

00-275-CD
SWIFT, HOPKINS, INC. t/a/b/a -vs- MARKETING SPECIALISTS, INC.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 00- - CD

SWIFT, HOPKINS, INC. t/d/b/a
SWIFT, KENNEDY & CO
Plaintiff

vs.

MARKETING SPECIALISTS, INC.,
Defendant

COMPLAINT

FILED

MAR 02 2000

William A. Shaw

Prothonotary

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

Att, Blakley
Att, Blakley
\$80.00

BENJAMIN S. BLAKLEY, III

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SWIFT, HOPKINS, INC. T/D/B/A
VS
MARKETING SPECIALISTS, INC.

00-275-CD

COMPLAINT

SHERIFF RETURNS

NOW MARCH 6, 2000 AT 11:30 AM EST SERVED THE WITHIN
COMPLAINT ON MARKETING SPECIALISTS, INC., DEFENDANT AT
EMPLOYMENT 101 N. MAIN ST., DUBOIS, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO JERRY PANNETTE, PERSON IN CHARGE
A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE
KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: MCINTOSH/COUDRIET

28.21 SHFF. HAWKINS PAID BY: ATTY
10.00 SURCHARGE PAID BY: ATTY

SWORN TO BEFORE ME THIS

14th DAY OF March 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 Mandy Harris
CHESTER A. HAWKINS
SHERIFF

FILED

(MAR 14 2000)
01:25 pm
William A. Shaw
Prothonotary E

COPY

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

SWIFT, HOPKINS, INC. t/d/b/a,
SWIFT, KENNEDY & CO.,
PLAINTIFF
VS
MARKETING SPECIALISTS, INC.,
DEFENDANT

: NO. 00 - 275 -CD
:
: TYPE OF CASE: CIVIL
:
: TYPE OF PLEADING:
: COMPLAINT
:
: FILED ON BEHALF OF:
: PLAINTIFF
:
: COUNSEL OF RECORD FOR
: THIS PARTY:
: BENJAMIN S. BLAKLEY, III
:
: SUPREME COURT NO.: 26331
:
: BLAKLEY, JONES & MOHNEY
: 90 BEAVER DRIVE, BOX 6
: DU BOIS, PA 15801
: (814) 371-2730

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

MAR 02 2000

Attest:

William L. Shuman
Prothonotary

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

SWIFT, HOPKINS, INC. t/d/b/a
SWIFT, KENNEDY & CO.,

Plaintiff

vs.

MARKETING SPECIALISTS, INC.,

Defendant

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No. 00 -

-CD

NOTICE

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 AMENDED COMPLAINT OR FOR ANY OTHER 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 Courthouse
Clearfield, PA 16830
(814) 765-2641

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

SWIFT, HOPKINS, INC. t/d/b/a
SWIFT, KENNEDY & CO.,

Plaintiff

vs.

MARKETING SPECIALISTS, INC.,

Defendant

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No. 00 -

-CD

COMPLAINT

AND NOW, comes the Plaintiffs, SWIFT, HOPKINS, INC., t/d/b/a SWIFT, KENNEDY & CO., by and through their attorneys, BLAKLEY, JONES & MOHNEY, and filed this Complaint against MARKETING SPECIALISTS, INC. upon the cause of action of which the following is a statement.

1. Plaintiff is SWIFT, HOPKINS, INC. t/d/b/a SWIFT, KENNEDY & CO., a Pennsylvania corporation with its registered offices located at 994 Beaver Drive, Du Bois, Clearfield County, Pennsylvania 15801.

2. MARKETING SPECIALISTS, INC. is a Pennsylvania corporation with its registered offices located at 101 North Main Street, Du Bois, Clearfield County, Pennsylvania.

3. At all times material hereto, the Plaintiff was in the business of sales and service of various forms of policies of insurance.

4. During various times commencing October 2, 1998, and continuing through April 2, 1994, the Defendant did purchase various policies of insurance from the Plaintiff in order to insure various aspects of the Defendant's business and business premises for which the Plaintiff billed the Defendant for premiums totaling \$26,609.09.

5. Having been billed for the premiums upon said policies of insurance purchased by the Defendant from the Plaintiff, the Defendant has failed to make payments upon premium charges due and owing the Plaintiff by the Defendant despite repeated requests for payment by the Plaintiff.

6. That as a result of Defendant's failure to pay premium payments upon the policies of insurance purchased by the Defendant from the Plaintiff, the Plaintiff has billed to the Defendant, service charges and late fees through September 30, 1999, in the amount of \$12,977.48.

7. That the total amount due and owing the Plaintiff by the Defendant as of September 30, 1999, for unpaid insurance premiums and late fees and service charges is \$39,586.57. A copy of the printout outlining all charges made on Defendant's account is attached hereto and marked Exhibit "A."

8. That the Plaintiff has contacted the agents of the Defendant at various times since the initial purchase of insurance policies by the Defendant from the Plaintiff with the latest contacts taking place at various times during the year 1999 and with the agent of the Defendant, specifically Joseph G. Pannette, at all times ratifying and affirming the debt of the Defendant to the Plaintiff and promising payment of said debt by Defendant to the Plaintiff during such periods of contact.

WHEREFORE, Plaintiff demands judgment in its favor and against Defendant, MARKETING SPECIALISTS, INC. in the amount of \$39,586.57, plus interest and costs of suit.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

By: 

Benjamin S. Blakley, III.,
Attorney for Plaintiff

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

SWIFT, HOPKINS, INC. t/d/b/a
SWIFT, KENNEDY & CO.

DATE: 3/1/00

By: Francis E Anderson
FRANCIS A. ANDERSON, President

Swift, Kennedy & Co.

994 Beaver Drive

DuBois PA 15801

Phone : 814-371-5270 Fax : 814-371-2898

STATEMENT

Page 1

ACCOUNT NO.

