

WRIT OF EXECUTION - MONEY JUDGMENTS

PITTSBURGH CONTRACTORS
EQUIPMENT COMPANY,
Plaintiff

vs.

SHAWVILLE COAL COMPANY, and
HAMLIN COAL COMPANY, INC.
Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NO. 86-25-EX

Term. 19

RE-ISSUED

WRIT OF EXECUTION

Commonwealth of Pennsylvania

County of Clearfield

SS.

To the Sheriff of Clearfield County:

To satisfy the judgment, interest and costs against SHAWVILLE COAL COMPANY
and HAMLIN COAL COMPANY, INC., defendant(s);

(1) You are directed to levy upon the following property of the defendant(s) and to sell his interest therein;

(2) You are also directed to attach the following property of the defendant not levied upon in the possession of COUNTY NATIONAL BANK, as garnishee,
Box 42, Clearfield, PA.

Any and all personal property held by County National Bank, PO Box 42,
Clearfield, PA 16830

"INTERROGATORIES"

(Specifically describe property)

and to notify the garnishee that

- (a) an attachment has been issued;
- (b) the garnishee is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant or otherwise disposing thereof.

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due \$ 47,884.24

Interest from 8/13/85 to 3/16/87 \$ 4,565.10

Costs (to be added)- Prothonotary, \$15.00
Shff - 150.00
Atty. Comm - 4,788.42

Raymond Wetherone

Prothonotary

By

Deputy



MARCH 17, 1987

Date

Proth'y. No. 64

No. 85-874-CD Term, 19
No. 86-25-EX Term, 19

IN THE COURT OF COMMON
PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

PITTSBURGH CONTRACTORS
EQUIPMENT COMPANY,

vs.

SHAWVILLE COAL COMPANY and
HAMLIN COAL COMPANY, INC.

RE - ISSUED
WRIT OF EXECUTION

RECEIVED WRIT THIS DAY
of A. D. 19
at M.

Sheriff

WRIT OF EXECUTION
(Money Judgments)

EXECUTION DEBT	\$47,884 24	
Interest from 8/13/85 to 3/16/87	4,565 10	
Prothonotary - - -		
Use Attorney - - -	84 40	
Use Plaintiff - - -		
Attorney's Comm. - -	4,788 42	
Satisfaction - - -	5 00	
Sheriff - - -	150 00	

ALAN KIRK, ESQUIRE

Attorney(s) for Plaintiff(s)

Attorney for Plaintiff(s)

WRIT OF EXECUTION - MONEY JUDGMENTS

*Pittsburgh Contractors
Equipment Company*

Shawville Coal Company

*Hamlen Coal Company
Inc.*

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NO. 86-25-Ex

Term, 19

Re-Issued
WRIT OF EXECUTION

Commonwealth of Pennsylvania

County of Clearfield

SS.

To the Sheriff of Clearfield County:

To satisfy the judgment, interest and costs against *Shawville Coal Company*

& *Hamlen Coal Company, Inc*, defendant(s);

(1) You are directed to levy upon the following property of the defendant(s) and to sell his interest therein;

(2) You are also directed to attach the following property of the defendant not levied upon in the possession of *County National Bank*, as garnishee,

Box 42 Clearfield, Pa
Any and all personal property held by
County National Bank, P.O. Box 42 Clearfield, Pa
16830

"Interrogatories"

(Specifically describe property)

and to notify the garnishee that

(a) an attachment has been issued;

(b) the garnishee is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant or otherwise disposing thereof.

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due

\$ 47,884.24

Interest from *8-13-85 to 3-16-87*

\$ 4,565.10

Costs (to be added) *Prothonotary 15.00*

\$ _____

Ptt'y C.m.n.

Shff

4,788.42

Raymond Witkewicz
Prothonotary

By _____

Deputy



Date

March 17, 1987

Proth'y. No. 64

No. 85-874-CD Term, 19
No. 86-25-Ex Term, 19

RECEIVED WRIT THIS _____ DAY
of _____ A. D., 19 _____
at _____ M.

IN THE COURT OF COMMON
PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

Sher

Dulburg Contracting
Equipment Company

VS.

Hamville Coal Company
Hamlen Coal Company
Inc.

WRIT OF EXECUTION
(Money Judgments)

EXECUTION DEBT	47 884 34
to 3-16-87	1
Interest from 8-13-85	4 565 10
Prothonotary	- - -
Use Attorney	- - - 84 40
Use Plaintiff	- - -
Attorney's Comm.	- - - 4788 42
Satisfaction	- - - 5 00
Sheriff	- - - 150 00
	- - -
	- - -

Re-Issued
WRIT OF EXECUTION

Attorney(s) for Plaintiff(s)

Attorney for Plaintiff(s)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION-LAW

PITTSBURGH CONTRACTORS
EQUIPMENT COMPANY,
Plaintiff

v.

