

IN THE COUNTY COURT OF HINDS COUNTY FIRST JUDICIAL DISTRICT,

STATE OF MISSISSIPPI

FILED

12-00323

DIVERSEY, INC

PLAINTIFF

DEC 03 2012

VS

BARBARA DUNN, CIRCUIT CLERK

CIVIL ACTION NO. 12-4674

MISSISSIPPI PRODUCTS, INC. BY _____ D.C.
DEFENDANT

COMPLAINT

COMES NOW, the plaintiff DIVERSEY, INC, by and through it's attorney of record, files this, its complaint against the defendant, MISSISSIPPI PRODUCTS, INC., for its cause of action, says as follows

I. PARTIES

A. That the Plaintiff, DIVERSEY, INC is a foreign corporation.

B. That the Defendant, MISSISSIPPI PRODUCTS, INC., is a Mississippi corporation registered to do business in the state of Mississippi and may be served to its registered agent JEAN R. LEE at 2457 VALLEY STREET, JACKSON MS 39204.

II. JURISDICTION AND VENUE

That this Court has jurisdiction over the parties and the subject matter, and venue is proper in County Court FIRST JUDICIAL DISTRICT, Mississippi.

III. FACTS

That on or about October 19, 2011, the Defendant, MISSISSIPPI PRODUCTS, INC., was extended credit with DIVERSEY, INC. A statement of the account is attached hereto and deemed a part hereof for all purposes.

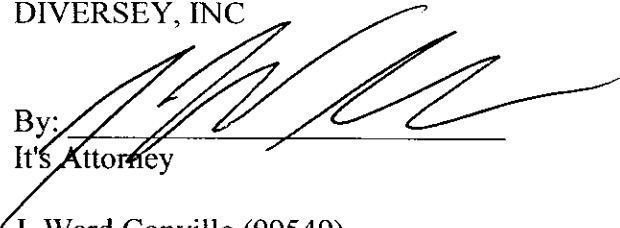
A. In connection with the herein above described Agreement, the Defendant was extended credit, the Defendant has become indebted to the Plaintiff in the amount of \$23,923.75.

B. That DIVERSEY, INC, has made demand for payment, and said amount remains due, owing, and unpaid.

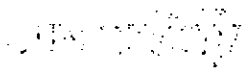
WHEREFORE, PREMISES CONSIDERED, DIVERSEY, INC, demands Judgment of, from, and against the Defendant in the amount of \$23,923.75, attorney fees, and costs. Plaintiff prays for such other relief, general and specific, as to which this Court may deem proper.

Respectfully Submitted,

DIVERSEY, INC

By: 
It's Attorney

J. Ward Conville (99549)
Lisa L. Meggs(9908)
Benjamin G. Lambert (103846)
Couch, Conville & Blitt LLC
Attorneys for Plaintiff
1301 West Pine Street
Hattiesburg, MS 39403
504-838-7747



Diversey, Inc.
 8310 16th Street
 PO Box 902
 Sturtevant, WI 53177
 Telephone: 262-631-2848
 Fax: 262-631-4955
 E-Mail: deepak.chauhan@diversey.com

DATE: February 24, 2012 TIME: 8:55:46

TO: JEAN LEE FAX: 601-502-1484
 MISSISSIPPI PRODUCTS INC

FROM: Deepak Chauhan

=====

STATEMENT OF ACCOUNT

=====

Customer Account # 40519894

Doc #	Type	Doc Date	Due Date	Reference	Amount	CUR
=====						
11074252	RM	10-19-11	11-18-11	SEP2011	(267.54)	USD
					33686053	:
	Subtotal :				\$ (267.54)	

11022348	RI	04-11-11	05-11-11	120906	24,191.29	USD
					33651782	:
	Subtotal :				\$ 24,191.29	

PLEASE NOTE THAT AGINGS ARE CALCULATED IN USD

	Debits	Credits	Total	Percent
Current	0.00	0.00	0.00	0.00%
1 - 15	0.00	0.00	0.00	0.00%
16 - 30	0.00	0.00	0.00	0.00%
31 - 45	0.00	0.00	0.00	0.00%
46 - 60	0.00	0.00	0.00	0.00%
61 - 90	0.00	0.00	0.00	0.00%
91 - 120	0.00	(267.54)	(267.54)	(1.00)%
121 - 180	0.00	0.00	0.00	0.00%
181 - 360	24,191.29	0.00	24,191.29	101.00%
Over 360	0.00	0.00	0.00	0.00%

Total overdue balance of:

Currency	Balance
=====	=====
American Dollar (USD):	23,923.75

Your total account balance is:

Currency	Balance
=====	=====
American Dollar (USD):	23,923.75

Please contact me at the number below if there are any questions or problems.