MARKE-1

CSR

AT

STATEMENT AS OF

02/09/00

PRODUCER

Francis E Anderson

AMOUNT DUE

\$ 39586.57

AMOUNT PAID

Marketing Specialists Inc

M E Jones Hearing Instruments

101 N Main St

DuBois, PA 15801

*** PLEASE RETURN TOP PORTION WITH REMITTANCE ***

| Inv # | Pol | Eff Date | Description | Amount | Pay/Credit | Balance Due |
|---------|-----|----------|--------------|----------|------------|-------------|
| * 262 | | 04/29/98 | system openi | 126.28 | 0.00 | 126.28 |
| * 263 | | 03/29/98 | system openi | 126.28 | 0.00 | 126.28 |
| * 264 | | 02/27/98 | system openi | 126.28 | 0.00 | 126.28 |
| * 265 | | 01/28/98 | system openi | 36099.77 | 0.00 | 36099.77 |
| * 2656 | | 06/02/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 3982 | | 07/01/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 4918 | | 08/03/98 | Service Char | 184.22 | 0.00 | 184.22 |
| * 6043 | | 09/01/98 | Service Char | 184.22 | 0.00 | 184.22 |
| * 7107 | | 10/06/98 | Service Char | 186.06 | 0.00 | 186.06 |
| * 7946 | | 10/30/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 8615 | | 11/30/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 9541 | | 12/31/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 10222 | | 01/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 11124 | | 02/26/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 12019 | | 03/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 12939 | | 04/30/99 | Service Char | 547.18 | 364.79 | 182.39 |
| * 13815 | | 05/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 14850 | | 06/30/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 15763 | | 07/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 16539 | | 08/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 17647 | | 09/30/99 | Service Char | 182.39 | 0.00 | 182.39 |

Total Balance Due:

39586.57

* = Item Number

EXHIBIT "A"

| BRANCH CODE 00 CUSTOMER 17174 MARKETING, SPEC | | | | 500.00 09/30/93 |
|---|----------------|--------------|---------|-----------------|
| 10022 | 01CC2024931 | 10/02/88-500 | 3333.09 | 3333.09 |
| 10023 | 01CC2024931 | 01/02/89-500 | 4889.75 | 4889.75 |
| 10003 | BINDER44 | 06/21/89-500 | 1072.00 | 1072.00 |
| 17194 | 01AM246122-5 | 10/02/89-500 | 1949.00 | 1949.00 |
| 17279 | 01CC202493-2 | 10/02/89-500 | 2786.50 | 2786.50 |
| 17195 | 01AM246122-5 | 01/02/90-500 | 1948.25 | 1948.25 |
| 17280 | 01CC202493-2 | 01/02/90-500 | 2786.50 | 2786.50 |
| 28038 | LAT | 06/30/91-500 | 149.98 | 149.98 |
| 29404 | LAT | 07/31/91-500 | 147.43 | 147.43 |
| 29897 | LAT | 08/31/91-500 | 168.81 | 168.81 |
| 30440 | LAT | 09/30/91-500 | 164.44 | 164.44 |
| 29096 | 01AM246211-7 | 10/02/91-500 | 994.93 | 994.93 |
| 31079 | LAT | 10/31/91-500 | 159.44 | 159.44 |
| 31536 | LAT | 11/30/91-500 | 173.29 | 173.29 |
| 31936 | LAT | 12/31/91-500 | 163.29 | 163.29 |
| 28965 | 01-CC-202493-4 | 01/02/92-500 | 1699.25 | 1699.25 |
| 29097 | 01AM246211-7 | 01/02/92-500 | 1322.75 | 1322.75 |
| 32397 | LAT | 01/31/92-500 | 159.10 | 159.10 |
| 32925 | LAT | 02/29/92-500 | 169.21 | 169.21 |
| 33419 | LAT | 03/31/92-500 | 161.71 | 161.71 |
| 40849 | 1WC25700980 | 04/02/92-500 | 2880.00 | 2880.00 |
| 33887 | LAT | 04/30/92-500 | 166.58 | 166.58 |
| 34346 | LAT | 05/31/92-500 | 166.58 | 166.58 |

