

00-545-CD
DOUGLAS EXPLOSIVES, INC. -vs- BIG "J" MINING, INC.

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

DOUGLAS EXPLOSIVES, INC.,
Plaintiff

vs.

BIG "J" MINING, INC.,
Defendant

No. 00-545-00

Code: Complaint

Filed on behalf of:
Douglas Explosives, Inc., Plaintiff

Attorney for the Plaintiff:
George S. Test, Esquire
P. O. Box 706
Philipsburg, PA 16866
(814) 342-4640

PA I.D. #15915

FILED

MAY 10 2000

William A. Shaw
Prothonotary

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

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

DOUGLAS EXPLOSIVES, INC.,

Plaintiff

No. _____

vs.

BIG "J" MINING, INC.,

Defendant

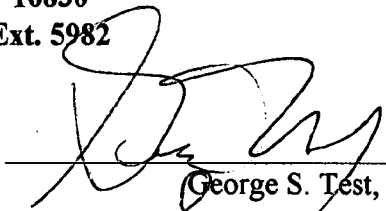
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NOTICE

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 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 FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator's Office
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 Ext. 5982


George S. Test, Esquire

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

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

DOUGLAS EXPLOSIVES, INC.,

Plaintiff

vs.

BIG "J" MINING, INC.,

Defendant

*

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*

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No. _____

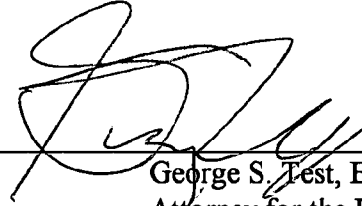
COMPLAINT

1. The Plaintiff is Douglas Explosives, Inc., a Pennsylvania Corporation whose address is P. O. Box 77, Graham Station, Philipsburg, Pennsylvania 16866.
2. The Defendant is Big "J" Mining, Inc., who Plaintiff believes to be a Pennsylvania Corporation, whose address is R. D. 1 Box 114A, Hastings, Pennsylvania 16646.
3. The Plaintiff is engaged in the business of blasting and supplying blasting materials to businesses engaged in the mining of coal.
4. The Defendant is in the business of mining coal by the strip mining method.
5. At the request of the Defendant, the Plaintiff furnished the goods and services listed in Exhibit A-1 through A-4 on the dates indicated.
6. The costs of said goods and services are summarized in Exhibit B. The total amount due is \$12,208.94.
7. The charges for said good and services are the customary and normal charges for the goods and services supplied to the Defendant by the Plaintiff.

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

8. Defendant has failed and refused to pay for said goods and services.

WHEREFORE, Plaintiff requests judgment against the Defendant in the amount of \$12,208.94 plus costs and interest.



George S. Test, Esquire
Attorney for the Plaintiff

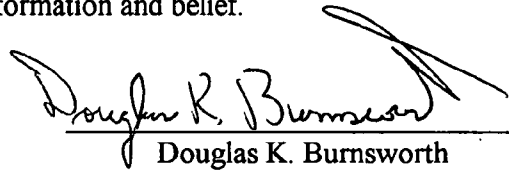
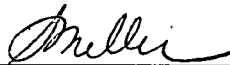
COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD

:

AFFIDAVIT

On this, the 30 day of MAY, 2000, before me, a Notary Public, personally appeared DOUGLAS K. BURNSWORTH, President of Douglas Explosives, Inc., the Plaintiff herein and acknowledged that he has read the foregoing Complaint and that the statements made therein are true and correct to the best of his information and belief.


Douglas K. Burnsworth

N. P.

Notarial Seal
Susanna Miller, Notary Public
Decatur Twp., Clearfield County
My Commission Expires May 24, 2003
Member, Pennsylvania Association of Notaries

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

56 Holes 3:25p.m.
40'-51' Deep
Were Backfilled

Remit Payments To: P.O. Box 77, Philipsburg, PA 16866

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

Phone (814) 267-5323 Fed. Lic. 8PA017200J01090
State Lic. 1050

CUSTOMER
ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5751-1

SHIP
VIA



☐ PICK-UP



DELIVERY

FEDERAL/STATE
LIC. #

SHOT BY DOUGLAS

DATE ▶ 1-14-00

CUSTOMER NUMBER

SOLD TO ▶ BIG "J" MINING, INC.

