

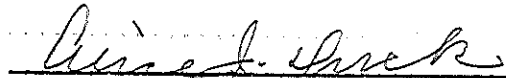
STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summons The Oil Well Company, a corporation; The Oil Well Company, a partnership composed of Carl Bolch and John Doe, whose true name is unknown and whose true name will be added by amendment when ascertained by plaintiff; XYZ Oil Company, a corporation, whose true name is unknown to plaintiff and whose true name will be added by amendment when ascertained by plaintiff; Doe-Roe Oil Company, a partnership composed of John Doe, Richard Roe, Sally Doe and Jane Roe, whose true names are unknown to plaintiff and whose true names will be added by amendment when ascertained by plaintiff; and Carl Bolch, individually and trading and doing business as The Oil Well Company, to appear in the Circuit Court of Baldwin County, Alabama, at the place of holding the same within thirty days of service hereof, then and there to answer the complaint of Clifton Parrish.

Done this 25 day of May, 1961.


CLERK

CLIFTON PARRISH,

PLAINTIFF

VS.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

THE OIL WELL COMPANY, a corporation;
THE OIL WELL COMPANY, a partnership
composed of Carl Bolch and John Doe, whose
true name is unknown and whose true name will
be added by amendment when ascertained by
plaintiff; XYZ OIL COMPANY, a corporation,
whose true name is unknown to plaintiff and
whose true name will be added by amendment
when ascertained by plaintiff; DOE-ROE COMPANY,
a partnership composed of John Doe, Richard Roe,
Sally Doe and Jane Roe, whose true names are
unknown to plaintiff and whose true names will
be added by amendment when ascertained by plaintiff;
and CARL BOLCH, individually and trading and doing
business as THE OIL WELL COMPANY,

AT LAW

NO. 4715

DEFENDANTS

VERIFIED COMPLAINT

Plaintiff claims of the defendants benefits under the Workmen's Compensation Laws of the State of Alabama, due and owing under the following statement of facts; on to-wit, February 26, 1960, the relation of employer and employee or master and servant, existed between plaintiff and defendants, and plaintiff and defendants were subject to the Workmen's Compensation Laws of Alabama, and while so employed and engaged in the business of the defendant, plaintiff suffered an accident, which arose out of and in the course of said

employment. As the proximate result of said accident, plaintiff was rendered disabled. A controversy has arisen as to the benefits to be paid under the Workmen's Compensation Laws of Alabama.

Plaintiff's name is Clifton Parrish and he resides in Covington County, Alabama. The defendant's name is The Oil Well Company, a corporation; The Oil Well Company, a partnership composed of Carl Bolch and John Doe, whose true name is unknown to plaintiff and whose true name will be added by amendment when ascertained by plaintiff; XYZ Oil Company, a corporation, whose true name is unknown to plaintiff and whose true name will be added by amendment when ascertained by plaintiff; Doe-Roe Company, a partnership composed of John Doe, Richard Roe, Sally Doe and Jane Roe, whose true names are unknown to plaintiff and whose true names will be added by amendment when ascertained by plaintiff; and Carl Bolch, individually and trading and doing business as The Oil Well Company.

At the time of said accident, on to-wit, February 26, 1960, Clifton Parrish was working as a repair man on station, loading a drum on a trailer of defendant truck/in the line and scope of his employment and while so working he was hit by an oil drum, and his back, pelvis and body as a whole were injured, rendering him permanently totally disabled and permanently totally disabled from working within the meaning of the Workmen's Compensation Laws of Alabama. That this occurred in Baldwin County, Alabama, in Perdido.

Plaintiff avers that the defendant had prompt and immediate notice of said accident.

Plaintiff alleges that at the time of his injury he was receiving a salary in the sum of approximately \$45.00 a week, and is married with a dependent wife and 1 child.

Plaintiff further alleges that defendant paid him compensation at the rate of \$26.00 per week until July 22, 1960.

Wherefore, plaintiff claims of the defendants such benefits as he is entitled to receive under the Workmen's Compensation Laws of Alabama, and prays that notice may be given the defendants and hearing may be had, all in accordance with the rules and laws of this Honorable Court.


CLIFTON PARRISH

STATE OF ALABAMA

COVINGTON COUNTY

Before me, Evelyn Miller, a Notary Public in and for said State and County, personally appeared Clifton Parrish, who is known to me, and who having first been duly sworn, deposes and on oath says: that he has read the foregoing petition and the statements made therein are true and correct and that he knows of his own knowledge and belief they are true and correct.

Clifton Parrish
CLIFTON PARRISH

Sworn to and subscribed before me this 23 day of May, 1961.

FILED

MAY 25 1961

ALICE J. DUCK, CLERK
REGISTER

Evelyn Miller
NOTARY PUBLIC

1031

Mr. 4715

Clifton Parrish

vs.

The Oil Well Co.
et al.

RECEIVED IN OFFICE
MAY 30 1961
M. S. BUTLER, Sheriff

EXECUTED BY SERVING A
COPY OF THE WITHIN

Carl Bales

James Doe
not found

This the 30 day of May 1961

M. S. BUTLER
Sheriff Montgomery County

By J. O. Mathis
Deputy Sheriff

address: (Both)
Old Selma Road
Montgomery, Ala.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
AT LAW

CLIFTON PARRISH,

Plaintiff,

vs.

THE OIL WELL COMPANY,
a corporation; et als,

Defendants.

AT LAW

NO: 4715

Comes the Defendant Oil Well Company, Inc., a corporation, and demurs to the complaint hereinbefore filed against it in the above styled cause and in support thereof assigns the following separate and several grounds:

1. Said complaint states no cause of action.
2. Said complaint is so vague, uncertain and indefinite as to embarrass this defendant in the preparation of its defense.
3. For aught that appears from said complaint no controversy has arisen between plaintiff and defendant.
4. For aught that appears from said complaint plaintiff is receiving compensation under the Workmen's Compensation laws of Alabama.
5. It affirmatively appears from said complaint that plaintiff knows the identity of his employer yet the complaint fails to identify such employer with sufficient certainty.
6. Said complaint is vague, indefinite and uncertain as to the existence of the status of employer and employee as between plaintiff and this defendant.
7. Said complaint alleges the relationship of employer and employee as existing between plaintiff and many named employers and thus is insufficient to charge this defendant with any liability under the Workmen's Compensation laws of Alabama.

Albrittons & Rankin
Timmerman Building
Andalusia, Alabama
Of Counsel

A. M. Rankin
J. M. Albritton
Attorneys for Defendant Oil Well Company, Inc.
a corporation

FILED
JUN 26 1961
ALICE L. DUCK, CLERK
REGISTER

I, Albert L. Rankin, of counsel for above named Defendant hereby certify that I have served a copy of the foregoing demurrer on Messrs. Tipler & Fuller, attorneys of record for plaintiff, by mailing the same to them, U.S. mail, postage prepaid, addressed to them at their place of business in Andalusia, Alabama, on this the 23rd day of June, 1961.

Albert L. Rankin

Of Counsel for Defendant Oil Well
Company, Inc.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

AT LAW

NO. 4715

CLIFTON PARRISH,

Plaintiff,

vs.

THE OIL WELL COMPANY,
a corporation; et als,

Defendants.

DEMURRER

FILED

JUN 26 1961

ALICE J. DUCK, CLERK
REGISTER

ALBRITTONS & RANKIN
ATTORNEYS AT LAW
ANDALUSIA, ALABAMA

STATE OF ALABAMA

BALDWIN COUNTY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

A controversy has arisen between your petitioner and The Oil Well Company, a corporation; The Oil Well Company, a partnership composed of Carl Bolch and John Doe, whose true name is unknown and whose true name will be added by amendment when ascertained by plaintiff; XYZ Oil Company, a corporation, whose true name is unknown to plaintiff and whose true name will be added by amendment when ascertained by plaintiff; Doe-Roe Oil Company, a partnership composed of John Doe, Richard Roe, Sally Doe and Jane Roe, whose true names are unknown to plaintiff and whose true names will be added by amendment when ascertained by plaintiff; and Carl Bolch, individually and trading and doing business as The Oil Well Company, as to benefits that I should receive under the Workmen's Compensation Laws of Alabama. It is requested that I be permitted to employ the services of Frank J. Tipler, Jr. an Attorney at Law, Andalusia, Alabama, to represent me in the filing of a suit in your Court relative thereto.


Clifton Parrish

Your petition seeking permission to employ the services of Frank J. Tipler, Jr., in the matter referred to therein, is granted.


CIRCUIT JUDGE

LAW OFFICES
ALBRITTONS & RANKIN
(POWELL, ALBRITTON & ALBRITTON)
THIRD FLOOR, TIMMERMAN BUILDING
ANDALUSIA, ALABAMA

ED T. ALBRITTON (1857-1925)
W. HAROLD ALBRITTON (1880-1929)
DEMPSEY M. POWELL (1863-1942)

WM. H. ALBRITTON
ROBERT B. ALBRITTON
ALBERT L. RANKIN
J. MARVIN ALBRITTON

W. HAROLD ALBRITTON, III

CAPITAL 2-3177

June 23, 1961

Miss Alice J. Duck, Circuit Clerk
Baldwin County Courthouse
Bay Minette, Alabama

Re: Case No. 4715
Clifton Parrish vs.
Oil Well Company, et als

Dear Miss Duck:

Enclosed herewith is demurrer which we will greatly appreciate your filing in the above captioned cause. When this matter is called before the Court for ruling at the call of the appearance docket or special consideration at the request of the Plaintiff, we will greatly appreciate your submitting this demurrer to the Court, in our behalf, for ruling. While it will not be necessary for us to be present when the demurrer is submitted please take any steps in our behalf which will prevent a default because of any failure on our part to be personally present.

