

00-556-00
TRI-MOUNT, INC. d/b/a -vs- JAMES ZIMMERMAN Indv. and t/d/b/a

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

114 TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :
116 Plaintiff : No. 00-256-CO
vs. :
52 JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, 2 Defendant :
: Type of Pleading: Praeclipe to Enter
: Judgment
: Counsel for: Plaintiff
: Robert A. Mix, Esq.
: Lee, Martin, Green & Reiter, Inc.
: I.D. #16164
: 115 E. High Street
: P. O. Box 179
: Bellefonte, PA 16823
: 814-355-4769

FILED

FEB 28 2000

William A. Shaw
Prothonotary

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No.

:

JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO,

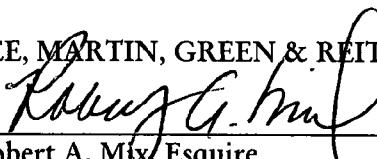
Defendant :

PRAECIPE

TO THE PROTHONOTARY:

No appeal having been timely filed from the judgment entered by District Justice Richard Ireland on January 6, 2000 in favor of Plaintiff Tri-Mount, Inc. d/b/a Napa Auto Parts and against Defendant James Zimmerman, individually and t/d/b/a James Zimmerman Auto in the amount of \$3,984.62, please enter said judgment in the Court of Common Pleas of Centre County, Pennsylvania. A certified copy of the record of the proceeding before District Justice Ireland is attached hereto.

LEE, MARTIN, GREEN & REITER, INC.

By: 

Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 East High Street
P. O. Box 179
Bellefonte, PA 16823
814-355-4769

FILE

REC
FEB 28 2001
M 16:30 | NO C

William A. Shaw
Prothonotary

CITY MUR PD \$20.00

NOT. QUADRANT TO DEP. D. Zimmerman
Statement to CITY MUR

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: 650 LEONARD STREET
CLEARFIELD, PA

Telephone: (814) 765-5335 16830

RICHARD A. IRELAND
650 LEONARD STREET
CLEARFIELD, PA 16830

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

NAME and ADDRESS
[REDACTED] TRI-MOUNT INC D/B/A NAPA AUTO PARTS
PO BOX 179
BELLEFONTE, PA 16823

DEFENDANT:

NAME and ADDRESS
[REDACTED] ZIMMERMAN, JAMES, ET AL.
910 BIGLER AVE
CLEARFIELD, PA 16830

Docket No.: CV-0000434-99
Date Filed: 11/30/99



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

256
00-257-00

Judgment was entered for: (Name) TRI-MOUNT INC D/B/A NAPA AUTO,

Judgment was entered against: (Name) ZIMMERMAN, JAMES

in the amount of \$ 3,984.62 on: (Date of Judgment) 1/06/00

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

Levy is stayed for _____ days or generally stayed. _____

Objection to levy has been filed and hearing will be held: _____

Amount of Judgment	\$ <u>3,911.62</u>
Judgment Costs	\$ <u>73.00</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>3,984.62</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

1-6-00 Date Ronald J. Schell, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

2-16-00 Date Ronald J. Schell, District Justice

My commission expires first Monday of January,

2006

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD STREET**
CLEARFIELD, PA

Telephone: **(814) 765-5335** 16830

RICHARD A. IRELAND
650 LEONARD STREET
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS
TRI-MOUNT INC D/B/A NAPA AUTO PARTS
PO BOX 179
BELLEFONTE, PA 16823

DEFENDANT:

NAME and ADDRESS
ZIMMERMAN, JAMES, ET AL.
910 BIGLER AVE
CLEARFIELD, PA 16830

VS.

Docket No.: **CV-0000434-99**
Date Filed: **11/30/99**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

256
00 000 CO

Judgment was entered for: (Name) **TRI-MOUNT INC D/B/A NAPA AUTO.**

Judgment was entered against: (Name) **JAMES ZIMMERMAN AUTOMOTIVE**

in the amount of \$ **3,984.62** on: (Date of Judgment) **1/07/00**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

Levy is stayed for _____ days or generally stayed. _____

Objection to levy has been filed and hearing will be held: _____

Amount of Judgment	\$ 3,911.62
Judgment Costs	\$ 73.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,984.62
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

1-6-00 Date Richard , District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

2-16-00 Date Ronda Siefert , District Justice

My commission expires first Monday of January,

2006

SEAL

COPY

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

TRI-MOUNT INC. D/B/A NAPA AUTO

PARTS

vs.

