

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|  |   |                               |
|--|---|-------------------------------|
| <b>In re:</b>                                  | ) |                               |
|  | ) |                               |
| <b>JEFFERSON COUNTY, ALABAMA,</b>              | ) | <b>Case No. 11-05736-TBB9</b> |
| <b>a political subdivision of the State of</b> | ) |                               |
| <b>Alabama,</b>                                | ) | <b>Chapter 9</b>              |
|  | ) |                               |
| <b>Debtor.</b>                                 | ) |                               |

**ANSWER TO NOTICE OF OBJECTION TO  
CLAIM AND OPPORTUNITY FOR HEARING**

**COMES now the DEBTOR, Charlotte Ryan, and answers the Objection To Claim as follows:**

- 1) The Debtor, Charlotte Ryan, was an employee of the County when she was injured on the job.**
- 2) At the time the County entered bankruptcy, the Debtor had a lawsuit pending in Jefferson County Circuit Court, Bessemer Division, a copy of which is attached.**
- 3) The Debtor's claim is not covered under administrative claims. Under the provisions of the Plan for the County exiting bankruptcy and under the U.S. Bankruptcy Code, the claim of Charlotte Ryan is not due to be disallowed.**
- 4) The County owes Charlotte Ryan under Title 25 of the Code of Alabama (1975), and the claim is not subject to be disallowed.**

**WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully requests that this Honorable Court disallow the objection of the County to the Debtor's claim.**

**/s/William D. Davis, III**  
**William D. Davis, III**



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**Law Office of William D. Davis, III  
2213 Morris Avenue  
Suite 200  
Birmingham, Alabama 35203**

**CERTIFICATE OF SERVICE**

**I hereby certify that on December 30, 2013, I have served a copy of the Answer upon the following:**

**Jefferson County Claims  
c/o Bradley Arant  
Boult Cummings LLP  
1819 Fifth Ave. North  
Birmingham, AL 35203**

**Jefferson County Claims  
c/o Klee, Tuchin, Bogdanoff  
& Stern LLP  
1999 Avenue of the Stars  
Thirty-Ninth Floor  
Los Angeles, CA 90067**

**Clerk of the Court  
U.S. Bankruptcy Court  
For the Northern District  
of Alabama  
1800 Fifth Avenue North  
Birmingham, AL 35203**

**/s/William D. Davis, III  
William D. Davis, III**

**COVER SHEET**  
**CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

Case Number

CV 10007 0000 0000 0000

Date of Filing:

Month Day Year

Judge Code:

**GENERAL INFORMATION**

IN THE CIRCUIT COURT OF Jefferson - Bessemer Division, ALABAMA

Charlette R. Ryan

Plaintiff

(Name of County)

Jefferson County Sheriffs Department

Defendant

First Plaintiff

☐ Business

☒ Individual

☐ Government

☐ Other

First Defendant

☒ Business

☐ Individual

☐ Government

☐ Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

**TORTS: PERSONAL INJURY**

- ☐ WDEA - Wrongful Death
- ☐ TONG - Negligence: General
- ☐ TOMV - Negligence: Motor Vehicle
- ☐ TOWA - Wantonness
- ☐ TOPL - Product Liability/AEMLD
- ☐ TOMM - Malpractice-Medical
- ☐ TOLM - Malpractice-Legal
- ☐ TOOM - Malpractice-Other
- ☐ TBFM - Fraud/Bad Faith/Misrepresentation
- ☐ TOXX - Other: \_\_\_\_\_

**TORTS: PROPERTY INJURY**

- ☐ TOPE - Personal Property
- ☐ TORE - Real Property

**OTHER CIVIL FILINGS**

- ☐ ABAN - Abandoned Automobile
- ☐ ACCT - Account & Nonmortgage
- ☐ APAA - Administrative Agency Appeal
- ☐ ADPA - Administrative Procedure Act
- ☐ ANPS - Adults in Need of Protective Services

**OTHER CIVIL FILINGS (cont'd)**

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- ☐ CVRT - Civil Rights
- ☐ COND - Condemnation/Eminent Domain/Right-of-Way
- ☐ CTMP - Contempt of Court
- ☐ CONT - Contract/Ejectment/Writ of Seizure
- ☐ TOCN - Conversion
- ☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- ☐ CVUD - Eviction Appeal/Unlawful Detainer
- ☐ FORJ - Foreign Judgment
- ☐ FORF - Fruits of Crime Forfeiture
- ☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Protection
- ☐ PFAB - Protection From Abuse
- ☐ FELA - Railroad/Seaman (FELA)
- ☐ RPRO - Real Property
- ☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- ☒ COMP - Workers' Compensation
- ☐ CVXX - Miscellaneous Circuit Civil Case

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BESSEMER DIVISION  
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**ORIGIN (check one):**

☒ INITIAL FILING

☐ APPEAL FROM DISTRICT COURT

☐ OTHER: \_\_\_\_\_

☐ REMANDED

☐ TRANSFERRED FROM OTHER CIRCUIT COURT

**HAS JURY TRIAL BEEN DEMANDED?**

☐ YES ☒ NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

**RELIEF REQUESTED:**

☒ MONETARY AWARD REQUESTED

☐ NO MONETARY AWARD REQUESTED

**ATTORNEY CODE:**

DAV1059

12/18/07  
Date

Signature of Attorney/Party filing this form

**MEDIATION REQUESTED:**

☐ YES ☐ NO ☒ UNDECIDED

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA  
BESSEMER DIVISION

CHARLETTE R. RYAN,

Plaintiff,

v.

