

00-1030-CD

Assoc. Commerical vs S. Guiher al



00-1030-CD
ASSOCIATES COMMERCIAL CORPORATION -vs- SUSAN GUTHER

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

: NO. 00 - 1030 - C.D.
:
: TYPE OF CASE: CIVIL
:
: TYPE OF FLEADING: ANSWERS TO
: INTERROGATORIES IN ATTACHMENT AND NEW MATTER
:
: FILED ON BEHALF OF: PLAINTIFF
:
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
:
: SUPREME COURT NO.: 63494
:
: BLAKLEY, JONES & MOHNEY
: 90 BEAVER DRIVE, BOX 6
: DJ BOIS, PA 15801
: (814) 371-2730

FILED

OCT 02 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - AT LAW

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

vs.

SUSAN GUIHER,

Defendant

vs.

S & T BANK,

Garnishee

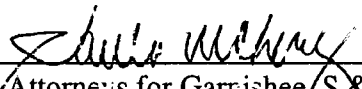
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: No. 00 - 1030 C.D.
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:

NOTICE TO FLEAD

To the Within Plaintiff:

YOU ARE HEREBY NOTIFIED TO PLEAD TO
THE WITHIN NEW MATTER WITHIN
TWENTY (20) DAYS FROM THE DATE OF
SERVICE HEREOF.

GLEASON, CHERRY AND CHERRY, L.L.P.

By 
Attorneys for Garnishee S & T BANK

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

ASSOCIATES COMMERCIAL	:	NO. 00 - 1030- C.D.
CCRPORATION,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
SUSAN GUIHER,	:	
	:	
Defendant	:	
	:	
VS.	:	
	:	
S & T BANK,	:	
	:	
Garnishee	:	

ANSWERS TO
INTERROGATORIES TO GARNISHEE

TO: S & T BANK
614 Liberty Boulevard
Du Bois, PA 15801

(A) You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

(B) The term "Defendant" means the individual (or entities) against whom the Writ of Execution issued.

(C) The word "You" means the main office and all branch offices of S & T BANK.

(D) By service of the Writ of Execution upon you, all property of the Defendant subject to attachment which was then in your possession, custody or control was attached, including all property of the Defendant which comes into your possession thereafter.

ANSWERS TO
INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time, did you owe the Defendant any money or were you liable to Defendant on any negotiable or other written instrument, or did Defendant claim that you owed any money or were liable to Defendant for any reason? No

2. At the time you were served or at any subsequent time, was there in your possession, custody or control or in joint possession, custody or control or in the joint possession, custody or control of yourself and one (1) or more other persons any property of any nature owned solely or in part in the Defendant? Susan A. Guiher has an Account No. 3000040851 at S&T Bank with the principal balance of \$814.72.

3. At the time you were served or at any subsequent time, did you hold legal title to any property of any nature owned solely or in part by the Defendant or in which Defendant held or claimed any interest? See answer to No. 2 above.

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the Defendant had an interest? See answer to No. 2 above.

5. At any time before or after you were served did the Defendant transfer or deliver any property to you or to any person or place pursuant to your direction or consent and if so, what was the consideration therefor? Susan A. Guiher has an Installment Loan owed to S&T Bank, Account No. 01C0C0C8332, secured by a 1989 Ford vehicle. She has made payments on that loan as required by the terms of the loan document.

6. At the time you were served or at any subsequent time, did you pay, transfer or deliver any money or property to the Defendant or to any person or place pursuant to the direction of Defendant against you? No

7. At the time you were served or at any subsequent time, did you have any safe deposit boxes, pledges, documents of title, securities, notes, coupons, receivables, collateral, checking, savings, tax, or other accounts or deposits in which Defendant has an interest? If so, attach a statement of each account to your answer. See answer to No. 2 above. Attached is a copy of the information regarding the checking account as requested.

