

00-33-CD
RICHARD D. HEBERLING Indiv. & t/d/b/a -vs- JOSEPH W. PRY et al

(1)

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

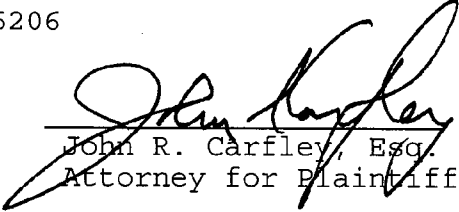
(84) RICHARD D. HEBERLING, :
individually and RICHARD D. :
HEBERLING t/d/b/a BIGLER BOYZ :
STREET & OFF-ROAD TOYZ, :
Plaintiff :
vs. : No. ~~99~~-00-33-co
(54) JOSEPH W. PRY, INDIVIDUALLY :
and JOSEPH W. PRY, t/d/b/a :
(114) J. W. PRY & SONS, INC., :
(114) PENSTAN SUPPLY, DAVID P. :
BERNARDINI, INDIVIDUALLY, and :
DAVID P. BERNARDINI, t/d/b/a :
(14) F. BERNARDINI & ASSOCIATES, :
Defendants :

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

PLEASE issue Writ of Summons against the defendants
named in the above captioned matter as follows:

1. Joseph W. Pry, Individually
2. and Joseph W. Pry t/d/b/a
J. W. Pry & Sons, Inc.
P. O. Box 27
Mineral Springs, Pa., 16855
3. Penstan Supply
401 E. Pleasant Valley Blvd.
Altoona, Pa., 16602
4. David P. Bernardini, Individually
5. and David P. Bernardini, t/d/b/a
F. Bernardini & Associates
6331 Howe Street
Pittsburgh, Pa., 15206


John R. Carfley, Esq.
Attorney for Plaintiff

Dated: December 23, 1999

FILED

JAN 11 2000

William A. Shaw
Prothonotary

[Handwritten signature]

FILED

[Handwritten initials] JAN 11 2000 *ANY*
6/1:00/wac *PO*
William A. Shaw *So. -*
Prothonotary
NO CHAT COPIES
6 WELLS TO ATTY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION

RICHARD D. HEBERLING, individually
and RICHARD D. HEBERLING t/d/b/a
BIGLER BOYZ STREET & OFF ROAD TOYZ
Plaintiff(s)

S U M M O N S

NO: 00-33-CD

vs.

JOSEPH W. PRY, INDIVIDUALLY and
JOSEPH W. PRY, t/d/b/a J.W. PRY &
SONS, INC., PENSTAN SUPPLY, DAVID
P. BERNARDINI, INDIVIDUALLY, and
DAVID P. BERNARDINI, t/d/b/a F.
BERNARDINI & ASSOCIATES

Defendant(s)

To the above named Defendant(s) you are hereby notified
that the above named Plaintiff(s), has/have commenced a Civil Action
against you.

Date January 11, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

John R. Carfley, Esq.
222 Presqueisle St.
Philipsburg, PA 16866-1641

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

RICHARD D. HEBERLING, individually)
and RICHARD D. HEBERLING t/d/b/a)
BIGLER BOYZ STREET & OFF-ROAD)
TOYZ,)

Plaintiff)

v.)

No. 00-33-CD)

JOSEPH W. PRY, individually, and)
JOSEPH W. PRY, t/d/b/a J.W. PRY &)
SONS, INC., PENSTAN SUPPLY,)
DAVID P. BERNARDINI, individually,)
and DAVID P. BERNARDINI, t/d/b/a)
F. BERNARDINI & ASSOCIATES,)

Defendants)

FILED

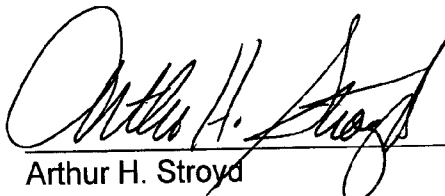
JAN 21 2000

William A. Shaw
Prothonotary

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY OF CLEARFIELD COUNTY:

Kindly enter our appearance on behalf of Defendant David P. Bernardini,
individually and doing business as F. Bernardini & Associates, in the above-entitled
case.


