

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

JOSEPH SMOTHERS, et al.,

Plaintiff

v.

Equity No. 26267

GERTRUDE LEE, et al.,

Defendant

* * * * *

AFFIDAVIT

I, Conrad W. Varner, being duly sworn, depose and say:

1. That I am attorney for the plaintiffs in the above-captioned case.

2. That I mailed a copy of the summons and a copy of the original pleadings in this case to the named defendant, Gertrude Lee, certified mail return receipt requested on April 29, 1976. (See original Certificate attached hereto as Exhibit A).

3. That, through mistake and inadvertence, the return receipt was signed by an agent of the nursing home in which the defendant resides on May 11, 1976. (See return receipt attached hereto as Exhibit B).

4. That the defendant actually received copies of the summons and original pleadings in this case on May 11, 1976 and does not wish to contest this matter as evidenced by her affidavit attached hereto as Exhibit C.

Conrad W. Varner

CONRAD W. VARNER
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