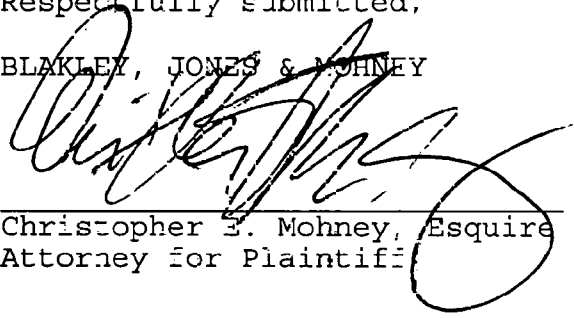
8. At the time you were served with these Interrogatories or at any subsequent time, did you have any property of the Defendant or property in which he has and any interest on deposit or otherwise in your possession, custody or control other than that property indicated in your answers to the previous Interrogatories? If so, please specifically describe that property. No items not listed in Item 2 and 5 above.

9. In the past five (5) years, was the Defendant, individually or jointly, either a beneficiary or settlor of any trust at your bank? If so, attach a statement of such trust to your answer. No

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

BY:



Christopher E. Mohney, Esquire
Attorney for Plaintiff

NEW MATTER

10. S & T BANK, Garnishee, incorporates herein by reference, the averments contained in Paragraphs 1 through 9 inclusive of the foregoing Answers to Plaintiff's Interrogatories in Attachment as if the same were set forth at length herein.

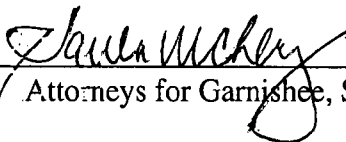
11. That Garnishee, S & T BANK, was forced to expend legal fees and costs in order to answer the Interrogatories of Plaintiff, which fees and costs were the following:

Gleason, Cherry and Cherry, L.L.P. - attorney's fees associated with the filing of Answers to Interrogatories in Attachment	\$200.00
Certified and return receipt requested mailing charges for service of Writ of Execution Notice and Answer to Plaintiff's Interrogatories on Defendant, Susan Guiher	<u>3.42</u>
Total	\$203.42

WHEREFORE, Garnishee, S & T BANK, claims the amount of TWO HUNDRED THREE DOLLARS and FORTY-TWO CENTS (\$203.42) to be deducted from the account of SUSAN GUIHER, and paid to S & T BANK for fees and costs incurred.

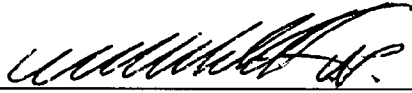
Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

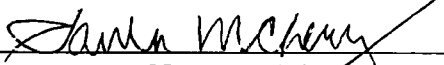
By 
Attorneys for Garnishee, S&T BANK

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me, a Notary Public in and for the County and State
aforesaid, William G. Fitzpatrick, who, being duly sworn according to law, deposes
and says that he/she is the V.P. of S & T BANK and that as such
V.P., he/she is authorized to make this Affidavit on behalf of S & T
BANK, and that the facts contained in the foregoing Answers to Plaintiff's Interrogatories in
Attachment and New Matter are true and correct to the best of his/her knowledge, information
and belief.



Sworn to and subscribed before me this 28th day of September, 2000.


Notary Public
My commission expires: 9-16-01

Notarial Seal
Paula M. Cherry, Notary Public
DuBois Clearfield County
My Commission Expires Sept. 16, 2001



BANK 368

CHECK CASHING INQUIRY

08-25-00 14:50:22

SCREEN ZD

ACCOUNT #: 30000408315

NAME/ADDR #: 1

ENTER '1' IF EMPLOYEE: 0

** FREEZE CODE ==> [T]

SHORT NAME:

GUIHER SUSAN A

SUSAN A GUIHER

TAX ID [TYPE/#]

S / 194366751

309 OLIVE AVE

FRI BIRTHDATE

05-31-1947

DUBOIS PA 15801-1927

HOME PHONE #

3143719664

WORK PHONE #

0

BRANCH

21

STATUS CCDES:

BALANCE INFO:

ACCT TYPE

10

STATUS W

LEDGER

166.48

OPEN DATE 06-09-1995

SPECIAL

CURRENT

(814.72)

CLOSE DATE

DORMANT

AVAILABLE

3,760.67-

OPEN IND

STOPS ?

