

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Reliance Life and Casualty Company, a Corporation, to appear and plead, answer or demur within thirty days from service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, at Law, by Charles Blouhy, as Plaintiff and against Reliance Life and Casualty Company, a Corporation, as Defendant.

Witness my hand this the 6 day of July, 1960.

Alice J. Duck
Alice J. Duck, Register

CHARLES DLOUNY

Plaintiff

VS

RELIANCE LIFE AND CASUALTY
COMPANY, a Corporation

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAST

NO.

1.

The Plaintiff claims of the Defendant the sum of ONE THOUSAND THREE HUNDRED SIX and 94/100 DOLLARS (\$1,306.94) with interest due on a policy of insurance whereby the Defendant on to-wit: December 9, 1958, agreed to indemnify the Plaintiff against hospital and surgical expenses resulting from sickness of the Plaintiff, and Plaintiff avers that on the 26th day of March, 1960, he entered the South Baldwin Hospital, Foley, Alabama, on the advice of his Physician and that on the 30th day of March, 1960, he was operated on for a pyloric obstruction. The Plaintiff remained in the said hospital as a patient until he was discharged on the 30th day of April, 1960. That during this period the said policy was in full force and effect and while the Plaintiff has made due and legal proof of his expenses to the Defendant, the said Defendant has failed and refused to pay said sum claimed.

Plaintiff further avers that Defendant is a non-resident of the State of Alabama, and his last known Post Office Address was Phoenix, Arizona, and the Plaintiff prays for service of process upon the Defendant be had in accordance with the provisions of the Code of Alabama, 1940, as amended, Title 7, Section 199 (1).

WILTERS, BRANTLEY AND NESBIT

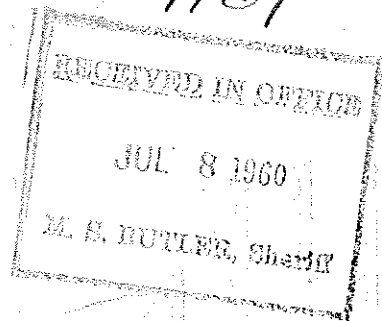
BY: *W. W. Wilters*

FILED

JUL 16 19

Alice L. Duck, CLERK
REGISTER

1159



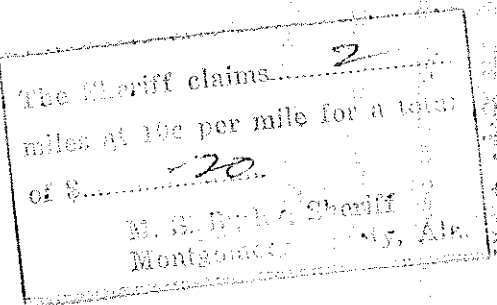
3

Executed by serving 3 copies of
the within on Betty Trump
Secretary of State of The State of
Alabama.

This the 20 day of July 1960

Sheriff of Montgomery County
M. S. Butler,

By R. S. Butler D. S.



NO. 4309

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

CHARLES DLOUHY

Plaintiff

vs

RELIANCE LIFE AND CASUALTY
COMPANY, a Corporation

Defendant

FILED

JUL 6 1960

ALICE L. DUCK, CLERK
REGISTER

WILTERS, BRANTLEY AND NESBIT

Attorneys at Law
Robertsdale, Alabama

PLAINTIFF'S AFFIDAVIT THAT TITLE 7, SEC. 199 (1) IS APPLICABLE

I certify that the Defendant, Reliance Life and Casualty Company, a Corporation, is and was prior to December 9, 1958, and is as of this date a non resident of the State of Alabama; and that it did do business and enter into a contract of insurance with the Plaintiff, Charles Dlouhy, in Robertsedale, Alabama, and that as a result of this contract the Plaintiff has a cause of action against the Defendant. Plaintiff further avers that the last known Post Office address of the said Defendant is Phoenix, Arizona, and the Plaintiff prays that service of process upon the Defendant may be had in accordance with the provision of the Code of Alabama, 1940, Title 7, Section 199 (1), which provides for service upon the Secretary of State, or his successor or successors in office, as the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the doing of business or the performing of work or service in this state, or as an incident thereto by any such non-resident, or his agent, servant, or employee.

WILTERS, BRANTLEY AND NESBIT

BY: James Wilters, Jr.
Attorneys for the Plaintiff

Sworn to and subscribed to before me this 1st day of July,
1960.

Delta H. Gwaltney
Notary Public,
MY COMMISSION EXPIRES JULY 17, 1967

August 1, 1960

CHARLES DLOUHY, Plaintiff

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA AT LAW

VS.

RELIANCE LIFE AND CASUALTY COMPANY,
a Corporation, Defendant

CASE NO. 4309

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Nancy H. Turner, a Notary Public in and for said State-at-Large, personally appeared Bettye Frink, Secretary of State of the State of Alabama, who is known to me and who, being duly sworn, deposes and says that in her official capacity as Secretary of State of the State of Alabama she, on the 20 day of July 1960 sent by registered mail in an envelope addressed as follows:

" Reliance Life and Casualty Company
A Corporation
Phoenix, Arizona"

"Registered Mail—
Return Receipt Requested
~~Deliver to Addressee only~~"

bearing sufficient and proper prepaid postage, a notice bearing her signature and the Great Seal of the State of Alabama in words and figures as follows:

" Reliance Life and Casualty Company
A Corporation
Phoenix, Arizona

You will take notice that on July 20, 1960 the Sheriff of Montgomery County, Alabama, served upon me, in my official capacity, Summons and Complaint and Affidavit in a case entitled: CHARLES DLOUHY, Plaintiff vs. RELIANCE LIFE AND CASUALTY COMPANY, a Corporation, Defendant

in the CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW Case No. 4309

a true copy of which Summons and Complaint and Affidavit are attached hereto and the said service upon me as Secretary of State of the State of Alabama has the force and effect of personal service upon you, said service being under provisions of Title 7, Section 199(1) of the 1940 Code of Alabama and Supplement thereto.

