

STATE OF MINNESOTA

IN DISTRICT COURT

COUNTY OF SCOTT

FIRST JUDICIAL DISTRICT

First National Bank of
Montgomery, Minnesota,

Plaintiff

-vs-

A F F I D A V I T

Jerome Daly,

Defendant

* * * * *

STATE OF MINNESOTA)
) ss
COUNTY OF LE SUEUR)

Theodore R. Mellby, being duly sworn, on oath, deposes and states:

An application for an Order demanding Jerome V. Daly to deliver to the Honorable Judge John F. Casey, Justice of the Peace, Credit River Township, County of Scott, State of Minnesota, at Rural Route, Prior Lake, Minnesota, the file in the case of First National Bank of Montgomery, Plaintiff, vs. Jerome Daly, defendant, consisting of the transcripts and all process and other papers in said action within five (5) days of the service of a copy of said Order upon Jerome V. Daly, personally, was made to the above Justice Court.

Said Justice Court issued the appropriate Order demanding said file of Jerome V. Daly on October 1, 1969. Said Order was personally served upon Jerome Daly on October 1, 1969. Jerome V. Daly did not comply with said Order demanding said file and on October 9, 1969, said Justice court issued an Order compelling Jerome V. Daly to show cause on October 31, 1969, why he should not be held in contempt of the Order of said Justice court, dated October 1, 1969.

Said contempt hearing has been continued to 2 o'clock P.M., Friday, November 7, 1969, Village Hall, Village of Prior Lake, County of Scott, State of Minnesota. As of this date, Jerome V. Daly has not complied with the Order of said Justice Court dated October 1, 1969.

Further affiant sayeth not.

DATED: November 4, 1969

Frederic R. Meeley

Subscribed and sworn to before
me this 4th day of November,
1969.

Wilma V. Fortney
Wilma V. Fortney - Notary Public
Le Sueur County, Minnesota
My commission expires November 23, 1971