Arthur H. Stroyd
PA I.D. 15910

Reed Smith Shaw & McClay LLP
435 Sixth Avenue
Pittsburgh, PA 15219
(412) 288-3110

Counsel for Defendant David P. Bernardini,
individually and doing business as
F. Bernardini & Associates

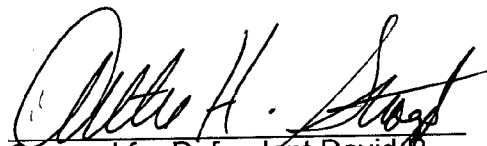
CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused to be served true and correct copies of the foregoing Praecipe for Appearance to the following counsel of record on this date by U. S. mail, first class postage prepaid:

John R. Carfley, Esquire
222 Presqueisle Street
P. O. Box 249
Philipsburg, Pennsylvania 16866

Thomas B. Schmidt, III, Esquire
Pepper Hamilton LLP
200 One Keystone Plaza
North Front and Market Streets
P. O. Box 1181
Harrisburg, Pennsylvania 17108-1181

James A. Naddeo, Esquire
211½ E. Locust Street
P. O. Box 552
Clearfield, Pennsylvania 16830


Counsel for Defendant David P.
Bernardini, individually and doing
business as F. Bernardini &
Associates

Dated: January 19, 2000

FILED

JAN 21 2000

2:17 PM
William A. Shaw

Prothonotary

[Signature]

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

RICHARD D. HEBERLING, individually,
And RICHARD D. HEBERLING t/d/b/a
BIGLER BOYZ STREET & OFF ROAD TOYZ,
Plaintiffs,

v.

JOSEPH W. PRY, INDIVIDUALLY, and
JOSEPH W. PRY, t/d/b/a J.W. PRY &
SONS, INC., PENSTAN SUPPLY, DAVID
P. BERNARDINI, INDIVIDUALLY, and
DAVID P. BERNARDINI, t/d/b/a F.
BERNARDINI & ASSOCIATES,
Defendants.

No. 00-33-CD

Type of Pleading:

Entry of Appearance

Filed on behalf of:
Defendant Joseph W. Pry,
Individually and
J.W. Pry & Sons, Inc.

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED

JAN 26 2000

William A. Shaw
Prothonotary

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

RICHARD D. HEBERLING, individually,
And RICHARD D. HEBERLING t/d/b/a
BIGLER BOYZ STREET & OFF ROAD TOYZ,
Plaintiffs,

v.

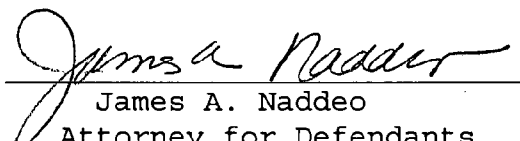
JOSEPH W. PRY, INDIVIDUALLY, and
JOSEPH W. PRY, t/d/b/a J.W. PRY &
SONS, INC., PENSTAN SUPPLY, DAVID
P. BERNARDINI, INDIVIDUALLY, and
DAVID P. BERNARDINI, t/d/b/a F.
BERNARDINI & ASSOCIATES,
Defendants.

*
*
*
*
*
* No. 00-33-CD
*
*
*
*
*
*
*
*

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance on behalf of Joseph W. Pry,
individually, and Joseph W. Pry, t/d/b/a J. W. Pry & Sons, Inc.,
in the above-captioned case.


James A. Naddeo
Attorney for Defendants
Pry

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

RICHARD D. HEBERLING, individually,
And RICHARD D. HEBERLING t/d/b/a
BIGLER BOYZ STREET & OFF ROAD TOYZ,
Plaintiffs,

v.

JOSEPH W. PRY, INDIVIDUALLY, and
JOSEPH W. PRY, t/d/b/a J.W. PRY &
SONS, INC., PENSTAN SUPPLY, DAVID
P. BERNARDINI, INDIVIDUALLY, and
DAVID P. BERNARDINI, t/d/b/a F.
BERNARDINI & ASSOCIATES,
Defendants.

