

06-655-CD

NATIONAL FUEL GAS DISTRIBUTION CORPORATION "vs" DONALD C. SALADA
etal

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

(1) NATIONAL FUEL GAS :
DISTRIBUTION CORPORATION :
: :
VS :
: :
DONALD C. SALADA AND :
LISA R. SALADA : NO. 00-656-CO

TYPE OF CASE: Civil
TYPE OF PLEADING: Complaint
FILED ON BEHALF OF: Plaintiff
COUNSEL FOR THIS PARTY: Lawrence C. Bolla, Esquire
2222 West Grandview
Erie, Pennsylvania 16506
(814) -833-2222

FILED

JUN 01 2000

William A. Shaw
Prothonotary

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPCRATION : OF CLEARFIELD COUNTY, PENNSYLVANIA
VS :
DONALD C. SALADA AND :
LISA R. SALADA : NO.

TO: Donald C. Salada and Lisa R. Salada

N O T I C E

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

Raymond Billotte
Court Administrator
2nd floor, Court House
Clearfield, Pennsylvania 16830
814-765-2641 (ext 50)

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION : OF CLEARFIELD COUNTY, PENNSYLVANIA
VS :
DONALD C. SALADA AND :
LISA R. SALADA : NO.

PURSUANT TO PROVISIONS OF THE FEDERAL FAIR DEBT
COLLECTION PRACTICE ACT, YOU ARE ADVISED AND WARNED
THAT THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
SEE 15 U.S.C. §1692(e)(11).

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION, :
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
:
v. :
:
DONALD C. SALADA and LISA :
R. SALADA, :
Defendants : NO.

CIVIL ACTION

AND NOW, comes the Plaintiff, National Fuel Gas Distribution Corporation, by and through its attorneys, Quinn, Buseck, Leemhuis, Toohey, and Kroto, Inc., and files this Civil Action Complaint of which the following is a statement:

1. The Plaintiff, National Fuel Gas Distribution Corporation, is a New York corporation with a place of business located at 1100 State Street, Erie, Pennsylvania.

2. The Defendants, Donald C. Salada and Lisa R. Salada, are individuals residing at Box 654, Treasure Lake, DuBois, Pennsylvania.

3. Pursuant to the provisions of the Federal Fair Debt Collection Practice Act [15 U.S.C. Section 1692(g)] attached hereto is Exhibit "A" - DEBT VALIDATION STATEMENT.

4. At the Defendants' request, the Plaintiff supplied gas service to the Defendants up to and including March 28, 2000 (the "gas service").

5. The gas service was supplied to the Defendants at 108

East Scribner Avenue, DuBois, Pennsylvania (the "premises") all in accordance with the rules and regulations of the Pennsylvania Public Utility Commission.

COUNT I

National Fuel Gas Distribution Corporation

v.

Donald C. Salada and Lisa R. Salada

6. The Plaintiff hereby incorporates paragraphs one (1) through five (5) above as if fully set forth.

7. In regard to this gas service, the Plaintiff opened an account for the Defendants and assigned the Defendants Account Number 30257660108 (the "Defendants' Account").

8. For and in consideration of the Plaintiff supplying the gas service as stated, the Defendants expressly or implicitly promised to pay the Plaintiff the amount charged to the Defendants' account for the gas service.

9. The Plaintiff has kept accurate records of the amount of gas consumed by the Defendants under the aforementioned account, as well as all debits and credits to that account, and the Plaintiff has sent the Defendants statements of the account on a regular basis which summarize this information (the "statement of account"). A true and correct copy of some of the Plaintiff's records of the Defendants' account is attached hereto, made a part hereof and marked as Exhibit "B."

10. The Defendants have never disputed the Plaintiff's statement of account.

11. As of the date of the last statement of account, the Defendants owed the Plaintiff One Thousand Five Hundred Ninety-six and 25/100 (\$1,596.25) Dollars for gas service on this account.

12. The Plaintiff has demanded that the Defendants pay the Plaintiff the aforementioned amount, but the Defendants are either unable or unwilling to pay the amount due.

WHEREFORE, the Plaintiff demands judgment against the Defendants, above-captioned, in the amount of One Thousand Five Hundred Ninety-six and 25/100 (\$1,596.25) Dollars, plus interest, plus the costs incurred as a result of this action.

COUNT II

National Fuel Gas Distribution Corporation

v.

Donald C. Salada and Lisa R. Salada

13. The Plaintiff hereby incorporates paragraphs one (1) through twelve (12) above as if fully set forth.

14. The Defendants, Donald C. Salada and Lisa R. Salada, are the owners of and/or reside at the premises to which the Plaintiff supplied gas service. As such, the Defendants received the benefit of the gas service.