)  
)  
)  
) CV #  
)

JEFFERSON COUNTY SHERIFFS DEPARTMENT, No. 1-4, that entity or those entities, whether singular or plural, which are the employers of the plaintiff at the time of the accident, made the basis of this suit; No. 5-9, that entity or those entities, whether singular or plural, who or which were partners or who had entered into a partnership with the plaintiff's employer at the time of the accident, made the basis of this suit; No. 10-14, that entity or those entities, whether singular or plural, who or which provided Workers' Compensation insurance coverage for plaintiff's employer at the time of the accident, made the basis of this suit. Plaintiff avers that the identity of the fictitious party defendants is otherwise unknown to plaintiff at this time, or if their names are known to plaintiff at this time, their identity as proper party defendants is not known to plaintiff at this time, but their true names will be substituted by amendment when the aforesaid lacking knowledge is ascertained.

Defendants.

COMPLAINT

1. Plaintiff claims of the Defendant, Jefferson County Sheriffs Department, benefits due unto the Plaintiff under the Workers' Compensation Laws of the State of Alabama. Plaintiff claims of unknown defendants who may have been plaintiff's employer or unknown or partners with plaintiff's employer or unknown defendants who may have provided workers' compensation, such unknown defendants designated as fictitious parties 1-14, those benefits due unto Plaintiff under the Workers' Compensation Laws of the State of Alabama. That on or about December 23, 2005, July 13, 2006, November 14, 2006 the plaintiff Charlette R. Ryan, was injured and did not receive benefits. The relationship of employer and employee existed between said

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Defendant and Plaintiff and on said date, the Plaintiff was in the employ of said Defendant. On said date, the Defendant and Plaintiff were also subject to the Workers' Compensation Laws of the State of Alabama.

2. Plaintiff further avers that while so employed and engaged in business of the Defendant and while acting in the line and scope of employment with said Defendant in the State of Alabama, Plaintiff suffered an accident which arose out of the course of employment. As a proximate result of said accident, the Plaintiff has been permanently disabled. A controversy has arisen as to the benefits to be paid by Defendant to Plaintiff under the Workers' Compensation Laws of the State of Alabama. Plaintiff avers that no settlement has been made between the Plaintiff and Defendant for and on account of said injury to the Plaintiff arising in the course of her employment by the Defendant.

3. Plaintiff avers that she was in the employment of the Defendant and on said date in Alabama. While performing her job, Plaintiff was caused to suffer injuries to her back, both arms, left knee, entire body bruised, both hips, head, neck, ankle and shingles.

4. Plaintiff's average weekly wage at the time of the accident was approximately \$800.00. The exact average weekly wage is unknown at this time until Defendant supplies Plaintiff with a copy of the wage statement.

5. Plaintiff avers that said Defendant has had prompt and immediate notice of said accident according to the best information, knowledge and belief of Plaintiff.

WHEREFORE, Plaintiff claims such benefits as she is entitled to receive under the Workers' Compensation Laws of the State of Alabama. The Plaintiff requests this

Court to take jurisdiction in this petition and that notice be given to the Defendant of the filing hereof, according to law, that final submission of Workers' Compensation benefits as allowed by law be awarded unto her.



William D. Davis, III  
Attorney for Plaintiff

DAVIS & ASSOCIATES  
2213 Morris Avenue, Suite 200  
Birmingham, Alabama 35203  
(205) 324-9100

PLAINTIFF'S ADDRESS  
624 Sandusky Road  
Birmingham, AL 35214

SERVE DEFENDANT BY CERTIFIED MAIL TO:  
Jefferson County Sheriffs Department  
c/o General Manager  
1826 2<sup>nd</sup> Avenue North  
Bessemer, AL 35020

STATE OF ALABAMA )  
Jefferson COUNTY )

### AFFIDAVIT

Personally appeared before me, the undersigned authority in and for said County and State, Charlette Ryan who being duly sworn on oath said that he/she is the Plaintiff in the foregoing cause and knows that facts herein and that the same are true and correct to the best of his/her knowledge, belief and information. Plaintiff also requests that William D. Davis, IV be appointed as counsel to represent him/her in this cause.

Charlette Ryan  
CLIENT

SWORN to and subscribed before me on this, the 17<sup>th</sup> day of December, 2004.7

Camanda J. Linckey  
NOTARY PUBLIC

My Commission expires: Notary Public, Alabama State At Large  
My Commission Expires May 24, 2008