*
*
*
*
*
* No. 00-33-CD
*
*
*
*
*
*
*

CERTIFICATE OF SERVICE

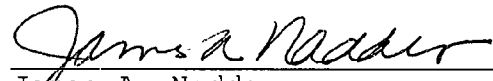
I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praecept for Entry of Appearance filed on behalf of the Defendants, Joseph W. Pry, Individually, and J.W. Pry & Sons, Inc., in the above-captioned action was mailed to the following persons and in the following manner on the 26th day of January, 2000:

First-Class Mail, Postage Prepaid

John R. Carfley, Esquire
P.O. Box 249
Philipsburg, PA 16866

Thomas B. Schmidt, III, Esquire
Pepper Hamilton LLP
200 One Keystone Plaza
North Front and Market Streets
P. O. Box 1181
Harrisburg, PA 17108-1181

Arthur H. Stroyd, Esquire
Reed, Smith, Shaw & McClay
435 Sixth Avenue
Pittsburgh, PA 15219



James A. Naddeo

Attorney for Defendants Pry

FILED

JAN 26 2000

Q 8.37/3

William A. Shaw

Prothonotary

for

cc city Naddo

Lap over margin

(2)

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

RICHARD D. HEBERLING, individually
and RICHARD D. HEBERLING, t/d/b/a
BIGLER BOYZ STREET & OFF-ROAD
TOYZ,

Plaintiffs

vs.

JOSEPH W. PRY, individually, and
JOSEPH W. PRY, t/d/b/a J.W. PRY &
SONS, INC., PENSTAN SUPPLY,
DAVID P. BERNARDINI, individually,
and DAVID P. BERNARDINI, t/d/b/a
F. BERNARDINI & ASSOCIATES,

Defendants

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

:
:
:
: NO. 00-33-CD
:
:


: JURY TRIAL DEMANDED
:
:
:

PRAECIPE TO ENTER APPEARANCE

TO THE PROTHONOTARY:

Please enter our appearance on behalf of Defendant Penstan Supply in the above-
captioned action.

Date: 1.26.00



Thomas B. Schmidt, III (19196)
Alexandra Makosky (80267)

PEPPER HAMILTON LLP
200 One Keystone Plaza
Post Office Box 1181
Harrisburg, Pennsylvania 17108-1181
(717) 255-1155
(717) 238-0575 (Fax)

Attorneys for Defendant
PENSTAN SUPPLY

FILED

JAN 28 2000

William A. Shaw
Prothonotary

CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2000, I served the foregoing document upon the persons listed below by United States first class mail, postage prepaid:

John R. Carfley, Esquire
222 Presqueisle Street
Post Office Box 249
Philipsburg, PA 16866
(Attorney for Plaintiffs)

James A. Naddeo, Esquire
211½ East Locust Street
Post Office Box 552
Clearfield, PA 16830
(Attorney for Defendant Joseph W. Pry, individually,
and t/d/b/a J.W. Pry & Sons, Inc.)

Arthur H. Stroyd, Esquire
Reed Smith Shaw & McClay LLP
Post Office Box 2009
Pittsburgh, PA 15230
(Attorney for Defendant David P. Bernardini,
individually, and t/d/b/a F. Bernardini & Associates)



Thomas B. Schmidt, III
Attorney for Defendant Penstan Supply

FILED

JAN 28 2000
O 1:16 PM
William A. Shaw
Prothonotary

LAB

Pepper Hamilton LLP
Attorneys at Law

200 One Keystone Plaza
North Front and Market Streets
P.O. Box 1181
Harrisburg, PA 17108-1181

Pepper Hamilton LLP
Attorneys at Law

200 One Keystone Plaza
North Front and Market Streets
P.O. Box 1181
Harrisburg, PA 17108-1181

(4)

(5)

JOHN R. CARFLEY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HEBERLING, RICHARD D. INDIV.

00-33-CD

VS

PRY, JOSEPH W., INDIV.

SUMMONS

SHERIFF RETURNS

NOW JANUARY 12, 2000 AT 1:45 PM EST SERVED THE WITHIN SUMMONS ON JOSEPH W. PRY, INDIV., DEFENDANT AT EMPLOYMENT, PO BOX 27, MINERAL SPRINGS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JOSEPH W. PRY A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: DAVIS/MORGILLO.