R.D.#1, BOX 114 A
HASTINGS, PA

ZIP
CODE 16646

SHIP TO ▶ BOSWELL

CITY ▶

STATE ▶

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
112 ea.	3/4# CAST PRIMERS	3.18		356.16		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
23,023#	ANFO BULK/ BAKES	15.86		3,651.45		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONEL					
56 ea.	20' Primadet #12	221.00		123.76		
56 ea.	50' Primadet #12	385.00		215.60		
	(47) (9)					
56 ea.	20' EZTL 17 42	289.00		161.84		
No	Lead In Line			--		
			I.I.S.			
				4,508.81		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

SALES TAX

1)

☒ NOT SUBJECT TO
PA SALES TAX

2)

3)

☐ ADD PA SALES TAX

COST

1)

GROSS WEIGHT

2)

TARE WEIGHT

3)

NET WEIGHT

Remit Payments To: P.O. Box 77, Philipsburg, PA 16866

35 Holes 12:42p.m.
45'-51' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

CUSTOMER
ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5742-1

SHIP
VIA

☐

PICK-UP

☒

DELIVERY

FEDERAL/STATE

LIC. # SHOT BY DOUGLAS

Phone
(814) 267-5323

Fed. Lic. 8PA017200J01090

State Lic. 1050

DATE 1-06-90

CUSTOMER NUMBER

SOLD TO
BIG "J" MINING, INC.
R.D.#1, BOX 114 A
HASTINGS, PA

ZIP
CODE 16646

SHIP TO
BOSWELL

CITY

STATE

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
70 ea.	3/4# CAST PRIMERS	3.18		222.60		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
16,354#	ANFO BULK/PAGE	15.86		2,593.74		
105#	130 Heet ANFO TUBES 5 1/2 X 35	39.04		40.99		
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONEL					
36 ea.	20' Primadet #0 #12	221.00		79.56		
35 ea.	50' Primadet #12	385.00		134.75		
25 ea.	20' EZTL 17	289.00		72.25		
9 ea.	30' EZTL 42	356.00		32.04		
6 ea.	Hole Plugs	6.18		37.08		
No	Lead In Line			--		
			I.I.S.			
				3,213.01		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

SALES TAX

1)

☒ NOT SUBJECT TO PA SALES TAX

2)

3)

☐ ADD PA SALES TAX

COST

1)

GROSS WEIGHT

2)

TARE WEIGHT

3)

NET WEIGHT

Remit Payments To: P.O. Box 77, Philipsburg, PA 16866

42 Holes 11:55a.m.
18'-28' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

CUSTOMER
ORDER NO.



ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5741-1

SHIP
VIA



PICK-UP



DELIVERY

FEDERAL/STATE
LIC. # SHOT BY DOUGLAS

Phone
(814) 267-5323

Fed. Lic. 8PA017200J01090
State Lic. 1050

DATE 1-04-00

CUSTOMER NUMBER

SOLD
TO

BIG "J" MINING, INC.
R.D.#1, BOX 114 A
HASTINGS, PA

ZIP
CODE 16646

SHIP
TO

STOYSTOWN JOB SHOT

CITY

STATE

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
58 ea.	3/4# CAST PRIMERS	3.18		184.44		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
7,553#	ANFO BULK/ XXXX	15.86		1,197.91		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONEL					
43 ea.	20' Primadet #0 #12	221.00		95.03		
16 ea.	30' Primadet #12 (33) (8)	275.00		44.00		
41 ea.	20' EZTL 17 42	289.00		118.49		
No	Lead In Line			--		
			I.I.S.			
				1,639.87		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIONS" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

SALES TAX

1)

☒ NOT SUBJECT TO
PA SALES TAX

2) ✓

3)

☐ ADD PA SALES TAX

COST
1)

GROSS WEIGHT

2)

TARE WEIGHT

3)

NET WEIGHT

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

Remit Payments To: P.O. Box 77, Philipsburg, PA 16866

31 Holes 3:52p.m.
33'-51' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED. subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

Phone (814) 267-5323 Fed. Lic. 8PA017200J01090
State Lic. 1050

DATE 11-18-99 CUSTOMER NUMBER

SOLD TO BIG "J" MINING, INC.