N

BULK FILE IND

T

HOLDS ?

Y

TOTAL HOLDS

5,575.39

FED WITHHOLD IND

4

MAC CARD ISSUED?

C

DAYS OD '99

0

CLOSE-OUT BAL SEE #202 INQUIRY

IFMS IND

Z

DAYS OD '00

0

ACCURED INT

0.00

LST STMT DATE

07-31-2000

LST DEP DATE

08-11-2000

NXT STMT DT 08-31-2000

LST STMT BAL

707.34

LST DEP AMT

711.24

STMT CYCLE

100

PF10 =

PF11 =

PF2 = DLAIN

PF3 = LNINQ

PF4 = DLTIN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - AT LAW

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

vs.

SUSAN GUIHER,

Defendant

vs.

S & T BANK,

Garnishee

No. 03 - 1030 C.D.

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2000, I served a true and correct copy of the Answers to Interrogatories in Attachment and New Matter and Writ of Execution Notice upon the Defendant in the above-captioned case by mailing the same to her by United States First Class, certified mail, return receipt requested, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

Ms. Susan Guiher
309 Olive Avenue
DuBois, PA 15801-1927.

GLEASON, CHERRY AND CHERRY, L.L.P.

By

Danica Michay

Attorneys for Garnishee, S & T BANK

Dated: September 28th, 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - AT LAW

ASSOCIATES COMMERCIAL	:	
CORPORATION,	:	
	:	
Plaintiff	:	No. 00 - 1030 C.D.
vs.	:	
	:	
SUSAN GUIHER,	:	
	:	
Defendant	:	
vs.	:	
	:	
S & T BANK,	:	
	:	
Garnishee	:	

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2000, I served a true and correct copy of Answers to Interrogatories in Attachment and New Matter endorsed with Notice to Plead on counsel for Plaintiff in the above-captioned case by mailing the same to him by United States First Class mail, postage prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

Christopher E. Mohny, Esq.
BLAKLEY, JONES & MOHNEY
Attorneys at Law
90 Beaver Drive, Box 6
DuBois, PA 15801.

GLEASON, CHERRY AND CHERY, L.L.P.

By *Paula Mohny*
Attorneys for Garnishee, S & T BANK

Dated: September 28, 2000

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW
NO. 00 - - C.D.

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

ANSWERS TO
INTERROGATORIES IN AID
OF EXECUTION

FILED

OCT 02 2000
013.40/120cc
William A. Shaw
Prothonotary
WAS

LAW OFFICES
BLAKLEY, JONES & MOHNEY
90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

: NO. 00 - 1030 - C.D.

:
: TYPE OF CASE: CIVIL

:
: TYPE OF PLEADING: PRELIMINARY
: OBJECTIONS TO ANSWERS TO
: INTERROGATORIES IN ATTACHMENT
: AND NEW MATTER

:
: FILED CN BEHALF OF: PLAINTIFF
: ASSOCIATES COMMERCIAL
: CORPORATION

:
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE

:
: SUPREME COURT NO.: 63494

:
: BLAKLEY, JONES & MOHNEY
: 90 BEAVER DRIVE, BOX 6
: DU BOIS, PA 15801
: (314) 371-2730

FILED

OCT 03 2000

William A. Shaw
Prothonotary

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK.

Garnishee

NO. 00 - 1030 - C.D.

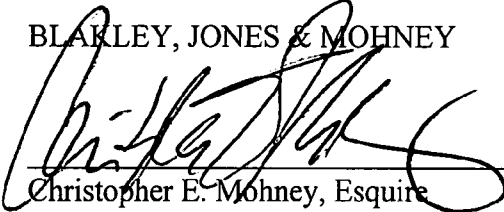
NOTICE TO PLEAD

TO: S & T BANK, GARNISHEE
c/o Paula M. Cherry, Esquire
Gleason, Cherry & Cherry, L.L.P.
1 North Franklin Street
P.O. Box 505
Du Bois, PA 15801

In accordance with Rules 1026 and 1361 of the Pennsylvania Rules of Civil Procedure, you are notified to file a written response to the within PRELIMINARY OBJECTIONS within twenty (20) days from service hereof or a default judgment may be entered against you.

