

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

RICHARD GARNER FRAUNFELDER,

Plaintiff,

vs:

CITY OF MOBILE, ALABAMA

Defendant.

CIVIL ACTION NO.: 1:06-CV-0256-CG-M

**WAIVER OF SERVICE OF SUMMONS AND APPEARANCE OF COUNSEL**

Defendant City of Mobile waives service of summons in this matter.

Additionally, Thomas O. Gaillard, III and Erin B. Fleming of the law firm Galloway, Smith, Wettermark & Everest, LLP enter this their appearance on behalf of defendant City of Mobile.

**s/Thomas O. Gaillard, III**

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**s/Erin B. Fleming**

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1:06-CV-0256-CG-M  
Waiver of Service of Summons and Appearance of Counsel

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>th</sup> day of June, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

NONE.

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

Richard Garner Fraunfelder  
5857 Shadesview Drive  
Mobile, Alabama 36608-6023

**s/Thomas O. Gaillard, III**