R.D.#1, BOX 114A
HASTINGS, PA

ZIP CODE 16646

SHIP TO BOSWELL

CITY STATE

CUSTOMER
ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5716-1

SHIP
VIA

☐

PICK-UP

☒

DELIVERY

FEDERAL/STATE
LIC. # SHOT BY DOUGLAS

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
62 ea.	3/4# CAST PRIMERS	3.18		197.16		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
14,952#	ANFO BULK/XXXX	15.86		2,371.39		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
32 ea.	Primadet 20' NONEL #0 #12	221.00		70.72		
7 ea.	40' Primadet #12	330.00		23.10		
24 ea.	50' Primadet #12	385.00		92.40		
	(23) (9)					
32 ea.	20' EZTL 17 42	289.00		92.48		
No	Lead In Line			--		
			I.I.S.			
				2,847.25		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

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THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIONS" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

SALES TAX

1)

☒ NOT SUBJECT TO
PA SALES TAX

2)

3)

☐ ADD PA SALES TAX

1)

COST

GROSS WEIGHT

2)

TARE WEIGHT

3)

NET WEIGHT

Douglas Explosives, Inc.
P.O. Box 77
Graham Station
Phillipsburg, PA 16866
U.S.A.

Voice: 814-342-0782
Fax: 814-342-4568

Statement

Statement Date:
Mar 31, 2000

Customer Account ID:
BIG J

Account Of: BIG "J" MINING, INC.
R.D. #1, BOX 114A
HASTINGS, PA 16646

Amount Enclosed
\$

Date	Date Due	Reference	Paid	Description	Amount	Balance
11/18/99	12/18/99	5716			2,847.25	2,847.25
1/4/0	2/3/0	5741			1,639.87	4,487.12
1/6/0	2/5/0	5742			3,213.01	7,700.13
1/14/0	2/13/0	5751			4,508.81	12,208.94
					Total	12,208.94

0-30	31 - 60	61 - 90	Over 90 days
0.00	9,361.69	0.00	2,847.25

FILED

Ref

MAY 10 2000

11:00 / cty Teot pd
William A. Shaw
Prothonotary

\$80.00

acc Shugb.

. GEORGE S. TEST

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOUGLAS EXPLOSIVE INC

00-545-CD

VS

BIG "J" MINING, INC.

COMPLAINT

SHERIFF RETURNS

NOW MAY 10, 2000, BOB KOLAR, SHERIFF OF CAMBRIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON BIG "J" MINING, INC. DEFENDANT.

NOW MAY 18, 2000 SERVED THE WITHIN COMPLAINT ON BIG "J" MINING, INC., DEFENDANT BY DEPUTIZING THE SHERIFF OF CAMBRIA COUNTY. THE RETURN OF SHERIFF KOLAR IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED JOHN B. WEAKLAND, OWNER.

27.88 SHFF. HAWKINS PAID BY: ATTY.

32.05 SHFF. KOLAR PAID BY: ATTY.

10.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

15th DAY OF June 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 Horn
CHESTER A. HAWKINS
SHERIFF

FILED

JUN 01 2000
09:43 am
William A. Shaw
Prothonotary *WAS*

CASE # PLAINTIFF
90134-00 Douglas Explosives 2000-545
DATE 5/18/00

DEFENDANT
Big J. Mining Inc. 2000-545

AT 3:00PM - SERVED THE COMPLAINT WITH NOTICE TO DEFEND UPON
BIG J. MINING INC. BY HANDING A TRUE AND ATTESTED COPY THERE-
OF TO JOHN B. WEAKLAND, OWNER, HE BEING THE PERSON IN CHARGE
AT RD#1, BOX 114 A, HASTINGS, CAMBRIA COUNTY, PA AND MAKING
CONTENTS THEREOF KNOWN TO HIM. MY COSTS PAID BY ATTORNEY
FOR PLAINTIFF.

.
SHERIFF COSTS: \$29.05
PRO: 3.00
TOTAL: \$32.05

SO ANSWERS.

Bob Kalar
SHERIFF

.
SWORN AND SUBSCRIBED TO BEFORE ME THIS 25 DAY OF MAY, 2000.

