December 7, 1949	Exam. & Lab.	10.00	Virginia
December 7, 1949	Credit to Acct.		1.00
February 20, 1950	Office call	5.00	Vernon - Burned hand
" 21 "	Checkup & Dress	3.00	"
" 23 "	" "	3.00	"
" 24 "	Dress burns	3.00	"
" 27 "	Dress burns	3.00	"
June 7, 1950	Office call	5.00	Fracture - splint applied to finger
" " "	X-ray	7.50	
" 12 "	Checkup	3.00	
" 25 "	Checkup	3.00	
August 28, 1950	Credit		10.00

THE JORDAN CLINIC AND HOSPITAL

19 NORTH SECTION STREET

FAIRHOPE, ALABAMA

ITEMIZED STATEMENT OF ACCOUNT

PETE BERGA, SR.

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February 22, 1951	Office call	3.00	
June 9, 1951	Credit		10.00
June 29, 1951	T & A	60.00	
June 27, 1951	Blood Count	5.00	
June 29, 1951	Credit		65.00
November 9, 1951	Office call	3.00	Pete, Jr.
March 21, 1952	Office call	3.00	Mrs. - injured leg
" 22 "	Credit		3.00
" 23 "	Dress leg	3.00	"
" 24 "	Dress Leg	3.00	"
" 25 "	Dress Leg	3.00	"
" 26 "	Dress Leg	3.00	"
" 29 "	Dress Leg	3.00	"
May 12, 1952	Credit		14.00
July 1, 1952	Office call	3.00	
October 7, 1952	Office call	3.00	Dr. Jordan
October 8, 1952	Office call	3.00	Dr. Johnson
October 10, "	Credit		6.00
" " "	Office call	3.00	
" 11 "	Office call	3.00	
" 12 "	Office call	3.00	
August 14, 1953	Room & Board	7.00	Mr. Berga
	Medication	2.00	
	2 meals	1.00	
August 15, 1953	Room & Board	7.00	
	Medication	2.00	
" 16 "	Room & Board	7.00	
	Medication	2.00	
	Meals	.75	
	Professional	15.00	Dr. Fair
August 21, 1953	House call	10.00	Mr. Berga
September 11, 1953	Office call	3.00	Mrs. "
" 10 "	Office call	3.00	
	X-ray	10.00	"
September 11, 1953	Rm. & Board	6.00	"
	Medication	11.00	"
" 12 "	Room & Board	6.00	
	Medication	16.00	
" 13 "	Room & Board	6.00	
	Medication	14.20	
	Professional	15.00	Dr. Jordan
" 14 "	Room & Board	6.00	
	Medication	12.00	
	Laboratory	5.00	
September October 16, 1953	Lab. & o.c.	8.00	Virginia - Out patient
" 19 "	Office call	3.00	"
" 26 "	" "	3.00	"
" 30 "	House call	10.00	Mr. Berga
	" "	10.00	" "
October 3, 1953	Office call	3.00	
October 10, 1953	House call	10.00	" "

THE JORDAN CLINIC AND HOSPITAL

19 NORTH SECTION STREET
FAIRHOPE, ALABAMA

ITEMIZED STATEMENT OF ACCOUNT

MR. PETE BERGA, SR.

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November 6, 1953	Credit	25.00
May 10, 1954	Credit	9.00
May 10, 1954	Office call 3.00	Virginia
" 11 "	Office call 3.00	"
October 11, 1954 - Past due interest	14.62	
December 1, 1954	Office call 3.00	Dr. Jordan
May 28, 1956	Credit	50.00
July 15, 1956	Office call 3.00	
December 9, 1957	Office call 3.00	
" " "	Credit	3.00

Total charges:	706.07	Credits: 486.73
Less Credits:	486.73	

TOTAL: 219.34

October 25 1958; THIS BILL IS TRUE AND UNPAID AND TO THE BEST OF OUR
ABILITY IS THE RECORDS AS SHOWN.

JORDAN CLINIC & HOSPITAL, INC:

STATE OF ALABAMA
COUNTY OF BALDWIN

SIGNED: Florence G. James

SWORN TO BEFORE ME THIS 28 DAY OF January 1958.

James M. R. R. R.