BLAKLEY, JONES & MOHNEY

BY:


Christopher E. Mohnhey, Esquire

Attorney for Plaintiff

90 Beaver Drive, Box 6

Du Bois, PA 15801

(814) 371-2730

Pa. I.D. #63494

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

ASSOCIATES COMMERCIAL CORPORATION,	:	NC. 30 - 1030 - C.D.
	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
SUSAN GUIHER,	:	
	:	
Defendant	:	
	:	
VS.	:	
	:	
S & T BANK,	:	
	:	
Garnishee	:	

**PRELIMINARY OBJECTIONS TO ANSWERS
TO INTERROGATORIES IN ATTACHMENT AND NEW MATTER**

AND NOW, comes Plaintiff ASSOCIATES COMMERCIAL CORPORATION, by its attorneys, **BLAKLEY, JONES & MOHNEY, ESQUIRES**, and files the following Preliminary Objections to Answers to Interrogatories in Attachment and New Matter:

GENERAL BACKGROUND

1. Plaintiff ASSOCIATES COMMERCIAL CORPORATION obtained judgment against Defendant SUSAN GUIHER in the amount of \$5,535.39, said judgment entered on August 22, 2000 to the within captioned case number.

2. Plaintiff ASSOCIATES COMMERCIAL CORPORATION filed Interrogatories in Attachment on Garnishee S & T BANK.

3. Garnishee **S & T BANK** timely responded to Answers to Interrogatories in Attachment, disclosing that they hold an account in the name of Susan A. Guiher with a principal balance of \$814.72, which account is frozen pursuant to Pennsylvania law governing Interrogatories in Attachment served upon Garnishee.

4. In Garnishee's Answer to Interrogatories in Attachment, they assert new matter alleging that they have a right of set off to Defendant **SUSAN GUIHER'S** account in the amount of \$203.42, said amount representative of attorney's fees associated with the filing of Answers to Interrogatories in Attachment and certified return receipt requested mailings.

COUNT I - PRELIMINARY OBJECTION PURSUANT TO
PENNSYLVANIA RULE OF CIVIL PROCEDURE 1028(a)(4)

5. Plaintiff **ASSOCIATES COMMERCIAL CORPORATION** incorporates paragraphs 1 through 4 as if set forth at length herein.

6. Under Pennsylvania law, a valid set off must of a debt or demand due at the time of commencement of the garnishment action in which it is interposed; if a claim is not then ripe for action, it cannot be set off. Almi, Inc. v. Dick Corporation, 375 A.2d 1343 (Pa. Cmwlth. 1977). See also Royal Bank of Pennsylvania v. Selig, 644 A.2d 741 (Pa. Super. 1994).

7. Garnishee **S & T BANK** has asserted right of set off for legal fees and costs incident to garnishment action initiated by Plaintiff **ASSOCIATES COMMERCIAL CORPORATION**.

8. Garnishee **S & T BANK'S** right to set off was not of an obligation owing **S & T BANK** by Plaintiff **SUSAN GUIHER** prior to the action in Garnishment.

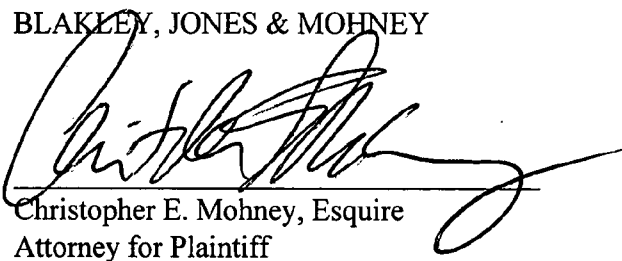
9. Garnishee **S & T BANK** has no legal basis to assert right of set off against Plaintiff **ASSOCIATES COMMERCIAL CORPORATION**.