NOW JANUARY 12, 2000 AT 1:45 PM EST SERVED THE WITHIN SUMMONS ON JOSEPH W. PRY T/D/B/A J.W. PRY & SONS INC., DEFENDANT AT EMPLOYMENT, PO BOX 27, MINERAL SPRINGS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JOSEPH W. PRY A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO.

NOW JANUARY 11, 2000 LARRY FIELD, SHERIFF OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON PENSTAN SUPPLY, DEFENDANT.

NOW JANUARY 12, 2000 SERVED THE WITHIN SUMMONS ON PENSTAN SUPPLY, DEFENDANT BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY. THE RETURN OF SHERIFF FIELD IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED TONI ZACCARIA, GEN. MGR.

NOW JANUARY 11, 2000, PETER DEFAZIO, SHERIFF OF ALLEGHENY COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON DAVID P. BERNARDINI, INDIV. AND DAVID P. BERNARDININ T/D/B/A F. BERNARDININ & ASSOC. DEFENDANTS.

JOHN R. CARFLEY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HEBERLING, RICHARD D. INDIV.

00-33-CD

VS

PRY, JOSEPH W., INDIV.

SUMMONS

SHERIFF RETURNS

NOW JANUARY 18, 2000 SERVED THE WITHIN SUMMONS ON DAVID P. BERNARDINI, INDIV & DAVID P. BERNARDINI T/D/B/A F. BERNARDINI & ASSOC., DEFENDANTS BY DEPUTIZING THE SHERIFF OF ALLEGHENY COUNTY. THE RETURNS OF SHERIFF DEFAZIO ARE HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED BOTH COPIES ON GEORGE ANN LONG, SECRETARY.

JOHN R. CARFLEY

HEBERLING, RICHARD D. INDIV.
VS
PRY, JOSEPH W., INDIV.

00-33-CD

CHARGES

SUMMONS

63.59 SHFF. HAWKINS PAID BY: ATTY.
29.50 SHFF. FIELD PAID BY: ATTY.
46.00 SHFF. DEFAZIO PAID BY: ATTY.
6.00 NOTARY PAID BY: ATTY.
50.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

2nd DAY OF February 2000
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

FILED

FEB 02 2000
01/16/2000
William A. Shaw
Prothonotary

SO ANSWERS,

Chester A. Hawkins
by Marilyn Hamr

CHESTER A. HAWKINS
SHERIFF

c. 9135

DATE RECEIVED

DATE PROCESSED

SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies.

BCSD ENV. #

I53-7

1. PLAINTIFF / S /

Richard Hebeling Ind.

2. COURT NUMBER

00-33-00

3. DEFENDANT / S /

Joseph W. Fry et al

4. TYPE OF WRIT OR COMPLAINT

Summons

SERVE



AT

5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.

Kenstar Supply

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

401 E. Pleasant Valley Blvd Altoona

7. INDICATE UNUSUAL SERVICE:

☒

PERSONAL

☐

PERSON IN CHARGE

☒

DEPUTIZE

☐

CERT. MAIL

☐

REGISTERED MAIL

☐

POSTED

☐

OTHER

NOW, 19__ , I, SHERIFF OF BLAIR , COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE OF ATTORNEY or other ORIGINATOR requesting service on behalf of:

John A. Carfagna
222 Resqueville Dr.
Philipsburg PA 16866

(clearly) ☐ PLAINTIFF

(sheriff) ☐ DEFENDANT

10. TELEPHONE NUMBER

11. DATE

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized BCSD Deputy or Clerk and Title

Diane J. Wilt

13. Date Received

1/12/00

14. Expiration/Hearing date

2/11/00

15. I hereby CERTIFY and RETURN that I ☐ have personally served, ☒ have served person in charge, ☐ have legal evidence of service as shown in "Remarks" (on reverse) ☐ have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.

