

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

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

1) **DOUGLAS EXPLOSIVES, INC.,**

Plaintiff

*

No. 00-545-CO

vs.

2) **BIG "J" MINING, INC.,**

Defendant

*

*

*

*

*

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

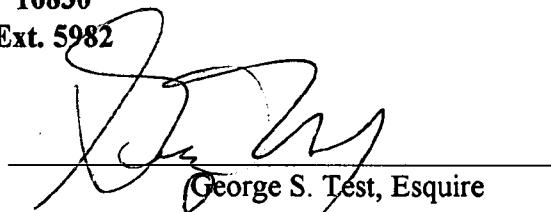
DOUGLAS EXPLOSIVES, INC., *
Plaintiff * No. _____
vs. *
*
*
*
*
BIG "J" MINING, INC., *
Defendant *

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 * No. _____
vs. *
*
BIG "J" MINING, INC., *
Defendant *

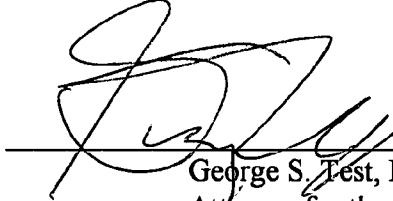
COMPLAINT

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.



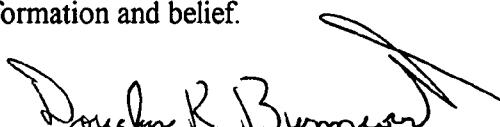
George S. Test, Esquire
Attorney for the Plaintiff

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD : 

AFFIDAVIT

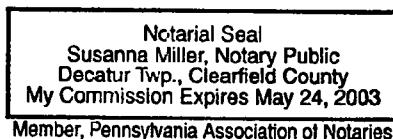
On this, the 30 day of MAY, 2000, before me, a Notary Public, personally appeared DOUGLAS K. BURNSWORTH, President of Douglas Explosives, Inc., the Plaintiff herein and acknowledged that he has read the foregoing Complaint and that the statements made therein are true and correct to the best of his information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



Douglas K. Burnsworth



N. P.



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

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

Nº 5751-1

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

DATE ► 1-14-00 CUSTOMER NUMBER

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

SHIP VIA ► PICK-UP DELIVERY FEDERAL/STATE
LIC. # SHOT BY DOUGLAS

Charge Credit
 PREPAID Collect

SHIP TO ► BOSWELL

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

SERVICE CHARGE

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

CITY ► STATE ►

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/XXXX	15.86		3,651.45		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEB CAPS					
	NONE					
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.

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

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.

BY **BIG "J" MINING, INC.**

PER _____

CONDITIONS OF SALE
ON REVERSE SIDE

Permanent post office of shipper, Garrett, PA 15542

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

Phone
(814) 267-5323

Fed. Lic. 8PA017200J01090
State Lic. 1050

SHIP
VIA

PICK-UP

DELIVERY

FEDERAL/STATE
LIC. #

SHOT BY DOUGLAS

DATE ► 1-06-80

CUSTOMER NUMBER

SOLD TO ► BIG "J" MINING, INC.
R.D.#1, BOX 114 A
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		
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 5½X35	39.04		40.99		
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWB CAPS					
	NONE					
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 No Lead In Line	6.18		37.08		
			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.

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

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.

BY BIG "J" MINING, INC.

CONDITIONS OF SALE
ON REVERSE SIDE

PER

Permanent post office of shipper, Garrett, PA 15542

SALES TAX 1)

NOT SUBJECT TO PA SALES TAX 2)

ADD PA SALES TAX 3)

COST

ADD PA SALES TAX 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

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

SHIP VIA PICK-UP DELIVERY

FEDERAL/STATE
LIC. # SHOT BY DOUGLAS

DATE ► 1-04-00

CUSTOMER NUMBER

Charge Credit

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

ZIP CODE 16646

PREPAID COLLECT

SHIP TO ► STOYSTOWN JOB SHOT

TERMS: NET DUE UPON RECEIPT
PLEASE PAY FROM THIS INVOICE

CITY ► STATE ►

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/HMX	15.86		1,197.91		
	ANFO TUBES					
	SPECIAL K					
	AMMONIUM NITRATE					
	#20 CONNECTING WIRE					
	FT. CWEBC CAPS					
	NONE					
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.