WHEREFORE, Plaintiff **ASSOCIATES COMMERCIAL CORPORATION** prays this Honorable Court to dismiss, with prejudice, Garnishee **S & T BANK'S** New Matter and enter judgment in favor of **ASSOCIATES COMMERCIAL CORPORATION** and against Garnishee **S & T BANK** for the amount of \$814.72.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

BY:


Christopher E. Mohny, Esquire
Attorney for Plaintiff

Date: 10/2/00

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW
NO. 00 - 1030 - C.D.

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

PRELIMINARY OBJECTIONS TO
ANSWERS TO INTERROGATORIES IN
ATTACHMENT AND NEW MATTER

FILED

OCT 03 2000
01/20/10 cc
William A. Shaw
Prothonotary
WAS

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

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

ASSOCIATES COMMERCIAL : NO. 00 - 1030 - C.D.
CORPORATION, :
 :
Plaintiff :
 :
VS. :
 :
SUSAN GUIHER, :
 :
Defendant :
 :
VS. :
 :
S & T BANK, :
 :
Garnishee :

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA :
 : SS.
COUNTY OF CLEARFIELD :
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs
GUIHER, Defendant:

(1) You are directed to attach the property
not levied upon in the possession in the possession

614 Liberty Boulevard, Du Bois, Pennsylvania 15801

(specifically described property)

All bank accounts, including checking, savings,
of deposit, money market, etc., in the individual
names of SUSAN GUIHER, at the S & T BANK 1

Boulevard, Du Bois, Pennsylvania 15801, including

held jointly by SUSAN GUIHER and any other

indicates
name or
614 Liberty
any such accounts
individual or entity.

and to notify the Garnishee that

(a) an attachment has been issued;

(b) the Garnishee is enjoined from paying any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof;

(c) if property of the Defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a Garnishee and is enjoined as above stated.

Amount Due: \$ 5,535.39
Costs: \$ 40.00
Total: \$



RECEIVED AUG 22 2000

@ 3:25 PM

Chester A. Hawkins
by Margaret H. Pitt

Prothonotary

BY: _____

Deputy

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket #

10107

ASSOCIATES COMMERCIAL CORP

00-1030-CD

VS.

GUIHER, SUSAN EX

WRIT OF EXECUTION INTERROGATORIES TO GARNISHEE

SHERIFF RETURNS

NOW, AUGUST 25, 2000, AT 3:15 PM O'CLOCK SERVED WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON R.M. BARNONICK, JR., VICE PRESIDENT OF S & T BANK, GARNISHEE, AT HIS PLACE OF EMPLOYMENT, 614 LIBERTY BOULEVARD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO R.M. BARONICK, JR., VICE PRESIDENT OF S & T BANK, GARNISHEE, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

NOW, NOVEMBER 30, 2000, RETURN WRIT AS BEING SERVED, PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY. ALSO, RETURNED ATTORNEY CHECK #7037 IN THE AMOUNT OF TWENTY DOLLARS (\$20.00) THAT WAS SUBMITTED FOR SURCHARGE - NEEDED TEN DOLLARS (\$10.00) - TOOK SURCHARGE FROM ADVANCE

SHERIFF HAWKINS \$28.21
SURCHARGE \$10.00
PAID BY ATTORNEY

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket #

10107

ASSOCIATES COMMERCIAL CORP

00-1030-CD

VS.

GUIHER, SUSAN EX

WRIT OF EXECUTION INTERROGATORIES TO GARNISHEE

SHERIFF RETURNS

Sworn to Before Me This

30th Day of *November* 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 *Margaret H. Pitt*
Chester A. Hawkins
Sheriff

FILED

WAS
NOV 30 2000
01:55 pm
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - AT LAW

ASSOCIATES COMMERCIAL	:	
CORPORATION,	:	
	:	
Plaintiff	:	No. 00 - 1030 C.D.
vs.	:	
	:	
SUSAN GUIHER,	:	
	:	
Defendant	:	
vs.	:	
	:	
S & T BANK,	:	
	:	
Garnishee	:	

PRAECIPE

TO: WILLIAM A. SHAW, PROTHONOTARY

Dear Sir:

Please mark the New Matter filed to Garnishee's Answers to Interrogatories in the above-captioned case withdrawn.