Sincerely,

Deepak Chauhan
Collection Specialist
PH: 262-631-2848
FX: 262-631-4955
EMAIL: deepak.chauhan@diversey.com



**REBATE
ADJUSTMENT**

Reb. Adj. No: 11074252

* ORIGINAL *

Formerly JohnsonDiversey

Diversey
8310 16th Street
Sturtevant WI 53177-0902
Customer Service PH 800-626-5015
Customer Service Fax 800-852-6951

Bill-To Number 33686053

Customer Number 1785508

MISSISSIPPI PRODUCTS INC REBAT
2457 VALLEY ST
JACKSON MS 39204-3714

FEIN 39-1877511

Duns# 01-824-0817

QUANTITY	PRODUCT CODE	PRODUCT DESCRIPTION	SIZE	PACK	UNIT	NET UNIT	NET AMOUNT
Order Number:4421176 PO #: SEP2011 HEALTHTRUST 72.60-							
Order Number:4421177 PO #: SEP2011 NOVATION 194.94-							
TOTAL CREDIT AMOUNT U.S. Dollar							267.54-
Amount Due if Paid by 11/18/11							267.54-

REMITTANCE

Mail Payments To:

DIVERSEY, INC.
25337 NETWORK PLACE
CHICAGO IL 60673-1253
United States

Remittance From:

MISSISSIPPI PRODUCTS INC REBAT

ATTACH FOR AUTHORIZED DEDUCTIONS

Copy of Invoice or Memorandum Clearly identifying all deductions.
Destination freight bill signed by carrier for Short/Damage.

1785508	33686053
267.54-	
11074252	

CREDIT TOTAL AMOUNT

267.54-

Over, Short or Damage _____
Pricing/Quantity Adjust _____
Freight, Tax Adjustment _____
Our Credit Memo No. _____

AMOUNT PAID

JohnsonDiversey is now Diversey / JohnsonDiversey est maintenant Diversey



**REBATE
ADJUSTMENT**

Reb. Adj. No: 11074252

* DUPLICATE *

Formerly JohnsonDiversey

Bill-To Number 33686053

Customer Number 1785508

Diversey
8310 16th Street
Sturtevant WI 53177-0902
Customer Service PH 800-626-5015
Customer Service Fax 800-852-6951

MISSISSIPPI PRODUCTS INC REBAT
2457 VALLEY ST
JACKSON MS 39204-3714

FEIN 39-1877511

Duns# 01-824-0817

QUANTITY	PRODUCT CODE	PRODUCT DESCRIPTION	SIZE	PACK	UNIT	NET UNIT	NET AMOUNT	
See Below		SH					10/19/11	
	02000				30 Days Net		11/18/11	
	Order Number:4421176	PO #: SEP2011		HEALTHTRUST			72.60-	
	Order Number:4421177	PO #: SEP2011		NOVATION			194.94-	
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267.54-	
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CREDIT TOTAL AMOUNT 267.54-

Over, Short or Damage _____
Pricing/Quantity Adjust _____
Freight, Tax Adjustment _____
Our Credit Memo No. _____

AMOUNT PAID _____

JohnsonDiversey is now Diversey / JohnsonDiversey est maintenant Diversey



Formerly JohnsonDiversey

Bill-To Number 33651782

MISSISSIPPI PRODUCTS INC
2457 VALLEY ST
JACKSON MS 39204-3714

INVOICE

* ORIGINAL *

Customer Number 33651782

MISSISSIPPI PRODUCTS INC
2457 VALLEY ST
JACKSON MS 39204-3714

Invoice Number: 11022348

Diversey
8310 16th Street
Sturtevant WI 53177-0902
Customer Service PH 800-626-5015
Customer Service Fax 800-852-6951