16. ☐ I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

Stony Zaccaria (Gen Mgr)

18. A person of suitable age and discretion then residing in the defendant's usual place of abode. ☐

Read Order ☐

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

Same

20. Date of Service

1-12-00

21. Time

1:50pm

22. ATTEMPTS	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.
--------------	------	-------	-----------	------	-------	-----------	------	-------	-----------	------	-------	-----------	------	-------	-----------

23. Advance Costs

\$150.00 Rept. 1104

24.

27.50

25.

Not 2.00

26.

29.50

27. Total Costs

29.50

28. COST DUE OR REFUND

120.50

30. REMARKS

SO ANSWER.

AFFIRMED and subscribed to before me this

13th

day of January 19 2000

By (Sheriff/Dep. Sheriff) (Please Print or Type)

W. H. E. / V. J. A.

Date

1-12-00

Signature of Sheriff

Date

Notary Seal

NOTARY PUBLIC Carol Grifco, Notary Public
Freedom Twp., Blair County

SHERIFF OF BLAIR COUNTY

MY COMMISSION EXPIRES

My Commission Expires Feb. 3, 2003

I ACKNOWLEDGE RECEIPT OF MEMBER'S RETURN SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

39. Date Received

SHERIFF'S RETURN OF SERVICE

- () (1) The within _____
upon _____, the within named
defendant by mailing to _____
by _____ mail, return receipt requested, postage
prepaid _____ on the _____
a true and attested copy thereof at _____

The return receipt signed by _____
defendant on the _____ is hereto attached and
made part of this return.

- () (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and
attested copy thereof at _____

in the following manner.

- () (a) To the defendant by () registered () certified mail, return receipt requested,
postage prepaid, addressee only on the _____
said receipt being returned NOT signed by defendant, but with a notation by the Postal
Authorities that defendant refused to accept the same. The returned receipt and envelope
is attached hereto and made part of this return.

And thereafter:

- () (b) To the defendant by ordinary mail addressed to defendant at same address. with the
return address of the Sheriff appearing thereon. on the _____

I further certify that after fifteen (15) days from the mailing date, I have not received said
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a
proof of mailing.

- () (3) By publication in a daily publication of general circulation in the County of **Blair**,
Commonwealth of Pennsylvania, _____ time (s) with publication appearing

The affidavit from said publication is hereto attached.

- () (4) By mailing to _____
by _____ mail, return receipt requested, postage prepaid,
_____ on the _____
a true and attested copy thereof at _____

The _____ returned by the Postal
Authorities marked _____
is hereto attached.

- () (5) Other _____

PETER R. DEFAZIO
Sheriff

ALLEGHENY COUNTY SHERIFF'S DEPARTMENT

436 GRANT STREET
PITTSBURGH, PA 15219-2496
PHONE (412) 350-4700

DENNIS SKOSNIK
Chief Deputy

PLAINTIFF RICHARD D. HEBERLING

VS.

DEFT. JOSEPH W. PRY a1
ADD. DEFT. SERVE: DAVID P. BERNARDINI t/d/b/a
ADD. DEFT. F. BERNARDINI & ASSOC.
GARNISHEE 6331 Howe St.
ADDRESS Pittsburgh, Pa. 15206

CASE# 00-33-CD
EXPIRES 2/10/00
☒ SUMMONS/WRIT OF HABEAS CORPUS
☐ SEIZURE OR POSSESSION
☐ NOTICE AND COMPLAINT
☐ REVIVAL of SCI FA
☐ INTERROGATORIES
☐ EXECUTION - LEVY OR GARNISHEE
☐ OTHER

MUNICIPALITY or CITY WARD

ATTY. John Carffley

DATE: Jan. 11 ~~xx~~ 2000

ADDRESS PO Box 249, Philipsburg, Pa.

ATTY'S Phone 814-342-5581

INDICATE TYPE OF SERVICE: ☐ PERSONAL ☐ PERSON IN CHARGE ☒ DEPUTIZE ☐ CERT. MAIL ☐ POSTED ☐ OTHER ☐ LEVY ☐ SEIZED & STORE

Now, January 11 ~~xx~~ 2000, Clearfield SHERIFF OF ALLEGHENY COUNTY, PA do hereby deputize the Sheriff of ALLEGHENY County to execute this Writ and make return thereof according to law

NOTE: ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person or attachment without liability on the part of such deputy herein for any loss, destruction or removal of any property before sheriff's sale thereof.