SHAWVILLE COAL COMPANY, and
HAMLIN COAL COMPANY, INC.,
Defendant

v.

COUNTY NATIONAL BANK,
Garnishee

: No. 85-874-CD
: 86-25-EX
:
: Type of Case: CIVIL ACTION
: Type of Pleading: Praecipe to
: Reissue Writ of Execution
: Against Garnishee
: Filed on Behalf of:
: Pittsburgh Contractors
: Equipment Company
:
: Counsel of Record for this
: Party: ALAN F. KIRK, ESQUIRE
: Supreme Court No.: 36893
:
: KRINER, KOERBER & KIRK
: 110 North Second St.
: P.O. Box 1320
: Clearfield, PA 16830
: (814) 765-9611
:
: Richard C. Lane, Esquire
: Supreme Ct. No.: 21935
: CAMPBELL, SHERRARD & BURKE
: 2330 Pittsburgh National Bldg.
: Pittsburgh, PA 15222-2767
: (412) 261-2712

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION-LAW

PITTSBURGH CONTRACTORS	:	No. 85-874-CD
EQUIPMENT COMPANY,	:	No. 86-25-EX
Plaintiff	:	
	:	
v.	:	
	:	
SHAWVILLE COAL COMPANY and	:	
HAMLIN COAL COMPANY, INC.,	:	
Defendants	:	
	:	
v.	:	
	:	
COUNTY NATIONAL BANK,	:	
Garnishee	:	

PRAECIPE TO REISSUE WRIT OF EXECUTION AGAINST GARNISHEE

TO THE PROTHONOTARY:

Please reissue Writ of Execution in the above matter,

1. Directed to the Sheriff of Clearfield County

2. Against the following property: any and all personal property of the Defendants.

3. Against the following property in the hands of Garnishee: County National Bank, Box 42, Clearfield, Pennsylvania, 16830. (Interrogatories Attached)

4. And index this Writ:

(a) Against Shawville Coal Company, Inc., R.D. #1, Box 291A, Frenchville, Pennsylvania, 16836 and Hamlin Coal Company, Inc., Main & River Streets, Shawville, Pennsylvania, 16873.

(b) Against County National Bank as Garnishee as a lis pendens against personal property of the Defendants in the name of Garnishee as follows: any and all personal property held by County National Bank, P.O. Box 42, Clearfield, Pennsylvania, 16830.

5. Amount due	\$ 47,884.24
Interest from August 13, 1985	4,565.10
to March 16, 1987	
Costs-Prothonotary	15.00
Sheriff	150.00
Attorney's Commission	<u>4,788.42</u>
Total	\$ 57,402.76



Alan F. Kirk, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION-LAW

PITTSBURGH CONTRACTORS	:	No. 85-874-CD
EQUIPMENT COMPANY,	:	No. 86-25-EX
Plaintiff	:	
	:	
v.	:	
	:	
SHAWVILLE COAL COMPANY and	:	
HAMLIN COAL COMPANY, INC.,	:	
Defendants	:	
	:	
v.	:	
	:	
COUNTY NATIONAL BANK,	:	
Garnishee	:	

WRIT OF EXECUTION

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
Second & Market Sts.
Clearfield, PA 16830
814-765-2641
Extension 50-51

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION-LAW

PITTSBURGH CONTRACTORS	:	No. 85-874-CD
EQUIPMENT COMPANY,	:	No. 86-25-EX
Plaintiff	:	
	:	
v.	:	
	:	
SHAWVILLE COAL COMPANY and	:	
HAMLIN COAL COMPANY, INC.,	:	
Defendants	:	
	:	
v.	:	
	:	
COUNTY NATIONAL BANK,	:	
Garnishee	:	

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

(i) Set aside in kind (specify property to be set aside in kind):

_____;

(ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):_____;

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: _____ in cash: _____ in kind (specify property):_____

(b) Social Security benefits on deposit in the amount of \$_____;

(c) other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

_____, _____,
(address)

(telephone number)

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: _____
(Defendant)

THIS CLAIM TO BE FILED WITH THE OFFICE OF
THE SHERIFF OF CLEARFIELD COUNTY:

Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION-LAW

PITTSBURGH CONTRACTORS	:	No. 85-874-CD
EQUIPMENT COMPANY,	:	No. 86-25-EX
Plaintiff	:	
	:	
v.	:	
	:	
SHAWVILLE COAL COMPANY and	:	
HAMLIN COAL COMPANY, INC.,	:	
Defendants	:	
	:	
v.	:	
	:	
COUNTY NATIONAL BANK,	:	
Garnishee	:	

AFFIDAVIT OF RESIDENCE

COMMONWEALTH OF PENNSYLVANIA :
: S.S.
COUNTY OF CLEARFIELD :

ALAN F. KIRK, Attorney for the above named Plaintiff, being
duly sworn according to law, deposes that to the best of his
knowledge, information and belief, the last known addresses of
the above named Defendants and the Garnishee are as follows:

Shawville Coal Company
R.D. #1, Box 291A
Frenchville, PA 16836

Hamlin Coal Company, Inc.
Main & River Streets
Shawville, PA 16873

County National Bank
P.O. Box 42
Clearfield, PA 16830



Alan F. Kirk, Esquire

Sworn and subscribed to
before me this 16th day
of March, 1987.