FEIN39-1877511

Duns# 01-824-0817

QUANTITY	PRODUCT CODE	PRODUCT DESCRIPTION	SIZE	PACK	UNIT	NET UNIT	NET AMOUNT
8	03702	SPITFIRE RTU	12X32OZ		EA	35.9100	287.28
37	04192	GEN PURPOSE SPOTTER	6X32OZ		EA	30.4200	1125.54
130	4277285	OXIVIR TB 1-STP (US)	12X32 OZ		EA	37.7700	4910.10
57	04329	VIREX II 256 1-STEP DIS	2X2.5L		EA	48.5300	2766.21
2	04332	VIREX II 256	4X1GL		EA	78.0100	156.02
10	4529497	UHS SC FLOOR CLEANER	2X2.5L		EA	81.0000	810.00
7	04578	CREW CLINGING TBC	32 OZ12		EA	23.6200	165.34
3	04636	REVIVE	5 GL01		EA	60.5000	181.50
12	04832	END BAC II AEROSOL	15 OZ12		EA	54.0400	648.48
10	04965	GP FORWARD SC	2.5 L 02		EA	61.6900	616.90
3	04969	GOOD SENSE GRN APPLE	2X2.5L		EA	115.8500	347.55
2	4970590	DEEP GLOSS MTNR FOR SS	12X16OZ		EA	54.9400	109.88
33	4995295	EMEREL MS CREME CLNSR	12X32OZ		EA	39.3200	1297.56
2	5035288	GS INST AIR FRESH TG	12X13.8OZ		EA	38.3700	76.74
184	5104950	SIGNATURE UL HI SPD FIN	5GLBIB		EA	85.4000	15713.60
17	5273497	SPITFIRE SC PWR CLN	2X2.5L J-F		EA	71.3900	1213.63
10	5336232	FREEDOM FLOOR STRIPPER	5 GL BB		EA	73.1100	731.10
12	05828	GD SENS VARIETY PACK	12X19G		EA	63.7000	764.40
3	05697	EXPOSE II 256	4X64OZ		EA	130.4900	391.47
7	05779	GLANCE GLASS & MUL-SRF	2X2.5L		EA	48.4300	339.01
56	4476081	CREW S/BLU BOWL CLNR	12X32OZ		EA	28.6000	1601.60
5	4502788	LEMON SHINE-UP	12X17.7 OZ		EA	47.7200	238.60
5	4599516	OXIVIR TB WIPES (US)	12X16OCT		EA	161.2000	806.00
2	04806	G SENSE AUTO DISPNSR1	CS04		EA	72.6100	145.22
2	5104731	CAREFREE FLOOR FIN/SEAL	5G BIP		EA	84.6500	169.30
91	5336232	FREEDOM FLOOR STRIPPER	5 GL BB		EA	73.1100	6653.01
SUBTOTAL							42266.04
PRO#: 0950141082 - AVERITT EXPRESS							
710	Total Quantity	Total Weight	22345.9681	LB	TOTAL INVOICE AMOUNT - U.S. Dollar		42266.04
WE HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTION 6.7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 THEREOF.					Cash Discount		2.000 % Of 42266.04 845.33
PRICES SUBJECT TO CHANGE WITHOUT NOTICE.					Amount Due if Paid by		05/01/11 41420.73

REMITTANCE

ATTACH FOR AUTHORIZED DEDUCTIONS

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Destination freight bill signed by carrier for Short/Damage.

33651782	33651782
41420.73	
11022348	

INVOICE TOTAL AMOUNT 42266.04

Cash Discount
Over, Short or Damage
Pricing/Quantity Adjust
Freight, Tax Adjustment
Our Credit Memo No.

Mail Payments To:
DIVERSEY, INC.
25337 NETWORK PLACE
CHICAGO IL 60673-1253
United States

Remittance From:
MISSISSIPPI PRODUCTS INC

AMOUNT PAID

JohnsonDiversey is now Diversey / JohnsonDiversey est maintenant Diversey

Christopher J. Couch ¹
J. Ward Conville ³
Fred N. Blitt ²
Bradley J Chauvin ¹
Benjamin G. Lambert ⁶
W. James Sears ⁴
Adam M. Stumpf ¹

Of Counsel
J. Scott Loeb ¹
Lisa L. Meggs ³
Evalina C. Cheadle ⁷



1 Licensed in Louisiana only
2 Licensed in Illinois only
3 Licensed in Mississippi, Tennessee
4 Licensed in Alabama only
5 Licensed in Mississippi only
6 Licensed in Louisiana, Mississippi, Tennessee
7 Licensed in Tennessee only

Attorneys & Counselors at Law
Louisiana • Mississippi • Alabama • Tennessee

November 5, 2012

Clerk of Court
Hinds County
County Court FIRST JUDICIAL DISTRICT
P.O. Box 327
Jackson, MS 39205

Re: DIVERSEY, INC
Vs. MISSISSIPPI PRODUCTS, INC.
Our File: 12-00323--JWC
Forwarder File # 2186

Dear Sir/Madam:

Enclosed please find the following documents for filing with the Court:

1. Original and two copies of the Complaint and Requests for Admissions
2. Three copies of the **Summons for Process Server**
3. Civil Case Filing Cover Sheet
4. Check in the amount of \$_____ to cover filing fees.

Please file the originals, return the filed conformed and service copy of the complaint to my office. Please issue the summons for service on the defendant and return to our office with the filed Service Copy of the Complaint. A self-addressed, stamped envelope is attached for your convenience.

Thank you for your attention to this matter. If you have any questions please do not hesitate to contact me.

Very truly yours,

COUCH, CONVILLE & BLITT LLC

Date of Placement: May 29, 2012

Mailing Address: 1450 Poydras St., Suite 2200, New Orleans, LA 70112

Louisiana: 1450 Poydras Street, Suite 2200, New Orleans, LA 70112 - 504-838-7747 - (f) 504-838-0244
Mississippi: 1301 West Pine Street, Hattiesburg, MS 39401 - 866-282-3853 - (f) 601-584-8619
Alabama: 2820 Columbiana Road, Suite 210, Birmingham, AL, 35216 - 866-282-3853 - (f) 205-823-5374
Tennessee: 144 Second Avenue North, Suite 200, Nashville, TN 37201-866-372-3120-(f) 888-477-8974