

00-78-CD
GATES & SEAMAN -vs- DAVID L. STILES etux

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

115
GATES & SEAMAN,

Plaintiff :

vs. :

25
DAVID L. STILES and :

BEVERLY A. STILES, :

Defendants: :

No. ~~200~~ - 78 -CD

Type of Pleading: Complaint

Filed on behalf of: Plaintiff

Counsel of Record for this Party:
Andrew P. Gates, Esquire

Supreme Court No.: 36604

GATES & SEAMAN
Attorneys at law
Two North Front Street
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766

FILED

JAN 20 2000

William A. Shaw
Prothonotary

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

GATES & SEAMAN,	:		
Plaintiff	:		
	:	No. 2000 -	-CD
vs.	:		
	:		
DAVID L. STILES and	:		
BEVERLY A. STILES	:		
Defendant	:		

NOTICE TO DEFEND

YOU have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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.

DAVID MEHOLICK, COURT ADMINISTRATOR
Clearfield County Court House
Clearfield, PA 16830
(814) 765-2641

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

GATES & SEAMAN	:		
	:		
Plaintiff	:		
	:	No. 2000 -	-CD
vs.	:		
	:		
DAVID L. STILES and	:		
BEVERLY A. STILES	:		
	:		
Defendants	:		

COMPLAINT

NOW COMES Plaintiff, GATES & SEAMAN, Attorneys at Law, who
aver the following cause of action:

1. Plaintiff law firm is a partnership organized for the practice of law consisting of Laurance B. Seaman, Esquire and Andrew P. Gates, Esquire, with its principal office located at 2 North Front Street, P. O. Box 846, Clearfield, Pennsylvania 16830.
2. Defendants, David L. Stiles and Beverly A. Stiles are individuals who are husband and wife and who reside in Penn Township, Clearfield County, Pennsylvania with a mailing address of Box 90 Grampian, Pennsylvania 16838.
3. Both Laurance B. Seaman and Andrew P. Gates are members of the Bar Association of Clearfield County and are admitted to practice law in front of all Courts of the Commonwealth of Pennsylvania.
4. In April, 1993, the Defendants orally retained and employed Andrew P. Gates, Esquire to represent them in performing

a title examination of their residential property situate in Penn Township, Clearfield County, Pennsylvania for purposes of securing a mortgage loan from Integra Bank.

5. Furthermore, in addition to the above services, Defendant, Beverly A. Stiles, retained and employed Andrew P. Gates, Esquire to represent her in resolving a Pennsylvania Inheritance Tax lien created on Defendants' residential real estate by virtue of the life estate retained by Eva Kendall, deceased, predecessor in title to the Defendants.

6. In exchange for the services performed by Plaintiff, Defendants agreed to compensate Plaintiff for miscellaneous work at his then customary hourly rate of \$75.00 per hour, plus agreed to compensate said Plaintiff in the amount of \$300.00 to perform a title examination and written report on the real estate in question, \$45.00 for preparation of a mortgage between Defendants and Integra Bank and \$100.00 to conduct Closing.

7. Plaintiff, particularly Andrew P. Gates, Esquire, thereupon at Defendant's direction and request performed the aforementioned legal services which services are itemized in Plaintiff's statement for professional services dated September 24, 1993 which is attached hereto and made a part hereof as Exhibit "A".

8. Although Defendants made various payments on said

statement for services rendered, the sum of \$307.50 remains unpaid, as reflected on the last page of Exhibit "A".

9. Plaintiff has demanded that Defendants pay the sum of \$307.50 or to set up a reasonable monthly payment schedule which Defendants have failed or refused to do so, and thus the sum of \$307.50 remains due and owing.

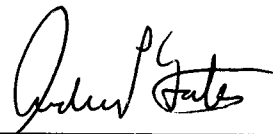
10. Defendants' failure to remit to Plaintiff the sum of \$307.50 is a material breach of the agreement between Plaintiff and Defendant.