AC PRI 3 3 SWIFT ANITA

SWIFT, KENNEDY & COMPANY
MONTH END AGED ACCOUNTS RECEIVABLE FOR PERIOD CLOSING 04/30/98

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| PAGE 20 | | | | | | | | | | |
|---------|-----------------|--------------|---------|---------|---------|---------|---------|---------|-----------------|--------------|
| CUST | SHORT-NAME | TELEPHONE NO | | | | | | | | |
| INV NO | POLICY NUMBER | EFF DATE-PRD | TOTAL | PREBILL | CURRENT | 30 - 60 | 60 - 90 | OVER 90 | LAST PAY AMOUNT | LAST PA DATE |
| 34829 | LAT | 06/30/92-500 | 160.02 | | | | | | | |
| 35295 | LAT | 07/31/92-500 | 161.41 | | | | | 160.02 | | |
| 35734 | LAT | 08/31/92-500 | 161.41 | | | | | 161.41 | | |
| 36259 | LAT | 09/30/92-500 | 156.41 | | | | | 161.41 | | |
| 36641 | LAT | 10/31/92-500 | 153.91 | | | | | 156.41 | | |
| 37160 | LAT | 11/30/92-500 | 151.41 | | | | | 153.91 | | |
| 37576 | LAT | 12/31/92-500 | 148.91 | | | | | 151.41 | | |
| 38034 | LAT | 01/31/93-500 | 143.91 | | | | | 148.91 | | |
| 38470 | LAT | 02/28/93-500 | 138.91 | | | | | 143.91 | | |
| 38993 | LAT | 03/31/93-500 | 136.41 | | | | | 138.91 | | |
| 49189 | DIWC257009-90 | 04/02/93-500 | 627.00 | | | | | 136.41 | | |
| 39436 | LAT | 04/30/93-500 | 136.41 | | | | | 627.00 | | |
| 39875 | LAT | 05/31/93-500 | 133.91 | | | | | 136.41 | | |
| 40669 | LAT | 06/30/93-500 | 128.91 | | | | | 133.91 | | |
| 41333 | LAT | 07/31/93-500 | 123.91 | | | | | 128.91 | | |
| 41983 | LAT | 08/31/93-500 | 133.31 | | | | | 123.91 | | |
| 42745 | LAT | 09/30/93-500 | 128.31 | | | | | 133.31 | | |
| 43430 | LAT | 10/31/93-500 | 128.31 | | | | | 128.31 | | |
| 44069 | LAT | 11/30/93-500 | 128.31 | | | | | 128.31 | | |
| 44680 | LAT | 12/31/93-500 | 128.31 | | | | | 128.31 | | |
| 45259 | LAT | 01/31/94-500 | 128.31 | | | | | 128.31 | | |
| 45934 | LAT | 02/28/94-500 | 128.31 | | | | | 128.31 | | |
| 46670 | LAT | 03/31/94-500 | 128.31 | | | | | 128.31 | | |
| 57368 | DIWC257009-00 | 04/02/94-500 | 1942.00 | | | | | 128.31 | | |
| 58927 | DIAM246122-00 | 04/02/94-500 | 306.00 | | | | | 1942.00 | | |
| 47259 | LAT | 04/30/94-500 | 128.31 | | | | | 306.00 | | |
| 48034 | LAT | 05/31/94-500 | 128.31 | | | | | 128.31 | | |
| 48617 | LAT | 06/30/94-500 | 128.31 | | | | | 128.31 | | |
| 49257 | LAT | 07/31/94-500 | 128.31 | | | | | 128.31 | | |
| 49931 | LAT | 08/31/94-500 | 131.44 | | | | | 128.31 | | |
| 50637 | LAT | 09/30/94-500 | 131.44 | | | | | 131.44 | | |
| 51336 | LAT | 10/31/94-500 | 131.44 | | | | | 131.44 | | |
| 51909 | LAT | 11/30/94-500 | 131.44 | | | | | 131.44 | | |
| 52527 | LAT | 12/31/94-500 | 131.44 | | | | | 131.44 | | |
| 53086 | LAT | 01/31/95-500 | 131.44 | | | | | 131.44 | | |
| 53726 | LAT | 02/28/95-500 | 131.44 | | | | | 131.44 | | |
| 54352 | LAT | 03/31/95-500 | 131.44 | | | | | 131.44 | | |
| 65471 | DI-WC-257009-10 | 04/02/95-500 | 481.00 | | | | | 131.44 | | |
| 54945 | LAT | 04/30/95-500 | 131.44 | | | | | 481.00 | | |
| 55673 | LAT | 05/31/95-500 | 131.44 | | | | | 131.44 | | |
| 56340 | LAT | 06/30/95-500 | 131.44 | | | | | 131.44 | | |
| 56924 | LAT | 07/31/95-500 | 131.44 | | | | | 131.44 | | |
| 57542 | LAT | 08/31/95-500 | 121.73 | | | | | 131.44 | | |
| 58325 | LAT | 09/30/95-500 | 121.73 | | | | | 121.73 | | |
| 59015 | LAT | 10/31/95-500 | 121.73 | | | | | 121.73 | | |
| 59682 | LAT | 11/30/95-500 | 123.26 | | | | | 121.73 | | |
| 60310 | LAT | 12/31/95-500 | 123.26 | | | | | 123.26 | | |
| 60999 | LAT | 01/31/96-500 | 123.26 | | | | | 123.26 | | |
| 61726 | LAT | 02/29/96-500 | 123.26 | | | | | 123.26 | | |
| 62407 | LAT | 03/31/96-500 | 123.26 | | | | | 123.26 | | |
| 71424 | DI-WC-257009-20 | 04/02/96-500 | 122.00 | | | | | 123.26 | | |
| 62951 | LAT | 04/30/96-500 | 123.26 | | | | | 122.00 | | |
| | | | | | | | | 123.26 | | |