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

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.

BY BIG "J" MINING, INC.

CONDITIONS OF SALE
ON REVERSE SIDE

PER

Permanent post office of shipper, Garrett, PA 15542

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

<input checked="" type="checkbox"/>	ALL MATERIAL LOADED & SHOT BY DOUGLAS	Nº 5716-1
-------------------------------------	--	------------------

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

SHIP VIA	<input type="checkbox"/>	PICK-UP	<input checked="" type="checkbox"/>	DELIVERY	FEDERAL/STATE LIC. # SHOT BY DOUGLAS
----------	--------------------------	---------	-------------------------------------	----------	---

DATE ► 11-18-99 CUSTOMER NUMBER

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

HASTINGS, PA ZIP CODE 16646

SHIP TO ► BOSWELL

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

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 NONE #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.**

CONDITIONS OF SALE
ON REVERSE SIDE

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

Permanent post office of shipper, Garrett, PA 15542

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

Statement

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

Statement Date:
Mar 31, 2000

Customer Account ID:

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

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

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May 10 1968

Mill City Test pd.
William A. Shaw
Prothonotary

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80.00

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GEORGE S. TEST

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOUGLAS EXPLOSIVE INC
VS
BIG "J" MINING, INC.

00-545-CD

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 Shaw
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.

SO ANSWERS

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

John Kaler
SHERIFF

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

PRO: Patty Bachelis



Sheriff's Office
Clearfield County

CHESTER A. HAWKINS
SHERIFF

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

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533

CLEARFIELD COUNTY FAX
(814) 765-6089

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" MINING, INC.

SERVE BY: 6/9/00

or

HEARING DATE:

SERVE: BIG "I" 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

C A M B R I A C O U N T Y

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5/24/00

GEORGE S. TEST JR.
P.O. BOX 706

PHILIPSBURG

PA 16866-0000

BOB KOLAR, SHERIFF
CAMBRIA COUNTY
PENNSYLVANIA

STATEMENT

BOB KOLAR, SHERIFF SHERIFF, CAMBRIA COUNTY, PA	CIVIL REC & DOCKETING & R CIVIL SERVICE GENERAL MILEAGE PROTHONOTARY NOTARY REFUND ON DOCKET	9.00 9.00 11.05 3.00 67.95
Douglas Explosives 2000-545 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

No. 00-545-CQ

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

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

MAY 10 2000

Attest:

William L. Test
Prothonotary

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

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

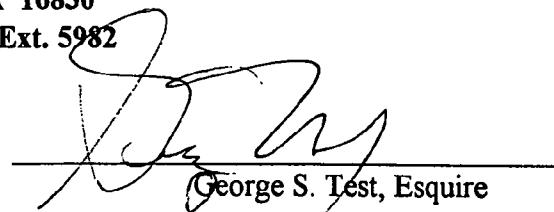
DOUGLAS EXPLOSIVES, INC., *
Plaintiff * No. _____
vs. *
*
BIG "J" MINING, INC., *
Defendant *

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 * **No. _____**
vs. *
*
BIG "J" MINING, INC., *
Defendant *

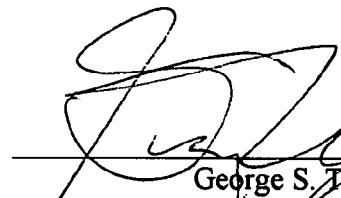
COMPLAINT

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.



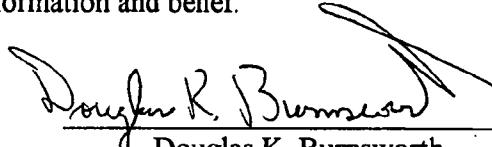
George S. Test, Esquire
Attorney for the Plaintiff

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD :

AFFIDAVIT

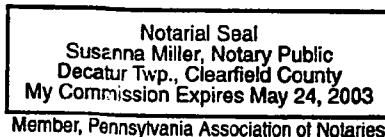
On this, the 320 day of MAY, 2000, before me, a Notary Public, personally appeared DOUGLAS K. BURNSWORTH, President of Douglas Explosives, Inc., the Plaintiff herein and acknowledged that he has read the foregoing Complaint and that the statements made therein are true and correct to the best of his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



Douglas K. Burnsworth



N. P.



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

<input checked="" type="checkbox"/>	ALL MATERIAL LOADED & SHOT BY DOUGLAS	Nº 5751-1
-------------------------------------	--	-----------

SHIP VIA	► <input type="checkbox"/> PICK-UP <input checked="" type="checkbox"/> DELIVERY	FEDERAL STATE LIC. # SHOT BY DOUGLAS
----------	---	---

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

DATE ► 1-14-00 CUSTOMER NUMBER

SOLD ► BIG "J" MINING, INC.