Seize, levy, advertise and sell all the personal property of the defendant on the premises located at:

MAKE	MODEL	MOTOR NUMBER	SERIAL NUMBER	LICENSE NUMBER

SHERIFF'S OFFICE USE ONLY

I hereby CERTIFY AND RETURN that on the 18th day of January, 192000 at 1:40 o'clock A.M./P.M. Address Above/Address Below. County of Allegheny, Pennsylvania

I have served in the manner described below:

- ☐ Defendant(s) personally served.
☐ Adult family member with whom said Defendant(s) reside(s). Name & Relationship _____
☐ Adult in charge of Defendant's residence who refused to give name or relationship.
☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
☐ Agent or person in charge of Defendant(s) office or usual place of business. X George Ann Long - secretary
☐ Other _____
☐ Property Posted _____
Defendant not found because: ☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant ☐ Other _____
☐ Certified Mail ☐ Receipt _____ ☐ Envelope Returned _____ ☐ Neither receipt or envelope returned: writ expired
☐ Regular Mail Why _____

You are hereby notified that on _____, 19_____, levy was made in the case of _____
Possession/Sale has been set for _____, 19_____, at _____ o'clock.

YOU MUST CALL DEPUTY ON THE MORNING OF SALE/POSSESSION BETWEEN 8:30 - 9:30 A.M.

ATTEMPTS _____

JAN 19 2000

PETER R. DEFAZIO, Sheriff

Additional Costs Due \$ _____, This is placed on writ when returned to Prothonotary. Please check before satisfying case.

Notarial Seal
Sheila R. O'Brien, Notary Public
Pittsburgh, Allegheny County
My Commission Expires June 19, 2000

By Sgt. James W. Snyder
Deputy

3#

White Copy - Sheriff

Yellow Copy - Sheriff's Association of Notaries
Pink Copy - Attorney

PETER R. DEFAZIO
Sheriff

ALLEGHENY COUNTY SHERIFF'S DEPARTMENT

436 GRANT STREET
PITTSBURGH, PA 15219-2496
PHONE (412) 350-4700

DENNIS SKOSNIK
Chief Deputy

PLAINTIFF RICHARD D. HEBERLING

VS.

DEFT. JOSEPH W. PRY al

ADD. DEFT. SERVE: DAVID P. BERNARDINI, INDIV.

ADD. DEFT. 6331 Howe St.

GARNISHEE Pittsburgh, Pa. 15206

ADDRESS _____

MUNICIPALITY or CITY WARD _____

ATTY. _____

DATE: Jan. 11 ~~19~~ 2000

ADDRESS PO Box 249, Philipsburg, Pa.

ATTY'S Phone 814-342-5581

CASE# 00-33-CD

EXPIRES 2/10/00

☒ SUMMONS/WRIT OF HABEAS

☐ SEIZURE OR POSSESSION

☐ NOTICE AND COMPLAINT

☐ REVIVAL of SCI FA

☐ INTERROGATORIES

☐ EXECUTION - LEVY OR GARNISHEE

☐ OTHER _____

INDICATE TYPE OF SERVICE: ☐ PERSONAL ☐ PERSON IN CHARGE ☒ DEPUTIZE ☐ CERT. MAIL ☐ POSTED ☐ OTHER ☐ LEVY ☐ SEIZED & STORE

Now, January 11 ~~19~~ 2000, SHERIFF OF Allegheny COUNTY, PA do hereby deputize the Sheriff of

ALLEGHENY

County to execute this Writ and make return thereof according to law

NOTE: ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person or attachment without liability on the part of such deputy herein for any loss, destruction or removal of any property before sheriff's sale thereof.

Seize, levy, advertise and sell all the personal property of the defendant on the premises located at: _____

MAKE

MODEL

MOTOR NUMBER

SERIAL NUMBER

LICENSE NUMBER

SHERIFF'S OFFICE USE ONLY

I hereby CERTIFY AND RETURN that on the 18th day of January, 19 2000 at 1:40 o'clock A.M./P.M. Address Above/Address Below. County of Allegheny, Pennsylvania

I have served in the manner described below: _____

☐ Defendant(s) personally served.