AC PRI 3 3 SWIFT ANITA

SWIFT, KENNEDY & COMPANY

MONTH END AGED ACCOUNTS RECEIVABLE FOR PERIOD CLOSING 04/30/98

PRINTED ON 04/24/98 14:59:15

PAGE 21

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 | 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | 207 | 208 | 209 | 210 | 211 | 212 | 213 | 214 | 215 | 216 | 217 | 218 | 219 | 220 | 221 | 222 | 223 | 224 | 225 | 226 | 227 | 228 | 229 | 230 | 231 | 232 | 233 | 234 | 235 | 236 | 237 | 238 | 239 | 240 | 241 | 242 | 243 | 244 | 245 | 246 | 247 | 248 | 249 | 250 | 251 | 252 | 253 | 254 | 255 | 256 | 257 | 258 | 259 | 260 | 261 | 262 | 263 | 264 | 265 | 266 | 267 | 268 | 269 | 270 | 271 | 272 | 273 | 274 | 275 | 276 | 277 | 278 | 279 | 280 | 281 | 282 | 283 | 284 | 285 | 286 | 287 | 288 | 289 | 290 | 291 | 292 | 293 | 294 | 295 | 296 | 297 | 298 | 299 | 300 | 301 | 302 | 303 | 304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 528 | 529 | 530 | 531 | 532 | 533 | 534 | 535 | 536 | 537 | 538 | 539 | 540 | 541 | 542 | 543 | 544 | 545 | 546 | 547 | 548 | 549 | 550 | 551 | 552 | 553 | 554 | 555 | 556 | 557 | 558 | 559 | 560 | 561 | 562 | 563 | 564 | 565 | 566 | 567 | 568 | 569 | 570 | 571 | 572 | 573 | 574 | 575 | 576 | 577 | 578 | 579 | 580 | 581 | 582 | 583 | 584 | 585 | 586 | 587 | 588 | 589 | 590 | 591 | 592 | 593 | 594 | 595 | 596 | 597 | 598 | 599 | 600 | 601 | 602 | 603 | 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 | 612 | 613 | 614 | 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 | 623 | 624 | 625 | 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 | 634 | 635 | 636 | 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 | 645 | 646 | 647 | 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 | 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 | 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 | 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 | 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700 | 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 | 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 | 722 | 723 | 724 | 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 | 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 | 744 | 745 | 746 | 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 | 755 | 756 | 757 | 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 | 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800 | 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 | 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 | 821 | 822 | 823 | 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 | 832 | 833 | 834 | 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 | 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 | 854 | 855 | 856 | 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 | 865 | 866 | 867 | 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 | 876 | 877 | 878 | 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 | 887 | 888 | 889 | 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 | 898 | 899 | 900 | 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 | 909 | 910 | 911 | 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 | 920 | 921 | 922 | 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 | 931 | 932 | 933 | 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 | 942 | 943 | 944 | 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 | 953 | 954 | 955 | 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 | 964 | 965 | 966 | 967 | 968 | 969 | 970 | 971 | 972 | 973 | 974 | 975 | 976 | 977 | 978 | 979 | 980 | 981 | 982 | 983 | 984 | 985 | 986 | 987 | 988 | 989 | 990 | 991 | 992 | 993 | 994 | 995 | 996 | 997 | 998 | 999 | 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 | 1008 | 1009 | 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 | 1019 | 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 1029 | 1030 | 1031 | 1032 | 1033 | 1034 | 1035 | 1036 | 1037 | 1038 | 1039 | 1040 | 1041 | 1042 | 1043 | 1044 | 1045 | 1046 | 1047 | 1048 | 1049 | 1050 | 1051 | 1052 | 1053 | 1054 | 1055 | 1056 | 1057 | 1058 | 1059 | 1060 | 1061 | 1062 | 1063 | 1064 | 1065 | 1066 | 1067 | 1068 | 1069 | 1070 | 1071 | 1072 | 1073 | 1074 | 1075 | 1076 | 1077 | 1078 | 1079 | 1080 | 1081 | 1082 | 1083 | 1084 | 1085 | 1086 | 1087 | 1088 | 1089 | 1090 | 1091 | 1092 | 1093 | 1094 | 1095 | 1096 | 1097 | 1098 | 1099 | 1100 | 1101 | 1102 | 1103 | 1104 | 1105 | 1106 | 1107 | 1108 | 1109 | 1110 | 1111 | 1112 | 1113 | 1114 | 1115 | 1116 | 1117 | 1118 | 1119 | 1120 | 1121 | 1122 | 1123 | 1124 | 1125 | 1126 | 1127 | 1128 | 1129 | 1130 | 1131 | 1132 | 1133 | 1134 | 1135 | 1136 | 1137 | 1138 | 1139 | 1140 | 1141 | 1142 | 1143 | 1144 | 1145 | 1146 | 1147 | 1148 | 1149 | 1150 | 1151 | 1152 | 1153 | 1154 | 1155 | 1156 | 1157 | 1158 | 1159 | 1160 | 1161 | 1162 | 1163 | 1164 | 1165 | 1166 | 1167 | 1168 | 1169 | 1170 | 1171 | 1172 | 1173 | 1174 | 1175 | 1176 | 1177 | 1178 | 1179 | 1180 | 1181 | 1182 | 1183 | 1184 | 1185 | 1186 | 1187 | 1188 | 1189 | 1190 | 1191 | 1192 | 1193 | 1194 | 1195 | 1196 | 1197 | 1198 | 1199 | 1200 | 1201 | 1202 | 1203 | 1204 | 1205 | 1206 | 1207 | 1208 | 1209 | 1210 | 1211 | 1212 | 1213 | 1214 | 1215 | 1216 | 1217 | 1218 | 1219 | 1220 | 1221 | 1222 | 1223 | 1224 | 1225 | 1226 | 1227 | 1228 | 1229 | 1230 | 1231 | 1232 | 1233 | 1234 | 1235 | 1236 | 1237 | 1238 | 1239 | 1240 | 1241 | 1242 | 1243 | 1244 | 1245 | 1246 | 1247 | 1248 | 1249 | 1250 | 1251 | 1252 | 1253 | 1254 | 1255 | 1256 | 1257 | 1258 | 1259 | 1260 | 1261 | 1262 | 1263 | 1264 | 1265 | 1266 | 1267 | 1268 | 1269 | 1270 | 1271 | 1272 | 1273 | 1274 | 1275 | 1276 | 1277 | 1278 | 1279 | 1280 | 1281 | 1282 | 1283 | 1284 | 1285 | 1286 | 1287 | 1288 | 1289 | 1290 | 1291 | 1292 | 1293 | 1294 | 1295 | 1296 | 1297 | 1298 | 1299 | 1300 | 1301 | 1302 | 1303 | 1304 | 1305 | 1306 | 1307 | 1308 | 1309 | 1310 | 1311 | 1312 | 1313 | 1314 | 1315 | 1316 | 1317 | 1318 | 1319 | 1320 | 1321 | 1322 | 1323 | 1324 | 1325 | 1326 | 1327 | 1328 | 1329 | 1330 | 1331 | 1332 | 1333 | 1334 | 1335 | 1336 | 1337 | 1338 | 1339 | 1340 | 1341 | 1342 | 1343 | 1344 | 1345 | 1346 | 1347 | 1348 | 1349 | 1350 | 1351 | 1352 | 1353 | 1354 | 1355 | 1356 | 1357 | 1358 | 1359 | 1360 | 1361 | 1362 | 1363 | 1364 | 1365 | 1366 | 1367 | 1368 | 1369 | 1370 | 1371 | 1372 | 1373 | 1374 | 1375 | 1376 | 1377 | 1378 | 1379 | 1380 | 1381 | 1382 | 1383 | 1384 | 1385 | 1386 | 1387 | 1388 | 1389 | 1390 | 1391 | 1392 | 1393 | 1394 | 1395 | 1396 | 1397 | 1398 | 1399 | 1400 | 1401 | 1402 | 1403 | 1404 | 1405 | 1406 | 1407 | 1408 | 1409 | 1410 | 1411 | 1412 | 1413 | 1414 | 1415 | 1416 | 1417 | 1418 | 1419 | 1420 | 1421 | 1422 | 1423 | 1424 | 1425 | 1426 | 1427 | 1428 | 1429 | 1430 | 1431 | 1432 | 1433 | 1434 | 1435 | 1436 | 1437 | 1438 | 1439 | 1440 | 1441 | 1442 | 1443 | 1444 | 1445 | 1446 | 1447 | 1448 | 1449 | 1450 | 1451 | 1452 | 1453 | 1454 | 1455 | 1456 | 1457 | 1458 | 1459 | 1460 | 1461 | 1462 | 1463 | 1464 | 1465 | 1466 | 1467 | 1468 | 1469 | 1470 | 1471 | 1472 | 14 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