.
PRO: *Patty Backbill*



OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765-6089

Sheriff's Office Clearfield County

SUITE 116
1 NORTH SECOND STREET - COURTHOUSE
CLEARFIELD, PENNSYLVANIA 16830

CHESTER A. HAWKINS
SHERIFF

DARLENE SHULTZ
CHIEF DEPUTY
MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOUGLAS EXPLOSIVE INC

NO. 00-545-CD

VS

ACTION: COMPLAINT

BIG "J" MINNG, INC.

SERVE BY: 6/9/00

OR

HEARING DATE:

SERVE:

BIG "J" MINING, INC.

ADDRESS:

RD#1 Box 114A, Hastings, Pa. 16646

Know all men by these presents, that I, CHESTER A. HAWKINS,
HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby
deputize the SHERIFF of CAMBRIA County to execute this writ.

This deputation being made at the request and risk of the plaintiff
this 10th day of MAY 2000.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: GEORGE S. TEST Jr., Attorney

S H E R I F F

BOB KOLAR, SHERIFF	CIVIL REC & DOCKETING & R	9.00
SHERIFF, CAMBRIA COUNTY, PA	CIVIL SERVICE	9.00
	GENERAL MILEAGE	11.05
	PROTHONOTARY NOTARY	3.00
Douglas Explosives 2000-545	REFUND ON DOCKET	67.95
90134-00		
2000-545 DOUGLAS EXPLOSIVES INC. VS.		
Douglas Explosives 2000-545		
V S		
Big J. Mining Inc. 2000-545		
GEORGE S. TEST JR.		
P.O. BOX 706		
PHILIPSBURG, PA 16866		
	TOTAL COSTS.....	100.00
	TOTAL RECEIPTS.....	100.00

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

COPY

DOUGLAS EXPLOSIVES, INC.,

Plaintiff

vs.

BIG "J" MINING, INC.,

Defendant

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No. 00-545-00

Code: Complaint

Filed on behalf of:
Douglas Explosives, Inc., Plaintiff

Attorney for the Plaintiff:
George S. Test, Esquire
P. O. Box 706
Philipsburg, PA 16866
(814) 342-4640

PA LD. #15915

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

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

MAY 10 2009

Attest:

William L. Shaw
Prothonotary

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

DOUGLAS EXPLOSIVES, INC.,
Plaintiff

vs.

BIG "J" MINING, INC.,
Defendant

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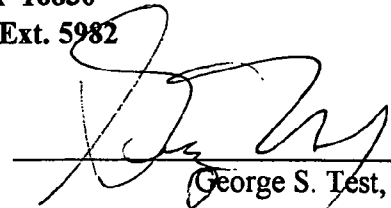
No. _____

NOTICE

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

**Court Administrator's Office
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 Ext. 5982**


George S. Test, Esquire

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

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

DOUGLAS EXPLOSIVES, INC.,

Plaintiff

vs.

BIG "J" MINING, INC.,

Defendant

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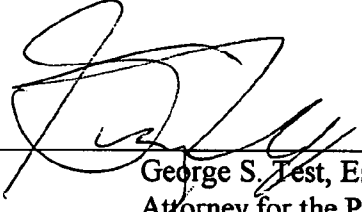
No. _____

COMPLAINT

1. The Plaintiff is Douglas Explosives, Inc., a Pennsylvania Corporation whose address is P. O. Box 77, Graham Station, Philipsburg, Pennsylvania 16866.
2. The Defendant is Big "J" Mining, Inc., who Plaintiff believes to be a Pennsylvania Corporation, whose address is R. D. 1 Box 114A, Hastings, Pennsylvania 16646.
3. The Plaintiff is engaged in the business of blasting and supplying blasting materials to businesses engaged in the mining of coal.
4. The Defendant is in the business of mining coal by the strip mining method.
5. At the request of the Defendant, the Plaintiff furnished the goods and services listed in Exhibit A-1 through A-4 on the dates indicated.
6. The costs of said goods and services are summarized in Exhibit B. The total amount due is \$12,208.94.
7. The charges for said good and services are the customary and normal charges for the goods and services supplied to the Defendant by the Plaintiff.

8. Defendant has failed and refused to pay for said goods and services.

WHEREFORE, Plaintiff requests judgment against the Defendant in the amount of \$12,208.94 plus costs and interest.