FILED

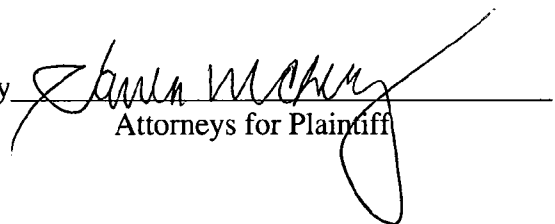
NOV 17 2000

William A. Shaw
Prothonotary

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By


Attorneys for Plaintiff

Dated: November 17, 2000

FILED

NOV 17 1991
JAGG/2cc
William H. C. J.
Proctor, Inc.

att
Cheng
2/19

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

(119) ASSOCIATES COMMERCIAL
CORPORATION,
PLAINTIFF

VS.

(84) SUSAN GUIHER,
DEFENDANT

NO. 00 1030 C.D.

TYPE OF CASE: CIVIL

TYPE OF PLEADING: PRAECIPE

FILED ON BEHALF OF: PLAINTIFF

COUNSEL OF RECORD FOR THIS
PARTY:
CHRISTOPHER E. MOHNEY, ESQUIRE

SUPREME COURT NO.: 63494

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

FILED

AJG 2 2 2000

William A. Shaw
Prothonotary

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

ASSOCIATES COMMERCIAL
CORPORATION,
PLAINTIFF

VS.

SUSAN GUIHER,
DEFENDANT

NO. 00-1030-C.D.

PRAECIPE

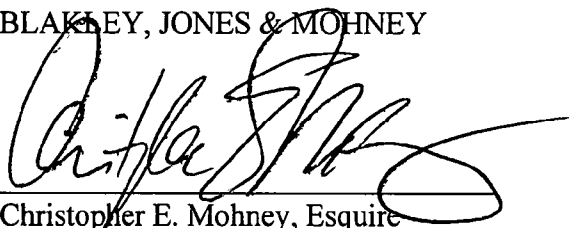
TO: WILLIAM SHAW, PROTHONOTARY:

Please enter judgment pursuant to Notice of Judgment/Transcript of District Justice Patrick N. Ford attached hereto in the amount of \$5,535.39 plus interest and costs in favor of the Plaintiff, **ASSOCIATES COMMERCIAL CORPORATION**, and enter the judgment in the appropriate dockets and index it against the Defendant **SUSAN GUIHER**.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

BY:



Christopher E. Mohny, Esquire
Attorney for Plaintiff

Pa. I.D. #63494

90 Beaver Drive, Box 6

Du Bois, PA 15801

(814) 371-2730

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: **109 NORTH BRADY STREET**

P.O. BOX 452

DUBOIS, PA

Telephone: **(814) 371-5321 15801**

PATRICK N. FORD
109 NORTH BRADY STREET
P.O. BOX 452
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

ASSOCIATES COMMERCIAL CORPORATION
P.O. BOX 141029
IRVING, TX 75014

DEFENDANT:

NAME and ADDRESS

GUIHER, SUSAN
309 OLIVE AVE
DUBOIS, PA 15801

Docket No.: **CV-0000256-00**
Date Filed: **3/28/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

00-1030-CO

☒ Judgment was entered for: (Name) **ASSOCIATES COMMERCIAL CORPORATION**

☒ Judgment was entered against: (Name) **GUIHER, SUSAN**

in the amount of \$ **5,535.39** on: (Date of Judgment) **6/12/00**

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

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

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

☐ Levy is stayed for _____ days or ☐ generally stayed.

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

Amount of Judgment	\$ 5,437.89
Judgment Costs	\$ 97.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 5,535.39
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

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

6200 Date **Patrick N. Ford**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
817-00 Date **Patrick N. Ford**, District Justice

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 00 - C.D.

ASSOCIATES COMMERCIAL
CORPORATION,

PLAINTIFF

VS.

SUSAN GUIHER,

DEFENDANT

PRAECIPE

FILED

18th AUG 22 2000

11:59 atty Money
William A. Shaw
Prothonotary

PD \$ 20.00

*not to Dy.
State to atty Money*

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

COPY

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

ASSOCIATES COMMERCIAL	:	NO. 00 - 103 - C.D.
CORPORATION,	:	
PLAINTIFF	:	
VS.	:	
SUSAN GUIHER,	:	
DEFENDANT	:	

NOTICE is given that JUDGMENT in the above captioned matter has been entered
against you in the amount of \$5,535.39 plus interest and costs on August 22, 2000.

William Shaw, Prothonotary

By: _____
Deputy

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

COPY

ASSOCIATES COMMERCIAL CORPORATION

Plaintiff(s)

No. 00-1030-CD

Real Debt \$5,535.39

vs.

Atty's Comm _____

SUSAN GUIHER

Defendant(s)

Costs \$ _____

Int. From _____

Entry \$20.00

Instrument Default Judgment

Date of Entry August 22, 2000

Expires August 22, 2005

Certified from the record this 22nd day of August, 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

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

: NO. 00 - 1030 - C.D.
:
: TYPE OF CASE: CIVIL
:
: TYPE OF PLEADING: PRAECIPE FOR
: WRIT OF EXECUTION
:
: FILED ON BEHALF OF: PLAINTIFF
:
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
:
: SUPREME COURT NO.: 63494
:
: BLAKLEY, JONES & MOHNEY
: 90 BEAVER DRIVE, BOX 6
: DU BOIS, PA 15801
: (814) 371-2730

FILED

2000

W. A. Shaw
Prothonotary

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

ASSOCIATES COMMERCIAL	:	NO. 00 -	- C.D.
CORPORATION,	:		
	:		
Plaintiff	:		
	:		
VS.	:		
	:		
SUSAN GUIHER,	:		
	:		
Defendant	:		
	:		
VS.	:		
	:		
S & T BANK,	:		
	:		
Garnishee	:		

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Issue Writ of Execution in the above matter,

(1) Directed to the Sheriff of Clearfield County;

(2) Against **SUSAN GUIHER**, Defendant; and

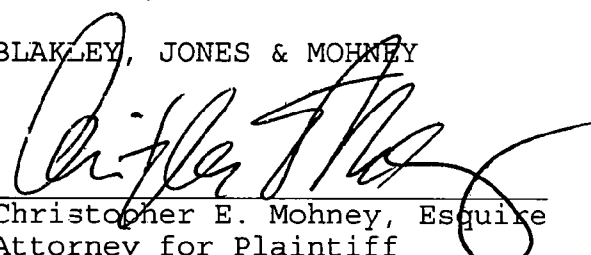
(3) Against **S & T BANK**, 614 Liberty Boulevard, Du Bois,

Pennsylvania 15801, Garnishee;

(4) Amount due:	\$ 5,535.39
Costs:	\$ _____
Total:	\$ _____

BLAKLEY, JONES & MOHNEY

BY:


Christopher E. Mohny, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW
NO. 00 - - C.D.

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

PRAECIPE FOR
WRIT OF EXECUTION

FILED

AUG 22 2000
m 12:21
William A. Shaw
Prothonotary

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

att
Mohney
PC \$20.00
4/24

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

: NO. 00 - 1030 - C.D.
:
: TYPE OF CASE: CIVIL
:
: TYPE OF PLEADING: WRIT OF
: EXECUTION
:
: FILED ON BEHALF OF: PLAINTIFF
:
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
:
: SUPREME COURT NO.: 53494
:
: BLAKLEY, JONES & MOHNEY
: 90 BEAVER DRIVE, BOX 6
: DU BOIS, PA 15801
: (814) 371-2730

FILED

AUG 22 2000

William A. Shaw
Prothonotary

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

ASSOCIATES COMMERCIAL	:	NO. DC - 1030 - C.D.
CORPORATION,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
SUSAN GUIHER,	:	
	:	
Defendant	:	
	:	
VS.	:	
	:	
S & T BANK,	:	
	:	
Garnishee	:	

WRIT OF EXECUTION

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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, EXT. 5982

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

ASSOCIATES COMMERCIAL	:	NO. 00 -	- C.D.
CORPORATION,	:		
	:		
Plaintiff	:		
	:		
VS.	:		
	:		
SUSAN GUIHER,	:		
	:		
Defendant	:		
	:		
VS.	:		
	:		
S & T BANK,	:		
	:		
Garnishee	:		

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS.