115

SWIFT, HOPKINS, INC. t/d/b/a,
SWIFT, KENNEDY & CO.,

PLAINTIFF

VS

114

MARKETING SPECIALISTS, INC.,
DEFENDANT

NO. 00 - 275 -CD

TYPE OF CASE: CIVIL

TYPE OF PLEADING:
COMPLAINT

FILED ON BEHALF OF:
PLAINTIFF

COUNSEL OF RECORD FOR
THIS PARTY:
BENJAMIN S. BLAKLEY, III

SUPREME COURT NO.: 26331

BLAKLEY, JONES & MOHNEY
90 BEAVER DRIVE, BOX 6
DU BOIS, PA 15801
(814) 371-2730

FILED

MAR 02 2000

William A. Shaw
Prothonotary

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

| | | | |
|------------------------------|---|----------|-----|
| SWIFT, HOPKINS, INC. t/d/b/a | : | | |
| SWIFT, KENNEDY & CO., | : | | |
| Plaintiff | : | | |
| | : | No. 00 - | -CD |
| vs. | : | | |
| | : | | |
| MARKETING SPECIALISTS, INC., | : | | |
| Defendant | : | | |

NOTICE

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 AMENDED COMPLAINT OR FOR ANY OTHER 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 Courthouse
Clearfield, PA 16830
(814) 765-2641

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

| | | | |
|------------------------------|---|----------|-----|
| SWIFT, HOPKINS, INC. t/d/b/a | : | | |
| SWIFT, KENNEDY & CO., | : | | |
| Plaintiff | : | | |
| | : | No. 00 - | -CD |
| vs. | : | | |
| | : | | |
| MARKETING SPECIALISTS, INC., | : | | |
| Defendant | : | | |

COMPLAINT

AND NOW, comes the Plaintiffs, SWIFT, HOPKINS, INC., t/d/b/a SWIFT, KENNEDY & CO., by and through their attorneys, BLAKLEY, JONES & MOHNEY, and filed this Complaint against MARKETING SPECIALISTS, INC. upon the cause of action of which the following is a statement.

1. Plaintiff is SWIFT, HOPKINS, INC. t/d/b/a SWIFT, KENNEDY & CO., a Pennsylvania corporation with its registered offices located at 994 Beaver Drive, Du Bois, Clearfield County, Pennsylvania 15801.

2. MARKETING SPECIALISTS, INC. is a Pennsylvania corporation with its registered offices located at 101 North Main Street, Du Bois, Clearfield County, Pennsylvania.

3. At all times material hereto, the Plaintiff was in the business of sales and service of various forms of policies of insurance.

4. During various times commencing October 2, 1998, and continuing through April 2, 1994, the Defendant did purchase various policies of insurance from the Plaintiff in order to insure various aspects of the Defendant's business and business premises for which the Plaintiff billed the Defendant for premiums totaling \$26,609.09.

5. Having been billed for the premiums upon said policies of insurance purchased by the Defendant from the Plaintiff, the Defendant has failed to make payments upon premium charges due and owing the Plaintiff by the Defendant despite repeated requests for payment by the Plaintiff.

6. That as a result of Defendant's failure to pay premium payments upon the policies of insurance purchased by the Defendant from the Plaintiff, the Plaintiff has billed to the Defendant, service charges and late fees through September 30, 1999, in the amount of \$12,977.48.

7. That the total amount due and owing the Plaintiff by the Defendant as of September 30, 1999, for unpaid insurance premiums and late fees and service charges is \$39,586.57. A copy of the printout outlining all charges made on Defendant's account is attached hereto and marked Exhibit "A."

8. That the Plaintiff has contacted the agents of the Defendant at various times since the initial purchase of insurance policies by the Defendant from the Plaintiff with the latest contacts taking place at various times during the year 1999 and with the agent of the Defendant, specifically Joseph G. Pannette, at all times ratifying and affirming the debt of the Defendant to the Plaintiff and promising payment of said debt by Defendant to the Plaintiff during such periods of contact.

WHEREFORE, Plaintiff demands judgment in its favor and against Defendant, MARKETING SPECIALISTS, INC. in the amount of \$39,586.57, plus interest and costs of suit.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

By: 

Benjamin S. Blakley, III.,
Attorney for Plaintiff

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

SWIFT, HOPKINS, INC. t/d/b/a
SWIFT, KENNEDY & CO.

DATE: 3/1/00

By: Francis E Anderson
FRANCIS A. ANDERSON, President

Swift, Kennedy & Co.

994 Beaver Drive

DuBois PA 15801

Phone : 814-371-5270 Fax : 814-371-2898

STATEMENT

Page 1

ACCOUNT NO.