No. 00-247-CD

JAMES ZIMMERMAN, et. al.

TO: Defendant:

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$3,984.62 on the 28th day of February, 2000.

WILLIAM A. SHAW
PROTHONOTARY

William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
STATEMENT OF JUDGMENT

TRI-MOUNT, INC., D/B/A NAPA AUTO

PARTS

Plaintiff

vs.

JAMES ZIMMERMAN, ET. AL.

COPY

No. 00-256-CD

Real Debt \$3,984.62

Atty's Comm _____

Defendant

Costs _____

Int. From _____

Entry \$ 20.00

Instrument DJ Judgment

Date of Entry February 28, 2000

Expires February 28, 2005

Certified from the record this 28th day of February, 2000

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, 20 ___, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

2
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, : *25*
Plaintiff : No. 00-~~040~~ CO
vs. :
: Type of Pleading: Notice of Service of
JAMES ZIMMERMAN, Individually & t/d/b/a : Interrogatories
JAMES ZIMMERMAN AUTO, :
Defendant :
: Counsel for: Plaintiff
: Robert A. Mix, Esq.
: Lee, Martin, Green & Reiter, Inc.
: I.D. #16164
: 115 E. High Street
: P. O. Box 179
: Bellefonte, PA 16823
: 814-355-4769

FILED

FEB 22 19

William A. Shaw
Prothonotary

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :
Plaintiff :
: :
: :
vs. : No.
: :
JAMES ZIMMERMAN, Individually & t/d/b/a :
JAMES ZIMMERMAN AUTO, :
Defendant :
:

NOTICE OF SERVICE OF INTERROGATORIES

TO THE PROTHONOTARY:

You are hereby notified that on February 24, 2000, original
Interrogatories in Aid of Execution were mailed by First Class Mail, Postage Prepaid, upon the
following.

James Zimmerman
James Zimmerman Auto
910 Bigler Avenue
Clearfield, PA 16830

LEE, MARTIN, GREEN & REITER, INC.
By: Robert A. Mix
Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 East High Street
P. O. Box 179
Bellefonte, PA 16823
814-355-4769

(3)

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No. 00-256-CO

:

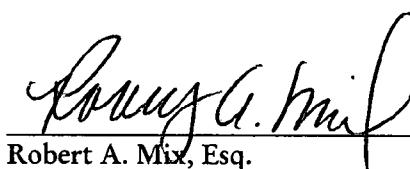
JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, :

Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe was deposited in
the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 24th day of
February, 2000 addressed to the following:

James Zimmerman
James Zimmerman Auto
910 Bigler Avenue
Clearfield, PA 16830



Robert A. Mix, Esq.

FILED

FEB 28 2000

William A. Shaw
Prothonotary

FILED

400
2
FEB 28 2000
MILLER, ROBERT
William A. Shaw
Prothonotary

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff : No. 00-256-CD

:

vs.

: Type of Pleading: Motion to Compel
: Discovery

:

: Counsel for: Plaintiff

:

: Robert A. Mix, Esq.

: Lee, Martin, Green & Reiter, Inc.

: I.D. #16164

: 115 E. High Street

: P. O. Box 179

: Bellefonte, PA 16823

: 814-355-4769

JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO,

Defendant

FILED

MAR 31 2000

William A. Shaw
Prothonotary

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

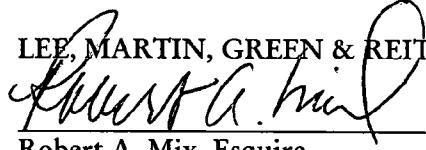
TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :
Plaintiff :
:
vs. : No. 00-256-CD
:
JAMES ZIMMERMAN, Individually & t/d/b/a :
JAMES ZIMMERMAN AUTO, :
Defendant :
:

MOTION TO COMPEL DISCOVERY

NOW COMES Plaintiff Tri-Mount, Inc. d/b/a Napa Auto Parts by its attorneys, Lee, Martin, Green & Reiter, Inc., and respectfully represents:

1. On February 28, 2000, a judgment in the amount of \$3,984.62 in favor of Plaintiff and against Defendant was entered in the Court of Common Pleas of Clearfield County, Pennsylvania.
2. On February 28, 2000, Plaintiff filed and served Interrogatories in Aid of Execution on Defendant. True and correct copies of said Interrogatories in Aid of Execution are attached hereto, incorporated herein and marked Exhibit "A".
3. To date of filing of this Motion to Compel Discovery, Defendant has not filed and served Answers to said Interrogatories in Aid of Execution, nor has he filed objections thereto.
4. To date of filing this Motion to Compel Discovery, Defendant has not requested an extension of time for the filing and service of said Answers to Interrogatories in Aid of Execution, nor has an extension otherwise been granted.
5. Defendant has failed to file and serve Answers to said Interrogatories in Aid of Execution in compliance with the Pennsylvania Rules of Civil Procedure.

WHEREFORE, Plaintiff respectfully requests Your Honorable Court to issue an Order compelling Defendant to file and serve Answers to said Interrogatories in Aid of Execution within twenty days or such other period of time as the Court may deem appropriate.

LEE, MARTIN, GREEN & REITER, INC.
By: 

Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 E. High Street
Lock Drawer 179
Bellefonte, PA 16823
814-355-4769

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No.

:

JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, :

Defendant :

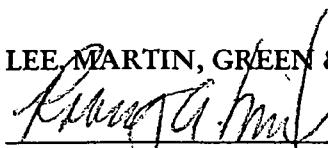
INTERROGATORIES IN AID OF EXECUTION

To: James Zimmerman, individually and t/d/b/a
James Zimmerman Auto

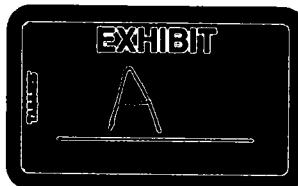
Pursuant to Pennsylvania Rules of Civil Procedure 4006, et seq., the Plaintiff, by its attorneys, Lee, Martin, Green & Reiter, Inc., files upon Defendant Interrogatories and demands that he file full, complete and verified written answers thereto within thirty (30) days after the date of service hereof, pursuant to the Pennsylvania Rules of Civil Procedure No. 4006. In accordance with said rule, any objections shall be signed by the attorney making them.

These Interrogatories are continuing and require supplemental answers under oath if the Defendant, his attorney or representative, obtain any additional information requested in these Interrogatories prior to the time of trial.

LEE, MARTIN, GREEN & REITER, INC.

By: 

Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 East High Street
P. O. Box 179
Bellefonte, PA 16823
814-355-4769



INSTRUCTIONS FOR ANSWERING INTERROGATORIES

- A. In accordance with Pa. R.C.P. No. 4005, original written Interrogatories have been served upon you to be answered by the party served or, if the party served is a public or private corporation or similar entity or a partnership or association, by any officer or agent, who shall furnish such information as is available to the party.
- B. In accordance with Pa. R.C.P. No. 4006, written answers shall be inserted in the spaces provided in the Interrogatories. If there is insufficient space to answer an Interrogatory, the remainder of the answer shall follow on a supplemental sheet.
- C. In accordance with Pa. R.C.P. No. 4006(b), a sufficient answer to such an Interrogatory shall be to specify the records from which the answer may be derived or ascertained.
- D. Please return these original Interrogatories to our office with inserted answers.
- E. For purposes of these Interrogatories, the following definitions shall apply:
 1. "Document" means any written, recorded or graphic matter, however produced or reproduced.
 2. "Identify" or "identification" when used in reference to an individual person means to state his name, present or last known address, present or last known position and business affiliation and his position and business affiliations at all times during the period covered by the Complaint.
 3. "Describe" or "identify" when used in reference to a document means to state the type of document (for example, letter, memorandum, telegram, chart, etc.), the date, author, addresses, title file and identifying number and symbol, and the name and address of its custodian. If any such documents are no longer in your possession or subject to your control, state what disposition was made of it and the date thereof.

1. **REAL ESTATE:** Do you and/or James Zimmerman Auto have an ownership or interest in any real estate anywhere in the United States?

If so, set forth a brief description thereof, include the structure and lot size and type of construction; the volume and page number of the official record thereof; and whether you and/or James Zimmerman Auto own it solely or together with any other person or persons and give their full names and addresses. If any of the above properties are mortgaged, supply the names and addresses of lenders, the date and amount of the mortgage, where it is recorded, the monthly payments and the balance now due.

ANSWER:

2. **AGREEMENTS:** State whether you and/or James Zimmerman Auto have any agreements involving the purchase of any real estate anywhere in the United States. If so, state with whom this agreement is made, and state whether or not any persons are joined with you and/or James Zimmerman Auto in the agreement. Supply full names and addresses of all parties concerned. If the said agreement is recorded, provide the state and county of recordation, volume and page numbers.

ANSWER:

3. MORTGAGES: State whether you and/or James Zimmerman Auto own any mortgages against any real estate owned by another person in the United States. If so, state whether or not you and/or James Zimmerman Auto own this mortgage with any other person or persons and, if so, supply their full name and address. State further the names and addresses of all borrowers and the state and county where said mortgage is recorded together with the number of the volume and the page number.

ANSWER:

4. **DEBTS, NOTES & JUDGMENTS:** State the names and addresses of any and all persons whom you and/or James Zimmerman Auto believe owes you and/or James Zimmerman Auto money and set forth in detail the amount of money owed, the terms of payment and whether or not you and/or James Zimmerman Auto have written evidence of this indebtedness and, if so, give full details. If you and/or James Zimmerman Auto hold a judgment or judgments as security for any of these debts, state where and when the judgment was recorded; and the county, number and term where the judgment is recorded. If you and/or James Zimmerman Auto hold this judgment or judgments jointly with any other person or persons, give their name and address.

ANSWER:

5. **GOVERNMENT, MUNICIPAL OR CORPORATE BONDS:** State whether you and/or James Zimmerman Auto own individually or jointly any corporate or governmental bonds. If so, include the face amount, serial numbers and maturity date and state the present location thereof. If you and/or James Zimmerman Auto own any of these bonds jointly with any other person or persons, give their full name and address.

ANSWER:

6. **STOCKS, SHARES OR INTEREST:** State whether you and/or James Zimmerman Auto own any stocks, shares or interest in any corporation or unincorporated association or partnership interest, limited or general, and state the location thereof. Include the names and addresses of the organizations and the serial numbers of the shares or stocks. If you and/or James Zimmerman Auto own any of the stocks, shares or interest jointly with any other person or persons, give their name and address.

ANSWER:

7. ACCOUNTS: State whether you and/or James Zimmerman Auto maintain any checking or savings accounts. If so, state the name and location of the banks or savings and loan association or building and loan association or credit union and the branch or branches thereof, the identification numbers of those accounts and the amount of assets you and/or James Zimmerman Auto have in each account. If you and/or James Zimmerman Auto maintain any of these jointly with any person, give their name and address.

ANSWER:

8. **SAFETY DEPOSIT BOXES:** State whether you and/or James Zimmerman Auto maintain any safety deposit box or boxes. If so, include the name of the bank or banks, branch or branches and the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If you and/or James Zimmerman Auto maintain any of these jointly with another person, give their full name and address.

ANSWER:

9. **TRANSFERRED ASSETS AND GIFTS:** If, since the date upon which the debt herein was first incurred to the Plaintiff herein, you and/or James Zimmerman Auto have transferred any assets (real property, personal property, chose in action) to any person and/or if you and/or James Zimmerman Auto have given any gift of any asset, including money, to any person, set forth in detail a description of the property, the type of transaction and the name and address of the transferee or recipient.

ANSWER:

10. **PERSONAL PROPERTY:** State whether you and/or James Zimmerman Auto own any personal property. Include a full description of all furnishings and other items of personal property (including jewelry) with full description, value and present location. State also whether or not there are any encumbrances on that property and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of that encumbrance, the present balance of that encumbrance and the transaction which gave rise to the existence of the encumbrance. If you and/or James Zimmerman Auto own any personal property jointly with any other person or persons, give their name and address.

ANSWER:

11. **MOTOR VEHICLES:** State whether you and/or James Zimmerman Auto own any motor vehicles. Include a full description of such motor vehicles including color, model, title number, serial number and registration plate number. Also, show the exact name or names in which the motor vehicles are registered, the present value of those motor vehicles and their present location and place of regular storage, garaging or parking. State also whether there are any encumbrances on those motor vehicles and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of the encumbrance, the present balance of the encumbrance and the transaction which gave rise to the existence of the encumbrance.

ANSWER:

12. **OTHER ASSETS:** If you and/or James Zimmerman Auto have any asset or assets which are not disclosed in the preceding Interrogatories, please set forth all details concerning those assets.

ANSWER:

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No.

:

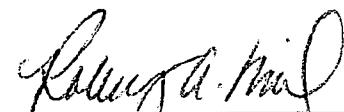
JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO,

Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Interrogatories in Aid of
Execution was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania,
on the 24th day of February, 2000 addressed to the following:

James Zimmerman
James Zimmerman Auto
910 Bigler Avenue
Clearfield, PA 16830



Robert A. Mix, Esq.

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No. 00-256-CD

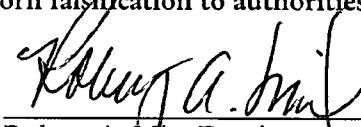
:

JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, :

Defendant :

VERIFICATION

Robert A. Mix, Esquire, being duly sworn according to law deposes and says that he is the attorney for Plaintiff Tri-Mount, Inc. d/b/a Napa Auto Parts; that he is authorized to make this verification on its behalf; and that the facts set forth in the Motion to Compel Discovery are true and correct to the best of his knowledge, information and belief. This verification is executed in accordance with Pa. R.C.P. 1024(c) and this statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.



Robert A. Mix, Esquire

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No. 00-256-CD

:

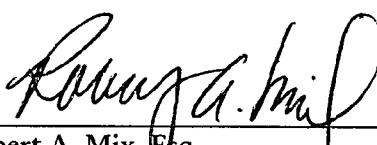
JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, :

Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Compel Discovery
was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the
10th day of March, 2000 addressed to the following:

James Zimmerman
James Zimmerman Auto
910 Bigler Avenue
Clearfield, PA 16830



Robert A. Mix, Esq.

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No. 00-256-CD

:

JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, :

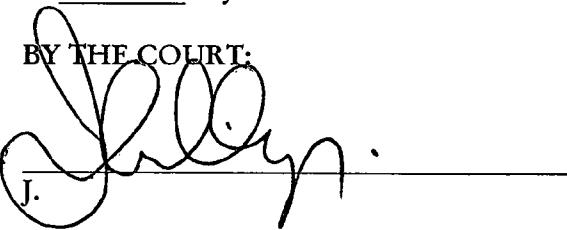
Defendant :

ORDER

AND NOW, this 3rd day of April, 2000, after consideration

of Plaintiff's Motion to Compel Discovery, Defendant is hereby Ordered to serve Answers to
Interrogatories in Aid of Execution on Plaintiff within 20 days of the date of this Order.

BY THE COURT:



J. Shaw

FILED

APR 03 2000

William A. Shaw
Prothonotary

FILED

APR 03 2003

811135/acc a Hyline
William A. Shaw
Prothonotary

Ex

(6)
JW

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff : No. 00-256-CD

vs.

JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO,

Defendant

: Type of Pleading: Motion for Sanctions

:

: Counsel for: Plaintiff

:

: Robert A. Mix, Esq.

: Lee, Martin, Green & Reiter, Inc.

: I.D. #16164

: 115 E. High Street

: P. O. Box 179

: Bellefonte, PA 16823

: 814-355-4769

FILED

MAY 11 2000

William A. Shaw
Prothonotary

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :
Plaintiff :
:
vs. : No. 00-256-CD
:
JAMES ZIMMERMAN, Individually & t/d/b/a :
JAMES ZIMMERMAN AUTO, :
Defendant :
:

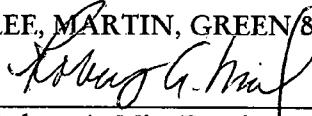
MOTION FOR SANCTIONS

NOW COMES Plaintiff Tri-Mount, Inc. d/b/a Napa Auto Parts its attorneys, Lee, Martin, Green & Reiter, Inc., pursuant to Pa. R.C.P. 4019 and respectfully represents:

1. On February 28, 2000, judgment in the amount of \$3,984.62 was entered in the Court of Common Pleas of Clearfield County, Pennsylvania in favor of Plaintiff and against Defendants.
2. On February 24, 2000, Plaintiff served Interrogatories in Aid of Execution against Defendants.
3. On March 30, 2000, Plaintiff filed a Motion to Compel Discovery with reference to said Interrogatories in Aid of Execution against Defendants.
4. On April 3, 2000, this Court issued an Order directing Defendants to provide Plaintiff with Answers to said Interrogatories in Aid of Execution within twenty (20) days of said Order.
5. As of the date of filing this Motion for Sanctions, Defendants have not provided Plaintiff with Answers to said Interrogatories in Aid of Execution, requested or been granted an additional extension of time for providing Answers or filed objections or a request for a protective order with reference to said Answers.