15. It would be inequitable and unconscionable, and the

Defendants would thereby be unjustly enriched, if they are permitted to retain the benefits of the gas service without paying for the same.

WHEREFORE, the Plaintiff demands judgment against the Defendants, above-captioned, in the amount of One Thousand Five Hundred Ninety-six and 25/100 (\$1,596.25) Dollars, plus interest, plus the costs incurred as a result of this action.

COUNT III

National Fuel Gas Distribution Corporation

v.

Donald C. Salada and Lisa R. Salada

16. The Plaintiff hereby incorporates paragraphs one (1) through fifteen (15) above as if fully set forth.

17. The premises was, at all times relevant to this action, owned by the Defendants, who are husband and wife, as tenants by the entireties.

18. The benefit of the gas service inured to both Defendants as owners as tenants by the entireties of the premises.

19. Donald C. Salada was acting as the agent for Lisa R. Salada in requesting that the Plaintiff supply gas service to the premises and Lisa R. Salada is otherwise bound by the contract to provide gas service to the premises.

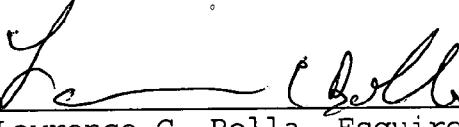
WHEREFORE, the Plaintiff demands judgment against the Defendants, above-captioned, in the amount of One Thousand Five

Hundred Ninety-six and 25/100 (\$1,596.25) Dollars, plus interest,
plus the costs incurred as a result of this action.

Respectfully submitted,

QUINN, BUSECK, LEEMHUIS, TOOHEY &
KROTO, INC.

By


Lawrence C. Bolla, Esquire
Pa. I.D. No. 19679
2222 West Grandview Boulevard
Erie, PA 16506-4508
(814) 833-2222
Attorneys for Plaintiff,
National Fuel Gas
Distribution Corporation

Document #6039

EXHIBIT "A"

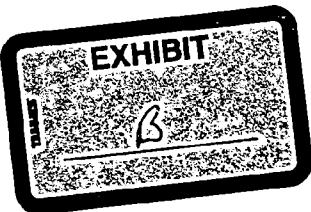
NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION :
VS : OF CLEARFIELD COUNTY, PENNSYLVANIA
: :
DONALD C. SALADA AND :
LISA R. SALADA : NO.

DEBT VALIDATION STATEMENT

1. The amount of the debt is \$1,596.25.
2. The name of the creditor to whom the debt is owed is National Fuel Gas Distribution Corporation.
3. Unless Defendant(s), Donald C. Salada and Lisa R. Salada, within thirty days after receipt of this Notice, disputes the debt validity, or any portion thereof, the attorney signing this Complaint will assume the debt to be valid.
4. If Defendant(s), Donald C. Salada and Lisa R. Salada, notifies the attorney signing this Complaint in writing within the thirty day period that the debt or any portion thereof is disputed, the attorney will obtain verification of the debt or a copy of a judgment against Donald C. Salada and Lisa R. Salada, and the attorney will mail a copy of such verification or judgment to Donald C. Salada and Lisa R. Salada; and if appropriate,
5. A statement that, upon Donald C. Salada and Lisa R. Salada written request within the thirty day period, the attorney will provide Donald C. Salada and Lisa R. Salada with the original creditor's name and address if different from the current creditor.