CSR

STATEMENT AS OF

MARKE-1**AT****02/09/00**

PRODUCER

Francis E Anderson

AMOUNT DUE

\$ 39586.57

AMOUNT PAID

Marketing Specialists Inc

M E Jones Hearing Instruments

101 N Main St

DuBois, PA 15801

*** PLEASE RETURN TOP PORTION WITH REMITTANCE ***

| Inv # | Pol | Eff Date | Description | Amount | Pay/Credit | Balance Due |
|---------|-----|----------|--------------|----------|------------|-------------|
| * 262 | | 04/29/98 | system openi | 126.28 | 0.00 | 126.28 |
| * 263 | | 03/29/98 | system openi | 126.28 | 0.00 | 126.28 |
| * 264 | | 02/27/98 | system openi | 126.28 | 0.00 | 126.28 |
| * 265 | | 01/28/98 | system openi | 36099.77 | 0.00 | 36099.77 |
| * 2656 | | 06/02/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 3982 | | 07/01/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 4918 | | 08/03/98 | Service Char | 184.22 | 0.00 | 184.22 |
| * 6043 | | 09/01/98 | Service Char | 184.22 | 0.00 | 184.22 |
| * 7107 | | 10/06/98 | Service Char | 186.06 | 0.00 | 186.06 |
| * 7946 | | 10/30/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 8615 | | 11/30/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 9541 | | 12/31/98 | Service Char | 182.39 | 0.00 | 182.39 |
| * 10222 | | 01/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 11124 | | 02/26/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 12019 | | 03/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 12939 | | 04/30/99 | Service Char | 547.18 | 364.79 | 182.39 |
| * 13815 | | 05/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 14850 | | 06/30/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 15763 | | 07/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 16539 | | 08/31/99 | Service Char | 182.39 | 0.00 | 182.39 |
| * 17647 | | 09/30/99 | Service Char | 182.39 | 0.00 | 182.39 |

Total Balance Due:

39586.57

* = Item Number

EXHIBIT "A"

| BRANCH CODE 00 CUSTOMER 17174 MARKETING, SPEC | | | | 500.00 09/30/93 |
|---|----------------|--------------|---------|-------------------------|
| 10022 | 01CC2024931 | 10/02/88-500 | 3333.09 | 3333.09 500.00 09/30/93 |
| 10023 | 01CC2024931 | 01/02/89-500 | 4889.75 | 4889.75 |
| 18003 | BINDER44 | 06/21/89-500 | 1072.00 | 1072.00 |
| 17194 | 01AM246122-5 | 10/02/89-500 | 1949.00 | 1949.00 |
| 17279 | 01CC202493-2 | 10/02/89-500 | 2786.50 | 2786.50 |
| 17195 | 01AM246122-5 | 01/02/90-500 | 1948.25 | 1948.25 |
| 17280 | 01CC202493-2 | 01/02/90-500 | 2786.50 | 2786.50 |
| 28838 | LAT | 06/30/91-500 | 149.98 | 149.98 |
| 29404 | LAT | 07/31/91-500 | 147.43 | 147.43 |
| 29897 | LAT | 08/31/91-500 | 168.81 | 168.81 |
| 30440 | LAT | 09/30/91-500 | 164.44 | 164.44 |
| 29096 | 01AM246211-7 | 10/02/91-500 | 994.93 | 994.93 |
| 31079 | LAT | 10/31/91-500 | 159.44 | 159.44 |
| 31536 | LAT | 11/30/91-500 | 173.29 | 173.29 |
| 31936 | LAT | 12/31/91-500 | 163.29 | 163.29 |
| 28965 | 01-CC-202493-4 | 01/02/92-500 | 1699.25 | 1699.25 |
| 29097 | 01AM246211-7 | 01/02/92-500 | 1322.75 | 1322.75 |
| 32397 | LAT | 01/31/92-500 | 159.10 | 159.10 |
| 32925 | LAT | 02/29/92-500 | 169.21 | 169.21 |
| 33419 | LAT | 03/31/92-500 | 161.71 | 161.71 |
| 40849 | 1WC25700980 | 04/02/92-500 | 2880.00 | 2880.00 |
| 33887 | LAT | 04/30/92-500 | 166.58 | 166.58 |
| 34346 | LAT | 05/31/92-500 | 166.58 | 166.58 |