George S. Test, Esquire
Attorney for the Plaintiff

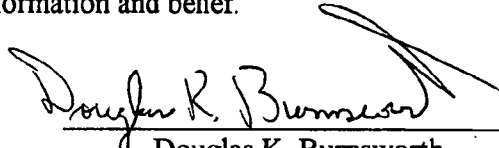
COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD

:

AFFIDAVIT

On this, the 320 day of MAY, 2000, before me, a Notary Public, personally appeared DOUGLAS K. BURNSWORTH, President of Douglas Explosives, Inc., the Plaintiff herein and acknowledged that he has read the foregoing Complaint and that the statements made therein are true and correct to the best of his information and belief.


Douglas K. Burnsworth



N. P.

Notarial Seal
Susanna Miller, Notary Public
Decatur Twp., Clearfield County
My Commission Expires May 24, 2003
Member, Pennsylvania Association of Notaries

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

Remit Payments To: P.O. Box 77, Phillipsburg, PA 16866

56 Holes 3:25p.m.
40'-51' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

CUSTOMER
ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

N^o 5751-1

SHIP
VIA

☐

PICK-UP

☒

DELIVERY

FEDERAL/STATE

LIC.# SHOT BY DOUGLAS

Phone
(814) 267-5323

Fed. Lic. 8PA017200J01090

State Lic. 1050

DATE 1-14-00

CUSTOMER NUMBER

SOLD TO BIG "J" MINING, INC.

R.D.#1, BOX 114 A

HASTINGS, PA

ZIP
CODE 16646

SHIP TO BOSWELL

CITY

STATE

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
112 ea.	3/4# CAST PRIMERS	3.18		356.16		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
23,023#	ANFO BULK/ BACKS	15.86		3,651.45		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONEL					
56 ea.	20' Primadet #12	221.00		123.76		
56 ea.	50' Primadet #12	385.00		215.60		
	(47) (9)					
56 ea.	20' EZTL 17 42	289.00		161.84		
No	Lead In Line			--		
			I.I.S.			
				4,508.81		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIONS" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

SALES TAX	1)
<input checked="" type="checkbox"/> NOT SUBJECT TO PA SALES TAX	2)
	3)
<input type="checkbox"/> ADD PA SALES TAX	1) COST
GROSS WEIGHT	2)
TARE WEIGHT	3)
NET WEIGHT	

Remit Payments To: P.O. Box 77, Philipsburg, PA 16866

35 Holes 12:42p.m.
45'-51' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

CUSTOMER
ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5742-1

SHIP
VIA

☐

PICK - UP

☒

DELIVERY

FEDERAL/STATE

LIC. # SHOT BY DOUGLAS

Phone
(814) 267-5323

Fed. Lic. 8PA017200J01090

State Lic. 1050

DATE 1-06-90

CUSTOMER NUMBER

SOLD TO
BIG "J" MINING, INC.
R.D.#1, BOX 114 A
HASTINGS, PA

ZIP
CODE 16646

SHIP TO
BOSWELL

CITY

STATE

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
70 ea.	3/4# CAST PRIMERS	3.18		222.60		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
16,354#	ANFO BULK/BAGS	15.86		2,593.74		
105#	130 Heat ANFO TUBES 5 1/2 X 35	39.04		40.99		
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONEL					
36 ea.	20' Primadet #0 #12	221.00		79.56		
35 ea.	50' Primadet #12	385.00		134.75		
25 ea.	20' EZTL 17	289.00		72.25		
9 ea.	30' EZTL 42	356.00		32.04		
6 ea.	Hole Plugs	6.18		37.08		
No	Lead In Line			--		
			I.I.S.			
				3,213.01		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

SALES TAX

☒ NOT SUBJECT TO PA SALES TAX

☐ ADD PA SALES TAX

GROSS WEIGHT

TARE WEIGHT

NET WEIGHT

1)

2)

3)

COST

1)

2)

3)