NAME: SOLADA, DON
ADDRESS: 108 E SCRIBNER AVE BUDGET PA
ACCOUNT: 3025766LATE PYMT
CHG DATE: 04/20/00

TRANS DATE	TRANSACTION TYPE	BEGIN BALANCE	LATE PYMT	NET BILL	BUDGET PL. ADJ	TRANS AMT	LATE PYMT CHG DATE	ENDING BALANCE
03/28/00	BILLING PREPARED	1549.36	23.24	23.65	0.00	46.89	04/12/00	1596.25
03/07/00	BILLING PREPARED	1506.73	22.60	20.03	0.00	42.63	1549.36	
02/07/00	BILLING PREPARED	1438.87	21.58	46.28	0.00	67.86	1506.73	
01/07/00	BILLING PREPARED	1379.85	20.70	38.32	0.00	59.02	1438.97	
12/06/99	BILLING PREPARED	1314.93	19.72	45.20	0.00	64.92	1379.85	
11/03/99	BILLING PREPARED	1271.11	0.00	43.82	0.00	43.82	1314.93	
11/03/99	60-DAY REBILL AD	1354.28				-83.17	1271.11	
10/05/99	BILLING PREPARED	1216.06	18.24	119.98	0.00	138.22	1354.28	
09/03/99	BILLING PREPARED	1176.43	0.00	39.63	0.00	39.63	1216.06	
09/03/99	60-DAY REBILL AD	1210.46				-34.63	1176.43	
08/06/99	BILLING PREPARED	1119.65	16.79	74.02	0.00	90.81	1210.46	
07/08/99	BILLING PREPARED	1061.04	0.00	38.61	0.00	38.61	1119.65	
07/08/99	60-DAY REBILL AD	1198.23				-117.19	1081.04	
06/08/99	BILLING PREPARED	1022.02	15.33	160.98	0.00	176.21	1198.23	
05/07/99	BILLING PREPARED	983.21	0.00	38.81	0.00	38.81	1022.02	
05/07/99	60-DAY REBILL AD	1454.38				-471.17	983.21	
04/06/99	BILLING PREPARED	924.52	13.87	515.99	0.00	529.86	1454.38	
03/09/99	BILLING PREPARED	860.46	0.00	44.06	0.00	44.06	924.52	
03/09/99	60-DAY REBILL AD	1408.09				-527.63	880.46	
02/08/99	BILLING PREPARED	823.29	12.35	572.45	0.00	584.80	1408.09	
01/18/99	ADJ NET EFFECT	830.00				-6.71	823.29	
01/08/99	BILLING PREPARED	762.79	0.00	67.21	0.00	67.21	830.00	
01/08/99	60-DAY REBILL AD	1258.06				-495.29	762.79	
12/07/98	BILLING PREPARED	700.74	10.51	546.83	0.00	557.34	1258.08	
11/04/98	BILLING PREPARED	523.49	7.85	169.40	0.00	177.25	700.74	
10/06/98	BILLING PREPARED	391.47	14.87	117.15	0.00	132.02	523.49	



TRANS DATE	TRANSACTION TYPE	BEGIN BALANCE	LATE PYMT	NET BILL	BUDGET PL. ADJ	TRANS AMT	ENDING BALANCE
10/02/98	RATEPAYER PYMT	991.47				-600.00	391.47
09/15/98	RATEPAYER PYMT	1591.47				-600.00	991.47
04/08/98	BILLING PREPARED	1483.77	22.26	85.44	0.00	107.70	1591.47
05/08/98	BILLING PREPARED	1396.33	20.94	66.50	0.00	87.44	1483.77
07/10/98	RATEPAYER PYMT	1746.33				-350.00	1396.33
07/08/98	BILLING PREPARED	1532.97	22.99	190.37	0.00	213.36	1746.33
06/08/98	BILLING PREPARED	1362.89	24.94	145.14	0.00	170.08	1532.97
06/02/98	RATEPAYER PYMT	1662.89				-300.00	1362.89
05/21/98	RATEPAYER PYMT	1862.89				-200.00	1662.89
05/07/98	BILLING PREPARED	1324.67	19.87	518.35	0.00	538.22	1862.89

VERIFICATION

I, Darryl L. Gorski, Director of Revenue Recovery Services, Pennsylvania, of National Fuel Gas Distribution Corporation, Plaintiff herein, depose and say that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.A. §4904 relating to unsworn falsification to authorities.



DATE: May 26, 2000

FILED

Att'y pd.80.00

Rec'd [redacted] NOV 1 2009
R. [redacted] 3.5
William A. Shaw → C.C. [redacted] Sheriff
Prothonotary

(2)

LAWRENCE C. BOLLA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NATIONAL FUEL GAS DISTRIBUTION
VS
SALADA, DONALD C.

00-656-CD

COMPLAINT

SHERIFF RETURNS

NOW JUNE 6, 2000 AT 12:51 PM DST SERVED THE WITHIN COMPLAINT
ON LISA R. SALADA, DEFENDANT AT RESIDENCE BOX 654 TREASURE
LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
LISA R. SALADA A TRUE AND ATTESTED COPY OF THE ORIGINAL
COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: SNYDER

NOW JUNE 6, 2000 AT 12:51 PM DST SERVED THE WITHIN COMPLAINT
ON DONALD C. SALADA, DEFENDANT AT RESIDENCE BOX 654 TREASURE
LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
LISA R. SALADA, WIFE A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS
THEREOF.

