

SHELBY COUNTY,

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IN THE CIRCUIT COURT OF

PLAINTIFF,

SHELBY COUNTY, ALABAMA

VS.

THE WATER WORKS AND SEWER
BOARD OF THE CITY OF
BIRMINGHAM, ET AL,

CASE NO. CV-87-049

DEFENDANTS.

SECOND VENUE INTERROGATORIES TO THE WATER WORKS AND SEWER

BOARD OF THE CITY OF BIRMINGHAM

Comes now the Plaintiff in the above styled cause, and pursuant to Rule 33, Alabama Rules of Civil Procedure, propounds to the Water Works and Sewer Board of the City of Birmingham the following venue interrogatories:

1. How long has the Water Works and Sewer Board of the City of Birmingham been providing water and/or sewer services in Shelby County?

2. What types of services are or have been provided? Explain more fully what you mean by providing water and sewer service and serving water and sewer customers as stated in Answers 9, 10 and 11 of the Venue Interrogatory answers.

3. How many employees have provided, or assisted, in providing water and sewer services to Shelby County or persons or businesses therein

- (a) prior to the date of the suit
- (b) at the time of the suit
- (c) since the date of the suit.

4. List the nature or types of activities, jobs, work, labor, etc. which Water Works and Sewer Board employees have performed in Shelby County

- (a) prior to the date of the suit
- (b) at the time of the suit
- (c) since the date of the suit.

5. Do said employees have occasion to work or otherwise perform job-related activities while within the territorial boundaries of Shelby County? How often?

6. How many customers does the Water Works and Sewer Board for the City of Birmingham provide service to in Shelby County

- (a) prior to the date of the suit
- (b) at the time of the suit
- (c) since the date of the suit.

7. Does the Water Works and Sewer Board for the City of Birmingham charge customers in Shelby County for services it provides? If so, please state the rate structure.

8. What was the total income received from water and/or sewer customers in Shelby County during 1986. If possible, please provide a breakdown for money received for water services, and for money received for sewer services.

9. Does the Defendant maintain business operations from any of the real property located in Shelby County?

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W. E. H. T.

10. Do you have resources or facilities located on real property which you own in Shelby County which is utilized in providing service to persons, business or corporations within Shelby County?

11. Do you claim to be an entity separate from the City of Birmingham?

12. Are you an agent of the City of Birmingham?

13. Do you admit that you:

- (a) conduct business in Shelby County
- (b) were conducting business in Shelby County prior to the filing of this suit
- (c) were conducting business in Shelby County at the time of the filing of the suit.

FRANK C. ELLIS, JR.

Frank C. Ellis, Jr.
Attorney for Plaintiff

WALLACE, ELLIS, HEAD & FOWLER
P.O. BOX 587
COLUMBIANA, ALABAMA 35051
(205) 669-6783

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been mailed, postage prepaid, by U.S. First Class Mail to Ms. Helen Currie Foster, 1900 First National-Southern Natural Bldg., Birmingham, Alabama 35203, Milford G. Bass, Jr., Dept. of Law, 600 City Hall, Birmingham, Alabama 35203 and AmSouth Bank, N.A., North 20th Street, Birmingham, Alabama 35203 on this the 8th day of May, 1987.

JFH
Attorney

STATE OF ALA. CLERK OF
COURT
INSTRUMENT FILED

1987 MAY -8 PM 2:07

Thomas W. Henderson, Jr.
JUDGE OF PROBATE