Remit Payments To: P.O. Box 77, Phillipsburg, PA 16866

42 Holes 11:55a.m.
18'-28' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

Phone (814) 267-5323

Fed. Lic. 8PA017200J01090
State Lic. 1050

DATE 1-04-00

CUSTOMER NUMBER

SOLD TO BIG "J" MINING, INC.
R.D.#1, BOX 114 A
HASTINGS, PA

ZIP CODE 16646

SHIP TO STOYSTOWN JOB SHOT

CITY STATE

CUSTOMER ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5741-1

SHIP VIA

☐

PICK-UP

☒

DELIVERY

FEDERAL/STATE LIC.# SHOT BY DOUGLAS

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
58 ea.	3/4# CAST PRIMERS	3.18		184.44		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
7,553#	ANFO BULK/ XXXX	15.86		1,197.91		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONEL					
43 ea.	20' Primadet #0 #12	221.00		95.03		
16 ea.	30' Primadet #12	275.00		44.00		
	(33) (8)					
41 ea.	20' EZTL 17 42	289.00		118.49		
No	Lead In Line			--		
			I.I.S.			
				1,639.87		

* The fibre boxes used for this shipment conform to the specifications set forth in the boxmaker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIVES" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

Permanent post office of shipper, Garrett, PA 15542

CONDITIONS OF SALE
ON REVERSE SIDE

SALES TAX

1)

☒ NOT SUBJECT TO PA SALES TAX

2)

3)

☐ ADD PA SALES TAX

COST

1)

GROSS WEIGHT

2)

TARE WEIGHT

3)

NET WEIGHT

Remit Payments To: P.O. Box 77, Philipsburg, PA 16866

31 Holes 3:52p.m.
33'-51' Deep
Were Backfilled

STRAIGHT BILL OF LADING SHORT FORM ORIGINAL Not Negotiable

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Original Bill of Lading.

DOUGLAS EXPLOSIVES, INC.

419 Fogle Town Road
Garrett, PA 15542-9006

CUSTOMER
ORDER NO.

☒

ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5716-1

SHIP
VIA

☐

PICK-UP

☒

DELIVERY

FEDERAL/STATE

LIC. # SHOT BY DOUGLAS

Phone
(814) 267-5323

Fed. Lic. 8PA017200J01090

State Lic. 1050

DATE 11-18-99

CUSTOMER NUMBER

SOLD TO BIG "J" MINING, INC.

R.D.#1, BOX 114A
HASTINGS, PA

ZIP
CODE 16646

☒ Charge

☐ Credit

☐ PREPAID

☐ Collect

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

1.5% per month (18% per year) after 30 days

SHIP TO BOSWELL

CITY

STATE

QUANTITY	PRODUCT DESCRIPTION	PRICE	FED. COMP.	TOTAL		
62 ea.	3/4# CAST PRIMERS	3.18		197.16		
	CAST PRIMERS					
	% EXTRA GELATIN					
	SLURRY					
14,952#	ANFO BULK/BAGS	15.86		2,371.39		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
32 ea.	Primadet NONEL 20' #0 #12	221.00		70.72		
7 ea.	40' Primadet #12	330.00		23.10		
24 ea.	50' Primadet #12	385.00		92.40		
	(23) (9)					
32 ea.	20' EZTL 17 42	289.00		92.48		
No	Lead In Line			--		
			I.I.S.			
				2,847.25		

* The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

This is to certify that the above named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the DOT of the Pennsylvania Hazardous Substances Transportation Board.

THE GOODS LISTED ABOVE ARE ACCEPTED BY YOU SUBJECT TO OUR PRICE AND TERMS IN EFFECT ON DATE OF SHIPMENT AND TO THE CONDITIONS SET FORTH ON THE REVERSE SIDE HEREOF

ABOVE GOODS RECEIVED IN APPARENT GOOD ORDER AND CONDITION AND RECEIPT OF BULLETIN "PREVENTION OF ACCIDENTS IN THE USE OF EXPLOSIONS" IS ACKNOWLEDGED

BY BIG "J" MINING, INC.

PER

Permanent post office of shipper, Garrett, PA 15542

CONDITIONS OF SALE
ON REVERSE SIDE

SALES TAX

1)

☒ NOT SUBJECT TO
PA SALES TAX

2)

3)

☐ ADD PA SALES TAX

1)

COST

GROSS WEIGHT

2)

TARE WEIGHT

3)

NET WEIGHT

Douglas Explosives, Inc.
P.O. Box 77
Graham Station
Philipsburg, PA 16866
U.S.A.