CAROL L. VIARD, Notary Public
Clearfield, Clearfield Co., Pa.
My Commission Expires December 4, 1989

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION-LAW

PITTSBURGH CONTRACTORS	:	No. 85-874-CD
EQUIPMENT COMPANY,	:	No. 86-25-EX
Plaintiff	:	
	:	
v.	:	
	:	
SHAWVILLE COAL COMPANY and	:	
HAMLIN COAL COMPANY, INC.,	:	
Defendants	:	
	:	
v.	:	
	:	
COUNTY NATIONAL BANK,	:	
Garnishee	:	

INTERROGATORIES TO GARNISHEE

TO: COUNTY NATIONAL BANK, P.O. Box 42, Clearfield, Pennsylvania,
16830.

You are required to file Answers to the following Inter-
rogatories within twenty (20) days after service upon you.
Failure to do so may result in judgment against you.

1. At the time you were served or at any time subsequent
thereto, did you owe the Defendants any money or were you liable
to them on any negotiable or written instrument, or did they
claim that you owed them any money or were liable to them for any
reason?

ANSWER:

2. If the answer to Interrogatory 1 is in the affirmative,
please state with specificity those amounts of money owed or
obligations to the Defendants outstanding.

ANSWER:

3. At the time you were served with these Interrogatories or at any time subsequent thereto, was there in your possession, custody or control, or in the joint possession, custody or control of yourself or one or more other persons any property of any nature owned solely or in part by the Defendants?

ANSWER:

4. If the answer to Interrogatory 3 is in the affirmative, please state with specificity those properties possessed or controlled by yourself or in part with the Defendants.

ANSWER:

5. At the time you were served with these interrogatories or at any time subsequent thereto, did you hold legal title to any property of any nature owned solely or in part by the Defendants or in which Defendants held or claimed any interest?

ANSWER:

6. If the answer to Interrogatory 5 is in the affirmative, please list those properties in which you held title.

ANSWER:

7. At the time you were served thie these Interrogatories or at any time subsequent thereto, did you hold as a fiduciary any property in which the Defendants had an interest?

ANSWER:

8. If the answer to Interrogatory 7 is in the affirmative, please state with specificity those properties which you hold as such fiduciary for Defendants.

ANSWER:

9. At any time before or after you were served with these Interrogatories, did the Defendants transfer or deliver any property to you or to any person or place pursuant to you direction or consent, and if so, what was the consideration therefore?

ANSWER:

10. If the answer to Interrogatory 9 is in the affirmative, please state with specificity those properties so transferred, the transferees in each transaction and the dates such transfers took place.

ANSWER:

11. At the time you were served with these Interrogatories, or at any time subsequent thereto, did you pay, transfer, or deliver any money or property to the Defendants or to any person or place pursuant to his direction or otherwise discharge any claim that the Defendants has or had against you?

ANSWER:

12. If the answer to Interrogatory 11 is in the affirmative, please state with specificity those properties so transferred, the dates of the transfer, and the respective transferees.

ANSWER:

13. At the time you were served with these interrogatories, or at any time subsequent thereto, did you have any safe deposit boxes, pledges, documents of title, securities, tax or other accounts or deposits in which the Defendants have an interest?

ANSWER:

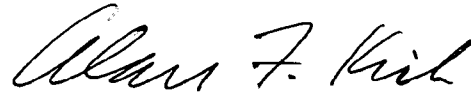
14. If the answer to Interrogatory 13 is in the affirmative, please state with specificity those accounts, account numbers, deposits, balances, transactions involving said accounts or deposits, instruments, certificates, drafts, notes or other instruments in which the Defendants may have an interest.

ANSWER:

Respectfully submitted,

KRINER, KOERBER & KIRK

By:

A handwritten signature in cursive script, reading "Alan F. Kirk".

Alan F. Kirk, Esquire
Attorney for Plaintiff

PITTSBURGH CONTRACTORS

EQUIPMENT COMPANY

CIVIL NUMBER 85-874-CD

EXECUTION NUMBER 86-25-EX

-VS-

SHAWVILLE COAL CO. and

HAMLIN COAL CO. INC.

Now, this _____ day of _____, 19____, received from
Prothonotary Office above-mentioned Writ of Execution.

Buchanan Bonsai
Sheriff's Office

by Marlene Shultz