Sincerely yours,

ALBRITTONS & RANKIN

By: *Albert L. Rankin*

ALR:jwd

Enclosure

4715

TIPLER & FULLER
ATTORNEYS AT LAW
ANDALUSIA, ALABAMA
May 23, 1961

FRANK J. TIPLER, JR.
W. SIDNEY FULLER

TIPLER BUILDING
CAPITOL 2-4148

Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Dear Miss Duck:

Re: Clifton Parrish v. The Oil Well Company, et al.

Enclosed find a petition to employ counsel and original and two copies of Verified Complaint in the above matter.

This is a Workmen's Compensation matter and I would appreciate your asking Judge Hall to sign the permission to employ and filing it as soon as convenient. I will also appreciate your filing the complaint and asking your Sheriff to send it to Montgomery County for service.

The defendants can be served as follows:

The Oil Well Company, a corporation
Old Selma Road, Montgomery, Alabama.

Carl Bolch
Old Selma Road, Montgomery, Alabama.

It would be greatly appreciated if you would notify me when the permission to employ counsel has been signed by Judge Hall and filed; and also when the complaint is served on the two defendants listed above.

Very truly yours,


Frank J. Tipler, Jr.

FJT:em

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

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Done this 25 day of May, 1961.

Clifton Parrish
CLERK

CLIFTON PARRISH,

PLAINTIFF

VS.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

THE OIL WELL COMPANY, a corporation;
THE OIL WELL COMPANY, a partnership
composed of Carl Bolch and John Doe, whose
true name is unknown and whose true name will
be added by amendment when ascertained by
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a partnership composed of John Doe, Richard Roe,
Sally Doe and Jane Roe, whose true names are
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and CARL BOLCH, individually and trading and doing
business as THE OIL WELL COMPANY,

AT LAW

NO. _____

DEFENDANTS

VERIFIED COMPLAINT

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Wherefore, plaintiff claims of the defendants such benefits as he is entitled to receive under the Workmen's Compensation Laws of Alabama, and prays that notice may be given the defendants and hearing may be had, all in accordance with the rules and laws of this Honorable Court.


CLIFTON PARRISH

STATE OF ALABAMA

COVINGTON COUNTY

Before me, Evelyn Miller, a Notary Public in and for said State and County, personally appeared Clifton Parrish, who is known to me, and who having first been duly sworn, deposes and on oath says: that he has read the foregoing petition and the statements made therein are true and correct and that he knows of his own knowledge and belief they are true and correct.

Clifton Parrish
CLIFTON PARRISH

Sworn to and subscribed before me this 23 day of May, 1961.

Evelyn Miller
NOTARY PUBLIC

FILED

MAY 25 1961

ALICE J. DUCK, CLERK
REGISTER

FRANK J. TIPLER, JR.
W. SIDNEY FULLER

TIPLER & FULLER
ATTORNEYS AT LAW
ANDALUSIA, ALABAMA
November 16, 1961

TIPLER BUILDING
CAPITOL 2-4148

Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Dear Miss Duck:

Re: Parrish v. The Oil Well Co.
No. 4715

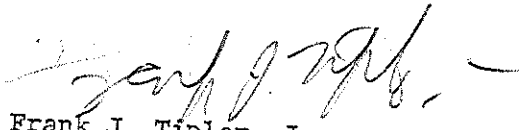
The above case has been set for trial on November 21, 1961. By agreement of the parties, it is requested that you file the attached motion to dismiss without prejudice, and ask the Judge to sign the order dismissing the case without prejudice.

I would further appreciate your sending me the enclosed copy, signed by the Court.

You will notice that no provision is made in the order for payment of costs. The parties prefer that it not be mentioned in the order. However, if you will send me a cost bill, I will pay it.

We appreciate your cooperation in this matter.

Very truly yours,


Frank J. Tipler, Jr.

FJT:em

CC: Judge Hubert Hall
Hon. Albert Rankin

CLIFTON PARRISH,
PLAINTIFF

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

VS.

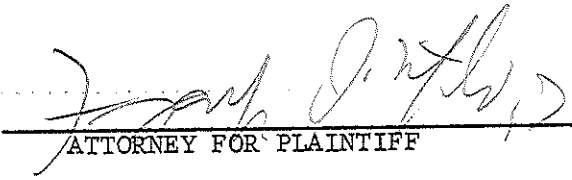
AT LAW, NO. 4715

THE OIL WELL COMPANY,
a corporation; et al.,

DEFENDANTS

MOTION TO DISMISS

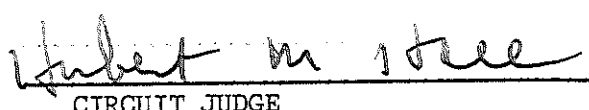
Comes the Plaintiff, and moves the Court to dismiss the above case
without prejudice.



ATTORNEY FOR PLAINTIFF

The above cause is hereby dismissed, without prejudice, on Motion of
the Plaintiff.

Done this 17 day of November, 1961.



CIRCUIT JUDGE

Notices
Mailed 6-5-61