Voice: 814-342-0782
Fax: 814-342-4568

Statement

Statement Date:
Mar 31, 2000

Customer Account ID:

BIG J

Account Of: BIG "J" MINING, INC.
R.D. #1, BOX 114A
HASTINGS, PA 16646

Amount Enclosed
\$

Date	Date Due	Reference	Paid	Description	Amount	Balance
11/18/99	12/18/99	5716			2,847.25	2,847.25
1/4/0	2/3/0	5741			1,639.87	4,487.12
1/6/0	2/5/0	5742			3,213.01	7,700.13
1/14/0	2/13/0	5751			4,508.81	12,208.94
					Total	12,208.94

0-30	31 - 60	61 - 90	Over 90 days
0.00	9,361.69	0.00	2,847.25

GEORGE S. TEST
ATTORNEY AT LAW
MOSHANNON BUILDING
P.O. BOX 706
PHILIPSBURG, PENNSYLVANIA 16866
(814) 342-4640

CERTIFIED COPY

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

DOUGLAS EXPLOSIVES, INC.,
Plaintiff

vs.

BIG "J" MINING, INC.,
Defendant

*
*
*
*
*
*
*

No. 00-545-CD

Code: Praecipe to Enter Default Judgment

Filed on behalf of:

Douglas Explosives, Inc., Plaintiff

Counsel for this Party:

George S. Test, Esquire
P. O. Box 706
Philipsburg, PA 16866
(814) 342-4640

PA I.D. No. 15915

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

FILED

JUL 03 2000

William A. Shaw
Prothonotary

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

DOUGLS EXPLOSIVES, INC.,

Plaintiff

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No. 00-545-CD

vs.

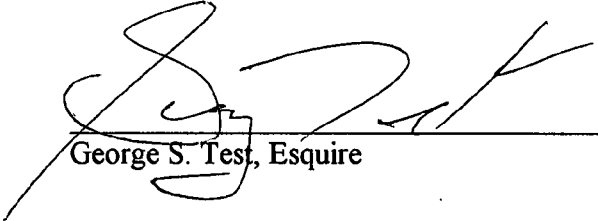
BIG "J" MINING, INC.,

Defendant

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter judgment by default for the Plaintiff and against the Defendant, Big "J" Mining, Inc., in the amount of \$12,208.94, together with record costs. Notice of the intention to enter judgment by default was mailed to Big "J" Mining, Inc. on June 14, 2000, and a true and correct copy of said Notice is attached hereto.


George S. Test, Esquire

Date: June 30, 2000

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

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

DOUGLAS EXPLOSIVES, INC.,

Plaintiff

vs.

BIG "J" MINING, INC.,

Defendant

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*
*
*

No. 00-545-CD

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

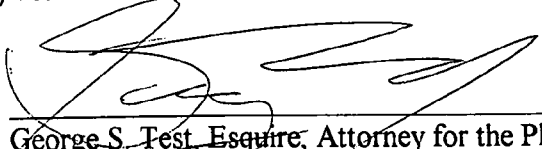
To: Big "J" Mining, Inc.
RR 1 Box 114A
Hastings, PA 16646

Date of Notice: June 14, 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 DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) 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:

COURT ADMINISTRATOR'S OFFICE
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
PHONE: (814) 765-2641 EXT. 5982


George S. Test, Esquire, Attorney for the Plaintiff
P. O. Box 706
Philipsburg, PA 16866
(814) 342-4640

GEORGE S. TEST
ATTORNEY-AT-LAW
PHILIPSBURG, PA

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

CIVIL DIVISION

Douglas Explosives, Inc.

Vs.

No. 00-545-CD

Big "J" Mining, Inc.

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$12,208.94 on the 7th day of July, 2000.

William A. Shaw
Prothonotary

William A. Shaw

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

Douglas Explosives, Inc.
Plaintiffs (s)

Docket: 281

No.: 00-545-CD

Real Debt: \$12,208.94

Atty's Comm:

Vs.

Costs: \$

Int. From:

Big "J" Mining, Inc.
Defendant (s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 3, 2000

Expires: July 3, 2005

Certified from the record this 3rd day of July, 2000.

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney