

NOLAN P. COOPER, JR.
PLAINTIFF
VS
MORRIS HOMES CORPORATION,
a Corporation
DEFENDANT

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
AT LAW
NUMBER: 5168

INTERROGATORIES PROPOUNDED TO PLAINTIFF

Comes now the Defendant and propounds interrogatories to Nolan P. Cooper, Jr. the Plaintiff herein, the answers to which the interrogatories when taken will be material evidence for the Defendant on the trial of the above styled cause:

Interrogatory #1. What is your name, age and residence?

Int. #2. What account do you have with the Defendant?

Int. #3. Attach a copy of the record of your account with Defendant.

Int. #4. For what services, purchase or sale is this account or accounts?

Int. #5. On what dates were each of the services, purchases or sales made?

Int. #6. Have any monies ever been paid to you by Defendant on this or any other account?

Int. #7. If the answer to the next above interrogatory is yes, please state the dates and amounts of all payments made by Defendant to you.

Int. #8. Did you have a written agreement or contract with the Defendant? If so, please attach a copy of such agreement or contract.

Int. #9. Did you have a verbal agreement or contract with the Defendant?

Int. #10. If the answer to the next above interrogatory is yes, state the date the agreement was made, the name and address, if known, of the representative making such an agreement.

Int. #11. If the answer to interrogatory #9 is yes, please state the terms of the agreement.

Int. #12. Did you sell houses for the Defendant?

Int. #13. If the answer to the next above interrogatory is yes, state the names of the persons to whom you sold houses for Defendant.

Int. #14. Were all such sales bona fide sales?

Int. #15. Were all the sales completed, if not, please state which ones were and were not completed.

Int. #16. State the dates of all sales made by you for Defendant.

Int. #17. Did any such sales made by you for Defendant involve a construction of building upon lands owned by you?

Int. #18. Did any such sale involve the construction of building on lands sold or to be sold by you? If so state the lands, in terms of sale of land involved.

Int. #19. Did you explain to the purchaser at the sales made by you for Defendant the terms of the sale?

Int. #20. In making the sale, if any, for Defendant, did you fill out the building contract, if any, involved?

Int. #21. Were such building contracts, if any, completed at the time of their execution by the purchasing parties?

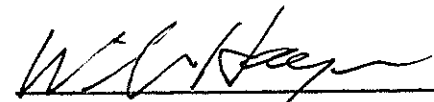
Int. #22. Did you sign such building contracts, if any. If so, state in what capacity.


WILSON HAYES, ATTORNEY FOR
DEFENDANT

STATE OF ALABAMA


COUNTY OF BALDWIN

Before me, the undersigned Notary Public, personally appeared Wilson Hayes, who being by me first duly sworn deposes and says: That he is the attorney for the Defendant in the above entitled cause; that the answers to the aforesaid interrogatories will be material evidence for the Defendant on the trial of this cause.



Sworn to and subscribed before me this the 24th day of July, 1962.

CLERK
REGISTER


Ruth K. Howell
Notary Public,

FILED

JUL 30 1962

ALICE J. DUCK,

5168

Nolan P. Cooper, Jr.

US

Morris Homes Corp.

Received 30 day of July 1962
on 7 day of April 1962
served a copy of the within Interrogatory
Hon. P. Nesbit

service on

TAYLOR WILKINS, Sheriff
By Richard P. Nesbit
R. Nesbit

Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY R. Nesbit

FILED

JUL 20 1962

ALICE J. DUCK, CLERK
REGISTER

serve

Hon. P. Nesbit, R. Nesbit

13. I sold houses to Nathaniel Patterson, John R. Patterson, J. B. Ikner, Willie Sam Ikner and Frank Townser.

14. All sales were bona fide sales with sales contracts signed by the purchasing parties and witnessed by myself.
15. All of the sales were completed in so far as my part of the work was concerned.
16. Dates of sales are as follows:

Nathaniel Patterson - November 15, 1961

John R. Patterson -

J. B. Ikner - *November 15, 1961*

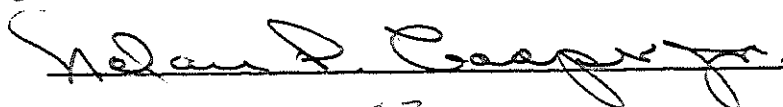
Willie Sam Ikner - November 15, 1961

Frank Townser - *November 15, 1961*
17. None of the sales involved construction on lands owned by me.
18. The construction of the house for Nathaniel Patterson was to be on land which I had traded him prior to selling him a house.
19. Yes, I explained the terms of the sales to the purchasers.
20. I did not fill out any building contracts; this was done by the representative of the company concerned with the actual building of the houses.
21. No, the building contracts were often filled in by the representative after the purchasers had signed them.
22. No, I signed as a witness only on the purchase-sales contracts.

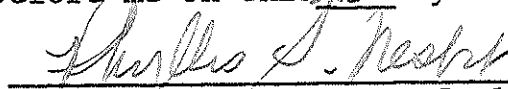

Nolan P. Cooper, Jr. - Plaintiff

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared Nolan P. Cooper, Jr., known to me, who being by me first duly sworn, deposes and says that he is the Plaintiff in the above styled cause, and that the above and foregoing answers to interrogatories made by him are true and correct.



Sworn to and subscribed before me on this 23 day of August, 1962.


Notary Public, State of Alabama at Large

STATEMENT OF ACCOUNT WITH:

MORRIS HOMES CORPORATION
KNOXVILLE, TENNESSEE

<u>Date</u>	<u>Sales</u>	<u>Total Commission</u>	<u>Amount Received</u>	<u>Balance</u>
11/15/61	Nathaniel Patterson	\$200.00	\$100.00	\$100.00
11/15/61	Sam Ikner	200.00	100.00	100.00
1-26/62	J. B. Ikner	200.00	100.00	100.00
11-15/61	John R. Patterson	200.00	.00	200.00
11-15/61	Frank Townser	200.00	.00	<u>200.00</u>
				\$700.00
			Less Shortage Payment	<u>100.00</u>
			Balance Due on Commissions	\$600.00


Nolan R. Cooper, Jr.

NOLAN P. COOPER, JR.,

Plaintiff

VS

MORRIS HOMES CORPORATION,
A Corporation

Defendant

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. _____

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

Now comes the Plaintiff in the above styled cause and moves the Court to compel, by order, the Defendant to produce, at or before the trial, the following papers or documents in its possession or power, which are necessary and material to the trial of said cause and containing evidence pertinent to the issues of said trial, to-wit:

1. Sales Contract between Morris Homes Corporation and Nathaniel Patterson
2. Sales Contract between Morris Homes Corporation and John R. Patterson
3. Sales Contract between Morris Homes Corporation and J. B. Ikner
4. Sales Contract between Morris Homes Corporation and Willie Sam Ikner
5. Sales Contract between Morris Homes Corporation and Frank Thompson.

WILTERS, BRANTLEY & NESBIT

BY:

Phyllis S. Nesbit
Attorneys for the Plaintiff

STATE OF ALABAMA

BALDWIN COUNTY

Before me, *Jane B. Hedge*, a Notary Public, in and for said County and State, personally appeared Phyllis S. Nesbit, known to me, who being duly sworn, deposes and says that she is of counsel for the Plaintiff in the foregoing cause, and as such has knowledge of the facts set out in the foregoing motion; that the documents therein described contain evidence pertinent to the issues in this cause and that they are necessary and material to a proper disposition of this cause.

Sworn to and subscribed before me this 9th day of August, 1962.

FILED

AUG 9 1962

ALICE J. DUCK, CLERK
REGISTER

Jane B. Hedge
Notary Public, Baldwin County, Alabama

TO WILSON HAYES, Attorney for the Defendant:

Please take notice that the above and foregoing motion will be called to the attention of the Judge of the Circuit Court of Baldwin County, Alabama, on 27 day of August, 1962.

Presented to the undersigned Judge on 9 day of Aug, 1962.

Hubert M. Hester
Circuit Judge, Baldwin County, Alabama

5168

NOLAN P. COOPER, JR.,

Plaintiff

VS

MORRIS HOMES CORPORATION,
A corporation,

Defendant.

MOTION

WILTERS, BRANTLEY & NESBIT
Attorneys for the Plaintiff

WILSON HAYES
Attorney for the Defendant
Bay Minette, Alabama

NOLAN P. COOPER, JR.,

Plaintiff

vs:

MORRIS HOMES CORP., A CORP.,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW, CASE NO. 5168


Comes now the Defendant and for answer says:

1. The allegations contained in the Complaint are untrue.

FILED

JUL 17 1962

ALICE J. DUCK, CLERK
REGISTER


Attorney for Defendant.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Morris Homes Corporation, a Corporation, to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, by Nolan P. Cooper, Jr.

Witness my hand this the 13 day of June, 1962.

Alice J. Duck
Clerk

NOLAN P. COOPER, JR.

Plaintiff

VS

MORRIS HOMES CORPORATION,
A Corporation

Defendant

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO.

5768

1.

The Plaintiff claims of the Defendant the sum of SIX HUNDRED DOLLARS (\$600.00), due from him by account on the 20th day of January, 1960, which sum of money with the interest thereon, is still unpaid.

WILTERS, BRANTLEY & NESBIT

BY:

Phyllis S. Nesbit
Attorneys for the Plaintiff

FILED

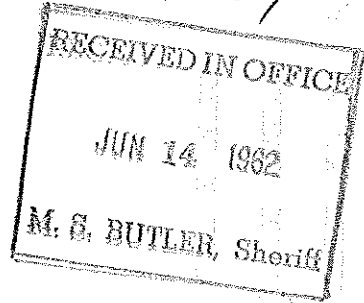
JUN 18 1962

ALICE J. DUCK, CLERK
REGISTER

Statutory agents are
Fred D. Ball, Jr. and
Richard A. Ball
717 First National Bank Bldg
Montgomery, Alabama

Ed-6-14-62

1087



EXECUTED BY SERVING A
COPY OF THE WITHIN

Fred B. Ball Jr.
is Agent for
Morris Homes
Corp.

This the *14* day of *June* 19 *62*

M. S. BUTLER
Sheriff Montgomery County

By *D. R. ...*
Deputy Sheriff

The Sheriff claims *2*
miles at 10c per mile for a total
of *20*

M. S. Butler, Sheriff
Montgomery County, Ala.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW

NO. *5168*

NOELAN B. COOPER, JR.

Plaintiff

VS

MORRIS HOMES CORPORATION
A Corporation

Defendant

Walters, Brantley & Nesbit
Box 555
Robertsdale, Alabama

6-13-62