SERVED BY: SNYDER

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

SWORN TO BEFORE ME THIS

12th DAY OF June 2000



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

SO ANSWERS,

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

FILED

JUN 12 2000
012.41 p.m.
William A. Shaw
Prothonotary
E
KBD

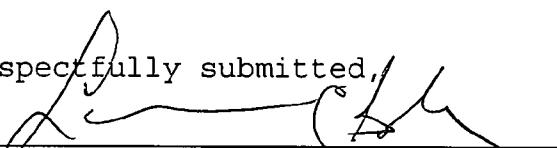
NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
 DISTRIBUTION CORPORATION :
 VS : OF CLEARFIELD COUNTY, PENNSYLVANIA
 :
 DONALD C. SALADA AND :
 LISA R. SALADA : NO. 00-656-CD

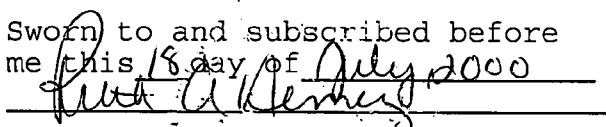
PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

TO: THE PROTHONOTARY

Pursuant to Pa.R.C.P. 237.1, I hereby certify as attorney for the above-named Plaintiff that a written notice of intention to file praecipe for default judgment was mailed or delivered to the above-named Defendant(s), who is the party against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe. A copy of said notice is attached hereto and made a part hereof.

Therefore, please enter default judgment against the Defendant(s), above-captioned, in the sum of \$1,596.25, plus interest from June 1, 2000, and all costs of suit for failure to answer or otherwise plead.

Respectfully submitted,
 By 
 Lawrence C. Bolla, Esquire
 2222 West Grandview Boulevard
 Erie, PA 16506-4508
 (814) 833-2222

Sworn to and subscribed before
 me this 18 day of July 2000


NOTARIAL SEAL
 RUTH A. NEMENZ, NOTARY PUBLIC
 ERIE, ERIE COUNTY, PENNSYLVANIA
 MY COMMISSION EXPIRES APRIL 8, 2002

FILED

JUL 20 2000

William A. Shaw
 Prothonotary

FILED

JUL 20 2000
RE 3/05 Atty Bolla
William A. Shaw
Prothonotary
PC \$20.00

Not to Dg. O. Salada
Dg. L. Salada
Statement to Atty Bolla
8/5

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION : OF CLEARFIELD COUNTY PENNSYLVANIA
VS :
DONALD C. SALADA AND :
LISA R. SALADA : NO. 00-656-CD

TO: Donald C. Salada
Box 654 Treasure Lake
Dubois, Pennsylvania 15801
Lisa R. Salada
Box 654 Treasure Lake
Dubois, Pennsylvania 15801

DATE: July 06, 2000

IMPORTANT NOTICE

NOTICE: YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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:

Raymond Billotte
Court Administrator
2nd floor, Court House
Clearfield, Pennsylvania 16830
814-765-2641 (ext 50)

BY: 

Lawrence C. Bolla, Esquire
2222 West Grandview
Erie, Pennsylvania 16506
814-833-2222

COPY

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION : OF CLEARFIELD COUNTY, PENNSYLVANIA
VS :
DONALD C. SALADA AND :
LISA R. SALADA : NO. 2000-656-CO

TO: THE ABOVE DEFENDANTS:

You are hereby notified as required by law that a judgment-order-decree has been entered against you in the amount of \$1,596.25, plus interest from June 1, 2000, plus the costs of suit at the above term and number on July 20, 2000.

If a judgment has been entered by confession, you will find enclosed copies of all documents filed in this office in support of the confession of judgment.



Prothonotary

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

COPY

NATIONAL FUEL GAS DISTRIBUTION

CORPORATION,

Plaintiff(s)

No. 00-656-CD

vs.

Real Debt \$1,596.25

Atty's Comm _____

DONALD C. SOLADA and LISA R.

SALADA

Defendant(s)

Costs \$ _____

Int. From _____

Entry \$20.00

Instrument Default Judgment

Date of Entry July 20, 2000

Expires July 20, 2005

Certified from the record this 20th day of July, 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

115
NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

Vs

SAT 21
DONALD C. SALADA AND
SAT 61 LISA R. SALADA

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA
:
:
:
:
: NO. cd 2000-656

PRAECIPE

TO: THE PROTHONOTARY:

Received satisfaction in full of this judgment, debt,
interest and costs and hereby discharge the same of record.

Respectfully submitted,
QUINN, BUSECK, LEEMHUIS, TOOHEY &
KROTO, INC.

By 
Lawrence C. Bolla, Esquire
2222 West Grandview Boulevard
Erie, PA 16506-4508
(814) 833-2222

Dated: February 21, 2001

FILED

FER 28 2001

William A. Shaw
Prothonotary

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

COPY

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2000-00656-CD

National Fuel Gas Distribution Corp.

Debt: \$1,596.25

Vs.

Atty's Comm.:

Donald C. Salada

Lisa R. Salada

Interest From:

Cost: \$7.00

NOW, Wednesday, February 28, 2001 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 28th day of February, A.D. 2001.

Prothonotary