WITNESS MY HAND and the Great Seal of the State of Alabama this the 20 day of July 1960

(Signed) Bettye Frink
Bettye Frink
Secretary of State

Enclosures (2)

Affiant further says that the notice above set out which was so mailed in the envelope addressed as above set forth had attached to it a true copy of the Summons and Complaint and Affidavit in the above-styled cause.

Affiant further says that on August 1, 1960 she received the "Return Card" showing RECEIPT by the designated addressee of the aforementioned matter at Phoenix, Ariz. on 7-25-60

Bettye Frink
Affiant—Bettye Frink
Secretary of State

Sworn to and subscribed before me, this the 1 day of August 1960

Nancy H. Turner
Notary Public—State-at-Large
My Commission expires: 10/17/62

Enclosures—"Return Receipt" and
Copy of Process
cc: Honorable Tolbert M. Brantley
Attorney at Law
Robertsdale, Alabama

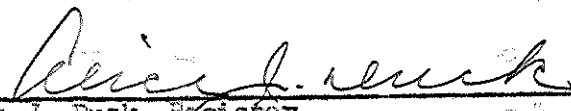
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Reliance Life and Casualty Company, a Corporation, to appear and plead, answer or demur within thirty days from service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, at Law, by Charles Dlouhy, as Plaintiff and against Reliance Life and Casualty Company, a Corporation, as Defendant.

Witness my hand this the 6 day of July, 1960.


Alice J. Duck, Register

CHARLES DLOUHY

Plaintiff

vs

RELIANCE LIFE AND CASUALTY
COMPANY, a Corporation

Defendant

IN THE CIRCUIT COURT OF

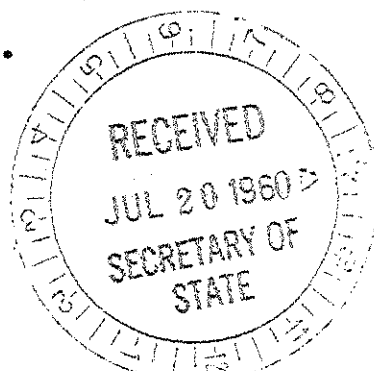
BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

1.

The Plaintiff claims of the Defendant the sum of ONE THOUSAND THREE HUNDRED SIX and 94/100 DOLLARS (\$1,306.94) with interest due on a policy of insurance whereby the Defendant on to-wit: December 9, 1958, agreed to indemnify the Plaintiff against hospital and surgical expenses resulting from sickness of the Plaintiff, and Plaintiff avers that on the 26th day of March, 1960, he entered the South Baldwin Hospital, Foley, Alabama, on the advice of his Physician and that on the 30th day of March, 1960, he was operated on for a pyloric obstruction. The Plaintiff remained in the said hospital as a patient until he was discharged on the 30th day of April, 1960. That during this period the said policy was in full force and effect and while the Plaintiff has made due and legal proof of his expenses to the Defendant, the said Defendant has failed and refused to pay said sum claimed.



Plaintiff further avers that Defendant is a non resident of the State of Alabama, and his last known Post Office Address was Phoenix, Arizona, and the Plaintiff prays for service of process upon the Defendant be had in accordance with the provisions of the Code of Alabama, 1940, as amended, Title 7, Section 199 (1).

WILTERS, BRANTLEY AND NESBIT

BY: _____

CHARLES DICKINSON

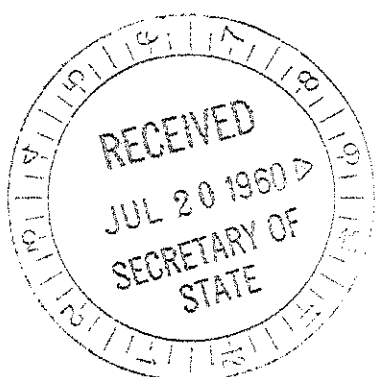
Plaintiff

WALTERS, BRANTLEY AND NESBIT
Attorneys at Law
Mobile, Alabama

Defendant

WALTERS, BRANTLEY AND NESBIT
Attorneys at Law
Mobile, Alabama

IN THE CIRCUIT COURT OF
THE FIRST JUDICIAL CIRCUIT
IN AND FOR THE COUNTY OF
MOBILE, ALABAMA



PLAINTIFF'S AFFIDAVIT THAT TITLE 7, SEC. 199 (1) IS APPLICABLE

I certify that the Defendant, Reliance Life and Casualty Company, a Corporation, is and was prior to December 9, 1958, and is as of this date a non resident of the State of Alabama; and that it did do business and inter into a contract of insurance with the Plaintiff, Charles Blouhy, in Robertsdale, Alabama, and that as a result of this contract the Plaintiff has a cause of action against the Defendant. Plaintiff further avers that the last known Post Office address of the said Defendant is Phoenix, Arizona, and the Plaintiff prays that service of process upon the Defendant may be had in accordance with the provision of the Code of Alabama, 1940, Title 7, Section 199 (1), which provides for service upon the Secretary of State, or his successor or successors in office, as the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued or accruing from the doing of business or the performing of work or service in this state, or as an incident thereto by any such non-resident, or his agent, servant, or employee.

WILTERS, BRANTLEY AND NESBIT

BY: [Signature]
Attorneys for the Plaintiff

Sworn to and subscribed to before me this 1st day of July,
1960.

[Signature]
Notary Public,

MY COMMISSION EXPIRES JULY 17, 1960