AC PRI 3 3 SWIFT ANITA

SWIFT, KENNEDY & COMPANY

MONTH END AGED ACCOUNTS RECEIVABLE FOR PERIOD CLOSING 04/30/98

PRINTED ON 04/24/98 14:59:15

PAGE 20

| PAGE 20 | | | | | | | | | | |
|---------|-----------------|--------------|---------|---------|---------|---------|---------|---------|------------------|------|
| CUST | SHORT-NAME | TELEPHONE NO | | | | | | | LAST PAY LAST PA | |
| INV NO | POLICY NUMBER | EFF DATE-PRD | TOTAL | PREBILL | CURRENT | 30 - 60 | 60 - 90 | OVER 90 | AMOUNT | DATE |
| 34829 | LAT | 06/30/92-500 | 160.02 | | | | | 160.02 | | |
| 35295 | LAT | 07/31/92-500 | 161.41 | | | | | 161.41 | | |
| 35734 | LAT | 08/31/92-500 | 161.41 | | | | | 161.41 | | |
| 36259 | LAT | 09/30/92-500 | 156.41 | | | | | 156.41 | | |
| 36641 | LAT | 10/31/92-500 | 153.91 | | | | | 153.91 | | |
| 37160 | LAT | 11/30/92-500 | 151.41 | | | | | 151.41 | | |
| 37576 | LAT | 12/31/92-500 | 148.91 | | | | | 148.91 | | |
| 38034 | LAT | 01/31/93-500 | 143.91 | | | | | 143.91 | | |
| 38470 | LAT | 02/28/93-500 | 138.91 | | | | | 138.91 | | |
| 38993 | LAT | 03/31/93-500 | 136.41 | | | | | 136.41 | | |
| 49189 | 01WC257009-90 | 04/02/93-500 | 627.00 | | | | | 627.00 | | |
| 39436 | LAT | 04/30/93-500 | 136.41 | | | | | 136.41 | | |
| 39875 | LAT | 05/31/93-500 | 133.91 | | | | | 133.91 | | |
| 40669 | LAT | 06/30/93-500 | 128.91 | | | | | 128.91 | | |
| 41333 | LAT | 07/31/93-500 | 123.91 | | | | | 123.91 | | |
| 41983 | LAT | 08/31/93-500 | 133.31 | | | | | 133.31 | | |
| 42745 | LAT | 09/30/93-500 | 128.31 | | | | | 128.31 | | |
| 43430 | LAT | 10/31/93-500 | 128.31 | | | | | 128.31 | | |
| 44069 | LAT | 11/30/93-500 | 128.31 | | | | | 128.31 | | |
| 44680 | LAT | 12/31/93-500 | 128.31 | | | | | 128.31 | | |
| 45259 | LAT | 01/31/94-500 | 128.31 | | | | | 128.31 | | |
| 45934 | LAT | 02/28/94-500 | 128.31 | | | | | 128.31 | | |
| 46670 | LAT | 03/31/94-500 | 128.31 | | | | | 128.31 | | |
| 57368 | 01WC257009-00 | 04/02/94-500 | 1942.00 | | | | | 1942.00 | | |
| 58927 | 01AM246122-00 | 04/02/94-500 | 306.00 | | | | | 306.00 | | |
| 47259 | LAT | 04/30/94-500 | 128.31 | | | | | 128.31 | | |
| 48034 | LAT | 05/31/94-500 | 128.31 | | | | | 128.31 | | |
| 48617 | LAT | 06/30/94-500 | 128.31 | | | | | 128.31 | | |
| 49257 | LAT | 07/31/94-500 | 128.31 | | | | | 128.31 | | |
| 49931 | LAT | 08/31/94-500 | 131.44 | | | | | 131.44 | | |
| 50637 | LAT | 09/30/94-500 | 131.44 | | | | | 131.44 | | |
| 51336 | LAT | 10/31/94-500 | 131.44 | | | | | 131.44 | | |
| 51909 | LAT | 11/30/94-500 | 131.44 | | | | | 131.44 | | |
| 52527 | LAT | 12/31/94-500 | 131.44 | | | | | 131.44 | | |
| 53086 | LAT | 01/31/95-500 | 131.44 | | | | | 131.44 | | |
| 53726 | LAT | 02/28/95-500 | 131.44 | | | | | 131.44 | | |
| 54352 | LAT | 03/31/95-500 | 131.44 | | | | | 131.44 | | |
| 65471 | 01-WC-257009-10 | 04/02/95-500 | 481.00 | | | | | 481.00 | | |
| 54945 | LAT | 04/30/95-500 | 131.44 | | | | | 131.44 | | |
| 55673 | LAT | 05/31/95-500 | 131.44 | | | | | 131.44 | | |
| 56340 | LAT | 06/30/95-500 | 131.44 | | | | | 131.44 | | |
| 56924 | LAT | 07/31/95-500 | 131.44 | | | | | 131.44 | | |
| 57542 | LAT | 08/31/95-500 | 121.73 | | | | | 121.73 | | |
| 58325 | LAT | 09/30/95-500 | 121.73 | | | | | 121.73 | | |
| 59015 | LAT | 10/31/95-500 | 121.73 | | | | | 121.73 | | |
| 59682 | LAT | 11/30/95-500 | 123.26 | | | | | 123.26 | | |
| 60310 | LAT | 12/31/95-500 | 123.26 | | | | | 123.26 | | |
| 60999 | LAT | 01/31/96-500 | 123.26 | | | | | 123.26 | | |
| 61726 | LAT | 02/29/96-500 | 123.26 | | | | | 123.26 | | |
| 62407 | LAT | 03/31/96-500 | 123.26 | | | | | 123.26 | | |
| 71424 | 01-WC-257009-20 | 04/02/96-500 | 122.00 | | | | | 122.00 | | |
| 62951 | LAT | 04/30/96-500 | 123.26 | | | | | 123.26 | | |

AC PRI 3 3 SWIFT ANITA

SWIFT, KENNEDY & COMPANY

MONTH END AGED ACCOUNTS RECEIVABLE FOR PERIOD CLOSING 04/30/98

PRINTED ON 04/24/98 14:59:15

PAGE 21

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|----|-----------------|---------------|--------------|----------|---------|---------|---------|---------|----------|-----------------|------|
| | CUST | SHORT-NAME | TELEPHONE NO | | | | | | | LAST PAY LAST P | |
| | INV NO | POLICY NUMBER | EFF DATE-PRD | TOTAL | PREBILL | CURRENT | 30 - 60 | 60 - 90 | OVER 90 | AMOUNT | DATE |
| 5 | 63596 | LAT | 05/31/96-500 | 123.26 | | | | | 123.26 | | |
| 6 | 64179 | LAT | 06/30/96-500 | 123.26 | | | | | 123.26 | | |
| 7 | 64785 | LAT | 07/31/96-500 | 123.26 | | | | | 123.26 | | |
| 8 | 65445 | LAT | 08/31/96-500 | 123.26 | | | | | 123.26 | | |
| 9 | 66184 | LAT | 09/30/96-500 | 123.26 | | | | | 123.26 | | |
| 10 | 66916 | LAT | 10/31/96-500 | 125.67 | | | | | 125.67 | | |
| 11 | 67585 | LAT | 11/30/96-500 | 125.67 | | | | | 125.67 | | |
| 12 | 68243 | LAT | 12/31/96-500 | 125.67 | | | | | 125.67 | | |
| 13 | 68801 | LAT | 01/31/97-500 | 125.67 | | | | | 125.67 | | |
| 14 | 69525 | LAT | 02/28/97-500 | 125.67 | | | | | 125.67 | | |
| 15 | 70116 | LAT | 03/31/97-500 | 125.67 | | | | | 125.67 | | |
| 16 | 70703 | LAT | 04/30/97-500 | 125.67 | | | | | 125.67 | | |
| 17 | 71357 | LAT | 05/31/97-500 | 125.67 | | | | | 125.67 | | |
| 18 | 71916 | LAT | 06/30/97-500 | 125.67 | | | | | 125.67 | | |
| 19 | 72686 | LAT | 07/31/97-500 | 126.28 | | | | | 126.28 | | |
| 20 | 73398 | LAT | 08/31/97-100 | 126.28 | | | | | 126.28 | | |
| 21 | 74131 | LAT | 09/30/97-100 | 126.28 | | | | | 126.28 | | |
| 22 | 74762 | LAT | 10/31/97-100 | 126.28 | | | | | 126.28 | | |
| 23 | 75671 | LAT | 11/30/97-100 | 126.28 | | | | | 126.28 | | |
| 24 | 76379 | LAT | 12/31/97-100 | 126.28 | | | | | 126.28 | | |
| 25 | 77009 | LAT | 01/31/98-100 | 126.28 | | | | | 126.28 | | |
| 26 | 78200 | LAT | 02/28/98-100 | 126.28 | | | | 126.28 | | | |
| 27 | 78878 | LAT | 03/31/98-100 | 126.28 | | | 126.28 | | | | |
| 28 | 79363 | LAT | 04/30/98-100 | 126.28 | | 126.28 | | | | | |
| 29 | CUSTOMER TOTALS | | | 36478.61 | 0.00 | 126.28 | 126.28 | 126.28 | 36099.77 | | |

TF to New
Computer

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 00-275-CD

SWIFT, HOPKINS, INC., t/d/b/a
SWIFT, KENNEDY & CO.,
Plaintiff

vs.