☐ Adult family member with whom said Defendant(s) reside(s). Name & Relationship _____

☐ Adult in charge of Defendant's residence who refused to give name or relationship.

☐ Manager/Clerk of place of lodging in which Defendant(s) reside(s). _____

☐ Agent or person in charge of Defendant(s) office or usual place of business. George Ann Long - Secretary

☐ Other _____

☐ Property Posted _____

Defendant not found because: ☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant ☐ Other _____

☐ Certified Mail ☐ Receipt _____ ☐ Envelope Returned _____ ☐ Neither receipt or envelope returned: writ expired _____

☐ Regular Mail Why _____

You are hereby notified that on _____, 19_____, levy was made in the case of _____
Possession/Sale has been set for _____, 19_____ at _____ o'clock.

YOU MUST CALL DEPUTY ON THE MORNING OF SALE/POSSESSION BETWEEN 8:30 - 9:30 A.M.

ATTEMPTS _____ / _____ / JAN 19 2000 / _____

PETER R. DEFAZIO, Sheriff

Additional Costs Due \$_____. This is placed on writ when returned to Prothonotary. Please check before satisfying case.

White Copy - Sheriff

By Sheila R. O'Brien Sgt. James W. 24
Deputy
34
Notarial Seal District
Sheila R. O'Brien, Notary Public
Pittsburgh, Allegheny County
My Commission Expires June 19, 2000
Yellow - Sheriff
Member, Pennsylvania Association of Notaries

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

54
RICHARD D. HEBERLING,
individually and RICHARD D.
HEBERLING t/d/b/a BIGLER BOYZ 111
STREET & OFF-ROAD TOYZ,
Plaintiff

:

No. 00-33-CD

vs.
54
JOSEPH W. PRY, INDIVIDUALLY
and JOSEPH W. PRY, t/d/b/a 114
J. W. PRY & SONS, INC. 114
113 PENSTAN SUPPLY, DAVID P. 24
BERNARDINI, INDIVIDUALLY, and
DAVID P. BERNARDINI, t/d/b/a
114 F. BERNARDINI & ASSOCIATES.
Defendants

:

:

:

:

:

:

:

:

:

:

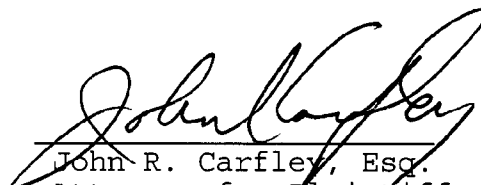
:

:

PRAECIPE

TO THE PROTHONOTARY:

PLEASE mark the above matter settled, discontinued and ended.


John R. Carfley, Esq.
Attorney for Plaintiff

Dated: April 18, 2000

FILED

APR 19 2000

William A. Shaw
Prothonotary

FILED

APR 19 2000

0/12:05/WT

William A. Shaw

Prothonotary

1 Cent TO ATTS

ERB

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
CIVIL DIVISION

RICHARD D. HEBERLING, individually and RICHARD D.

HEBERLING t/d/b/a BIGLER BOYZ STREE & OFF-ROAD TOYZ

Plaintiff

vs.

NO. 00-33-CD

JOSEPH W. PRY, individually and JOSEPH W. PRY, t/d/b/a

J.W. PRY & SONS, INC., PENSTAN SUPPLY, DAVID P. BERNARDINI

individually and DAVID P. BERNARDINI t/d/ba/ F. BERNARDINI & ASSOCIATES

Defendant

CERTIFICATE OF DISCONTINUATION

COMMONWEALTH OF PA
COUNTY OF CLEARFIELD

I, WILLIAM A. SHAW, Prothonotary of the Court of Common Pleas in and
for the County and Commonwealth aforesaid do hereby certify that the above
case was this day, the 19th day of April, A.D.

2000, is marked:

SETTLED, DISCONTINUED and ENDED

Record costs in the sum of \$ 275.09 have been paid in full by

ATTORNEY

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this
Court at Clearfield, Clearfield County, Pennsylvania, this 19th day of
APRIL A.D. 2000

COPY

PROTHONOTARY