TO ► 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/ EXACK	15.86		3,651.45
	ANFO TUBES			
	SPECIAL K			
	AMMONIUM NITRATE			
	#20 CONNECTING WIRE			
	FT. CWEBC CAPS			
	NONE			
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.

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.

CONDITIONS OF SALE
ON REVERSE SIDE

PER _____

Permanent post office of shipper, Garrett, PA 15542

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

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

DATE **1-06-80**

CUSTOMER NUMBER

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

ZIP CODE 16646

SHIP TO **BOSWELL**

CITY **► STATE ►**

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 BAG	15.86		2,593.74
105#	130 feet ANFO TUBES 5 $\frac{1}{2}$ X35	39.04		40.99
	SPECIAL K			
	AMMONIUM NITRATE			
	#20 CONNECTING WIRE			
	FT. CWEB CAPS			
	NONE			
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 No Lead In Line	6.18		37.08
			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.

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.**

CONDITIONS OF SALE
ON REVERSE SIDE

PER _____

Permanent post office of shipper, Garrett, PA 15542

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

CUSTOMER
ORDER NO.

<input checked="" type="checkbox"/>	ALL MATERIAL LOADED & SHOT BY DOUGLAS	Nº 5741-1
-------------------------------------	--	-----------

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

SHIP VIA	PICK-UP	<input checked="" type="checkbox"/> DELIVERY	FEDERAL/STATE LIC. # SHOT BY DOUGLAS
----------	---------	--	--------------------------------------

DATE ► 1-04-00

CUSTOMER NUMBER

SOLD TO ► BIG "J" MINING, INC.
R.D. #1, BOX 114 A
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 ► STOYSTOWN JOB SHOT

CITY ► STATE ►

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					
	NONE					
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 box maker's certificate thereon, and all other requirements of Rule 41 of the Consolidated Freight Classification.

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

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.

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.

CONDITIONS OF SALE
ON REVERSE SIDE

PER

Permanent post office of shipper, Garrett, PA 15542

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

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

DATE ► 11-18-99 CUSTOMER NUMBER

SOLD ► BIG "J" MINING, INC.

TO ► R.D.#1, BOX 114A
HASTINGS, PA

X ALL MATERIAL LOADED
& SHOT BY DOUGLAS

Nº 5716-1

SHIP VIA ► PICK-UP X DELIVERY

FEDERAL/STATE
LIC. # SHOT BY DOUGLAS

SHIP TO ► BOSWELL

CITY ► STATE ►

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

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 BAGS	15.86		2,371.39	
	ANFO TUBES				
	SPECIAL K				
	AMMONIUM NITRATE				
	#20 CONNECTING WIRE				
	FT. CWEB CAPS				
32 ea.	Primadet NONE#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.

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

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.

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.**

CONDITIONS OF SALE
ON REVERSE SIDE

PER _____

Permanent post office of shipper, Garrett, PA 15542

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

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:

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

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
MOSHANON 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

*
* No. 00-545-CD
*
*

vs.

BIG "J" MINING, INC.,
Defendant

* 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

PRAECLPCE 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 * No. 00-545-CD
vs. *
*
*
*
*
*
BIG "J" MINING, INC., *
Defendant *

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

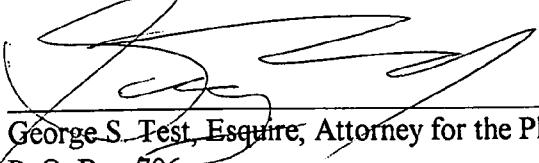
To: Big "J" Mining, Inc.
RR 1 Box 114A
Hastings, PA 16646

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