6. Plaintiff will be prejudiced in its efforts to enforce the judgment unless Defendants are required to provide Answers to said Interrogatories in Aid of Execution.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to issue an Order imposing a penalty on Defendants for each day they fail to provide Plaintiff with Answers to said Interrogatories in Aid of Execution in compliance with the Order of April 3, 2000 or such other sanctions as the Court deems appropriate.

LEE, MARTIN, GREEN & REITER, INC.
By: 

Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 East High Street
P. O. Box 179
Bellefonte, PA 16823
814-355-4769

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

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No. 00-256-CD

:

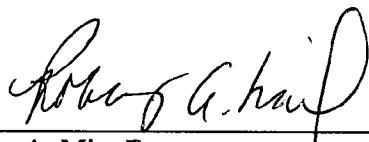
JAMES ZIMMERMAN, Individually & t/d/b/a :
JAMES ZIMMERMAN AUTO, :

Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Sanctions was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 10th day of May, 2000 addressed to the following:

James Zimmerman
James Zimmerman Auto
910 Bigler Avenue
Clearfield, PA 16830



Robert A. Mix, Esq.

7
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

TRI-MOUNT, INC. d/b/a NAPA AUTO PARTS, :

Plaintiff :

:

vs. : No. 00-256-CD

:

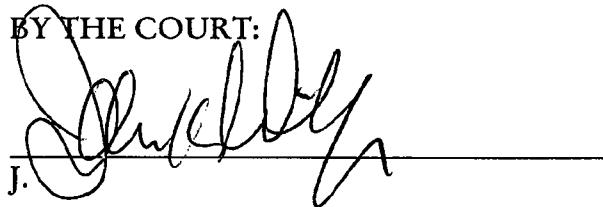
JAMES ZIMMERMAN, Individually & t/d/b/a
JAMES ZIMMERMAN AUTO, :

Defendant :

ORDER

AND NOW, this 15 day of May, 2000 upon consideration
of Plaintiff's Motion for Sanctions, and it appearing that Defendants have failed to file
timely Answers to Plaintiff's Interrogatories in Aid of Execution, it is hereby Ordered
that Defendants shall pay a penalty of \$ 100. / per day for each day from the date of
this Order until the date Answers to Plaintiff's Interrogatories n Aid of Execution are
served upon counsel for Plaintiff.

BY THE COURT:



FILED

MAY 15 2000

William A. Shaw
Prothonotary

FILED

May 15 2000
O:912ccath Mex
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

TRI-MOUNT, INC., d/b/a AUTO PARTS :

-vs- : No. 00 - 256 - CD

JAMES ZIMMERMAN, Individually, & :

t/d/b/a JAMES ZIMMERMAN AUTO :

ORDER

NOW, this 18th day of July, 2000, the Court having received notice that Defendant has complied with this Court's Order of May 15, 2000, it is the FURTHER ORDER of this Court that the penalties set forth therein shall be and are hereby rescinded.

By the Court,

President Judge

FILED

JUL 19 2000

William A. Shaw
Prothonotary

(9)

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

TRI-MOUNT, INC., d/b/a AUTO PARTS :

-vs- : No. 00-256-CD

JAMES ZIMMERMAN, Individually, & :

t/d/b/a JAMES ZIMMERMAN AUTO :

ORDER

NOW, this 18th day of July, 2000, the Court having received notice that Defendant has complied with this Court's Order of May 15, 2000, it is the FURTHER ORDER of this Court that the penalties set forth therein shall be and are hereby rescinded.

By the Court,

/s/JOHN K. REILLY, JR.

President Judge

I hereby certify this to be a true and attested copy of the original statement filed in this case.

JUL 19 2000

Attest:

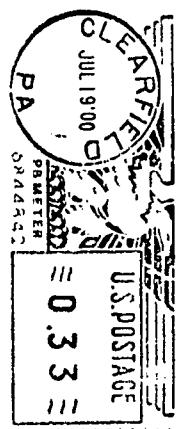
William A. Shaw
Prothonotary

ED

JUL 24 2000
M 8:44 am
William A. Shaw
Prothonotary

EKA

WILLIAM A. SHAW
PROTHONOTARY
and CLERK of COURTS
P. O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830



James Zimmerman
James Zimmerman Auto
910 Bigler Avenue
Clearfield, PA 16830

ZIMM10 168300011500 09 07/21/00
:ZIMMERMAN AUTO
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

16830-271863092736