MARKETING SPECIALISTS, INC.,
Defendant

PRAECIPE TO ENTER JUDGMENT BY
DEFAULT

FILED

APR 10 2000

018:521 Cathy Bakley
with A. Shaw
Prothonotary

DC 000100

Not to be
Stat. to

Cathy Bakley

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6

DUBOIS, PA 15801

COPY

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

SWIFT, HOPKINS, INC. t/d/b/a SWIFT,

KENNEDY & CO.,

Plaintiff

vs.

MARKETING SPECIALISTS, INC.,

Defendant(s)

No. 00-275-CD

Real Debt \$39,586.57

Atty's Comm _____

Costs _____

Int. From _____

Entry \$ 20.00

Instrument DEFAULT JUDGMENT

Date of Entry April 10, 2000

Expires April 10, 2005

Certified from the record this 10th day of April, 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

COPY

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

SWIFT, HOPKINS, INC. t/d/b/a
SWIFT, KENNEDY & CO.,
Plaintiff

vs.

MARKETING SPECIALISTS, INC.,
Defendant

No. 00 - 275 -CD

NOTICE OF JUDGMENT

TO: MARKETING SPECIALISTS, INC., Defendant

Notice is given that judgment in the above-captioned matter has been entered against you in the amount of \$39,586.57, together with interest and costs of suit on the 10th day of April, 2000.

William A. Shaw, Prothonotary

By: _____



Deputy

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

SWIFT, HOPKINS, INC. t/d/b/a,
SWIFT, KENNEDY & CO.,
PLAINTIFF

VS

114
MARKETING SPECIALISTS, INC.,
DEFENDANT

NO. 00-275 -CD

TYPE OF CASE: CIVIL

TYPE OF PLEADING:
PRAECIPE TO ENTER
JUDGMENT BY DEFAULT

FILED ON BEHALF OF:
PLAINTIFF

COUNSEL OF RECORD FOR
THIS PARTY:
BENJAMIN S. BLAKLEY, III

SUPREME COURT NO.: 26331

BLAKLEY, JONES & MOHNEY
90 BEAVER DRIVE, BOX 6
DU BOIS, PA 15801
(814) 371-2730

FILED

APR 10 2000

William A. Shaw
Prothonotary

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

| | | |
|------------------------------|---|------------------|
| SWIFT, HOPKINS, INC. t/d/b/a | : | |
| SWIFT, KENNEDY & CO., | : | |
| Plaintiff | : | |
| | : | No. 00 - 275 -CD |
| vs. | : | |
| | : | |
| MARKETING SPECIALISTS, INC., | : | |
| Defendant | : | |

PRAECIPE TO ENTER JUDGMENT BY DEFAULT

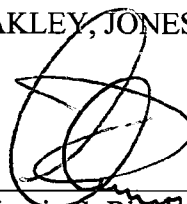
TO: WILLIAM A. SHAW, PROTHONOTARY

Please enter judgment of default in favor of Plaintiff, SWIFT, HOPKINS, INC., t/d/b/a SWIFT, KENNEDY & CO. and against Defendant, MARKETING SPECIALISTS, INC. for Defendant's failure to plead to the Complaint in this action within the required time. The Complaint contains a Notice to Defend within twenty (20) days from the date of service thereof. Defendant was served with the Complaint on March 6, 2000, and Defendant's Answer was due to be filed on March 26, 2000. Attached as Exhibit "A" is a copy of Plaintiff's written notice of intention to file a Praecipe for Entry of Default Judgment, which I certify was mailed by regular mail to the Defendant at its last known address on March 29, 2000, which is at least ten (10) days prior to the filing of this Praecipe. There is no attorney of record for the Defendant in this matter.

Please assess damages in the amount of \$39,586.57, plus interest and costs of suit, being the amount demanded in the Complaint.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY



Benjamin S. Blakley, III, Esquire
Attorney for Plaintiff

U.S. POSTAL SERVICE
CERTIFICATE OF MAILING

JONES & MOHNEY

DRIVE, BOX 6

PA 15801

any mail addressed to:

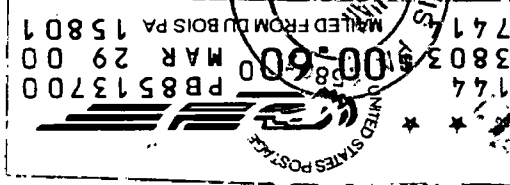
GC SPECIALISTS, INC.

TH MAIN STREET

PA 15801

FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
NEED POSTMASTER

U.S. Government Printing Office



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

| | | |
|------------------------------|---|------------------|
| SWIFT, HOPKINS, INC. t/d/b/a | : | |
| SWIFT, KENNEDY & CO., | : | |
| Plaintiff | : | |
| vs. | : | No. 00 - 275 -CD |
| | : | |
| MARKETING SPECIALISTS, INC., | : | |
| Defendant | : | |

TO: Marketing Specialists, Inc.
M. E. Jones Hearing Instruments
101 North Main Street
Du Bois, PA 15801

DATE OF NOTICE: March 29, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR WRITTEN DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Office of the Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

BLAKLEY, JONES & MOHNEY

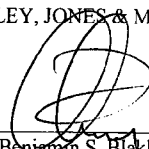
BY: 
Benjamin S. Blakley, III,
Attorney for Plaintiff

EXHIBIT "A"