10. Defendants' breach, as aforesaid, has caused Plaintiff injury in the amount of \$307.50.

WHEREFORE, Plaintiff Gates & Seaman, demands judgment against Defendants, David L. Stiles and Beverly A. Stiles, for the sum of \$307.50, together with record costs and interest.

GATES & SEAMAN

By:

A handwritten signature in cursive script, appearing to read "Andrew P. Gates", is written over a horizontal line.

Andrew P. Gates, Esquire

LAURANCE B. SEAMAN
ANDREW P. GATES

LAW OFFICES
GATES & SEAMAN
TWO NORTH FRONT STREET
P. O. BOX 846
CLEARFIELD, PA 16830
(814) 765-1766
FAX (814) 765-1488

JOHN B. GATES
(1917-1984)

September 24, 1993

Mr. and Mrs. David Stiles
Box 90
Grampian, Pennsylvania 16838

REVISED STATEMENT
Re: Real estate

FOR PROFESSIONAL SERVICES RENDERED

April 28, 1993 to June 10, 1993:

Andrew P. Gates, Esquire:

Miscellaneous time - Telephone conferences with
Beverly Stiles, Mike Sutika (Integra Bank), Tracy
Silvis and Lee Silvis; review Installment Sale
Agreement; review Loan Commitment letter;
preparation of correspondence to Tracy Silvis,
Marlene Yarger, Lamoine Silvis
(1.50 hrs.)----- \$ 112.50

Title examination and written report on property situate
in Penn Township, Clearfield County, Pennsylvania
----- \$ 300.00

Preparation of Mortgage to Integra Bank ----- \$ 45.00

Preparation of closing documents; preparation for and
attendance at Closing ----- \$ 100.00

ADVANCED COSTS:

to Karen Starck, Recorder of Deeds,
filing fees, deed and mortgage ----- \$ 35.50
Buyer's share of transfer tax paid at
time deed recorded ----- 60.00 \$ 95.50

SUBTOTAL \$ 653.00

April 28, 1993 to August 31, 1993:

Re: Resolution of Pennsylvania Inheritance Tax lien
created by life estate retained by
Eva Kendall, deceased

Telephone call with Pennsylvania Department of
Revenue (Inheritance Tax Division); preparation of

GATES & SEAMAN

Page two

correspondence to Vicky Trimmer, Esquire, Counsel
for Pennsylvania Department of Revenue; review of
letter from Nicholas Lamberti, Esquire from
Pennsylvania Department of Revenue; preparation of
letter to Marlene Yarger, Tracy Silvis and Lamoine
Silvis and letter to Nicholas Lamberti; securing
additional information from Court House regarding
assessed value of real estate in 1950; preparation
of letter to Pennsylvania Bureau of Vital Statistics
to obtain death certificates for Clyde Kendall, Eva
Kendall and Alice Kendall; preparation of Affidavit
relative to death of William Silvis
(5.00 hrs.) - \$ 375.00 {to be divided equally between
current title holders of property}
Share of Beverly Stiles ----- \$ 93.75

ADVANCED COSTS:

to Vital Records, to obtain death certificate
for Clyde Kendall - \$ 3.00
Eva Kendall - 3.00
Alice Kendall - 3.00 \$ 9.00
to Karen Starck, Register of Wills,
3 death certificates and Affidavit
regarding death of William Silvis
on the record, plus recording the
Release of Pennsylvania Inheritance
Tax lien relative to Eva Kendall ---- \$ 50.00

Total Costs \$ 59.00

{Advanced costs to be divided
equally between current title
holders of property}

Share of Beverly Stiles ----- \$ 14.75 \$ 108.50

TOTAL FEES & COSTS \$ 761.50

LESS: Payments of 6/23/93 from
Gates & Seaman escrow account --- \$ 254.00
6/22/93, check number 1067 ----- 100.00 \$ 354.00

AMOUNT DUE \$ 407.50

Paid 3-1-95
v #464
100.00
307.50

V E R I F I C A T I O N

I, the undersigned, verify that the averments of fact made in this foregoing Complaint are true and correct to the best of my knowledge, information or belief. I understand that averments of fact in said document are made subject to the penalties of 18 Pa. C.D. § 4904, relating to the unsworn falsifications to authorities.

Date: _____

11/14/2000

A handwritten signature in dark ink, appearing to read "Andrew P. Gates", written over a horizontal line.

Andrew P. Gates, Esquire

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
CIVIL ACTION - LAW
No. 2000- -CD

GATES & SEAMAN, Plaintiff

vs.

DAVID L. STILES and
BEVERLY A. STILES,
Defendants

COMPLAINT

LAW OFFICES
GATES & SEAMAN
2 NORTH FRONT STREET
P.O. BOX 846
CLEARFIELD, PA. 16830

THE PLANNING CO., WILLIAMSPORT, PA.

FILED
JAN 10 2000
3:11 PM
William A. Shaw
Prothonotary
BY MTC
2 CONT TO ATTY

ANDREW GATES

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GATES & SEAMAN

00-78-CD

VS

STILES, DAVID L.

COMPLAINT

SHERIFF RETURNS

FILED

NOW JANUARY 25, 2000 AT 8:06 AM EST SERVED THE WITHIN
COMPLAINT ON DAVID L. STILES, DEFENDANT AT RESIDENCE, S.R. 219, GRAMPAN, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DAVID L. STILES A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: NEVLING.

FEB 03 2000
01:520
William A. Shaw
Prothonotary
EKB

NOW JANUARY 25, 2000 AT 8:06 AM EST SERVED THE WITHIN
COMPLAINT ON BEVERLY A. STILES, DEFENDANT AT RESIDENCE, S.R. 219, GRAMPAN, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DAVID L. STILES, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: NEVLING.

30.57 SHFF. HAWKINS PAID BY: ATTY.
20.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

3rd DAY OF February 2000
William A. Shaw

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

SO ANSWERS,

Chester A. Hawkins
by Marilyn Harris
CHESTER A. HAWKINS
SHERIFF



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

COPY

Notice of Proposed Termination of Court Case

November 10, 2005

RE: 00-78-CD
Gates & Seaman
Vs.
David L. Stiles and Beverly A. Stiles

NOV 10 2005

William A. Shaw
Prothonotary/Clerk of Courts

Dear Plaintiff/Defendant:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary** of Clearfield County, 230 East Market Street, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before January 17, 2005.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

David S. Meholic
Court Administrator



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

November 10, 2005

RE: 00-78-CD
Gates & Seaman
Vs.
David L. Stiles and Beverly A. Stiles


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By the Court,


David S. Meholic
Court Administrator

FILED No CC
 2011:28671 Cert. of Disc.
 NOV 28 2005 to Atty
 William A. Shaw
 Notary/Clerk of Courts copy to CIA
 62

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

GATES & SEAMAN,	:	
Plaintiff	:	No. 00- 78 -CD
	:	
-vs-	:	
	:	
DAVID L. STILES and BEVERLY A.	:	
STILES, Defendants	:	

PRAECIPE

TO WILLIAM A. SHAW, PROTHONOTARY:

Please mark the above-captioned matter as "Settled,
Discontinued and Ended".


GATES & SEAMAN
By:



Andrew P. Gates, Esquire
Attorney for Plaintiff,
Gates & Seaman

Date: Nov 28, 2005

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

 COPY

CIVIL DIVISION

Gates & Seaman

Vs.
David L. Stiles
Beverly A. Stiles

No. 2000-00078-CD

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 on November 28, 2005, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$80.00 have been paid in full by Andrew P. Gates, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 28th day of November A.D. 2005.

William A. Shaw, Prothonotary