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against **SUSAN GUIHER**, Defendant:

(1) You are directed to attach the property of the Defendant not levied upon in the possession in the possession of **S & T BANK**, 614 Liberty Boulevard, Du Bois, Pennsylvania 15801, as Garnishee, (specifically described property)

All bank accounts. including checking, savings, certificates of deposit, money market, etc., in the individual or joint name or names of **SUSAN GUIHER**, at the **S & T BANK** located at 614 Liberty Boulevard, Du Bois, Pennsylvania 15801, including any such accounts held jointly by **SUSAN GUIHER** and any other individual or entity.

and to notify the Garnishee that

(a) an attachment has been issued;

(b) the Garnishee is enjoined from paying any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof;

(c) if property of the Defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a Garnishee and is enjoined as above stated.

Amount Due:	\$ 5,535.39
Costs:	\$ <u>40.00</u>
Total:	\$

Prothonotary

BY: _____
Deputy

MAJOR EXEMPTIONS UNDER PENNSYLVANIA
AND FEDERAL LAW

1. \$300.00 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

ASSOCIATES COMMERCIAL	:	NO. 00 -	- C.D.
CORPORATION,	:		
	:		
Plaintiff	:		
	:		
VS.	:		
	:		
SUSAN GUIHER,	:		
	:		
Defendant	:		
	:		
VS.	:		
	:		
S & T BANK,	:		
	:		
Garnishee	:		

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300.00 statutory exemption be
_____ (i) set aside in kind (specify property to
be set aside in kind):

_____ (ii) paid in cash following the sale of the
property levied upon; or

(b) I claim the following exemption (specify property
and basis of exemption); _____

(2) From my property which is in the possession of a third
party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: _____ in cash;
_____ in kind (specify property): _____

(b) Social Security benefits or deposit in the amount of
\$ _____:

(c) Other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption.
Notice of hearing should be given to us at:

(Address)

Telephone Number

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

DATE: _____

(Defendant)

DATE: _____

(Defendant)

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE
SHERIFF OF CLEARFIELD COUNTY
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2081, EXT. 5986

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW
NO. 00 - - C.D.

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

WRIT OF EXECUTION

FILED

AUG 22 2000

William A. Shaw
Prothonotary

*City of Clearfield
delivered to Sheriff
8/22/00*

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6

DUBOIS, PA 15801

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

: NO 00 - 1030 - C.D.

: TYPE OF CASE: CIVIL

: TYPE OF PLEADING: PRAECIPE FOR
: JUDGMENT AGAINST GARNISHEE
: S & T BANK

: FILED ON BEHALF OF: PLAINTIFF

: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE

: SUPREME COURT NO.: 63494

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

FILED

DEC 12 2000

William A. Shaw
Prothonotary

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

ASSOCIATES COMMERCIAL	:	NO. 30 - 1030 - C.D.
CORPORATION,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
SUSAN GUIHER,	:	
	:	
Defendant	:	
	:	
VS.	:	
	:	
S & T BANK,	:	
	:	
Garnishee	:	

PRAECIPE FOR JUDGMENT AGAINST GARNISHEE S & T BANK

TO THE PROTHONOTARY:

Kindly enter judgment in favor of Plaintiff **ASSOCIATES COMMERCIAL CORPORATION** against Garnishee **S & T BANK** for the sum of \$814.72 admitted in its Answers to Interrogatories as being owed to the Defendant **SUSAN GUIHER** and which is less than the sum due from Defendant **SUSAN GUIHER** to Plaintiff **ASSOCIATES COMMERCIAL CORPORATION**, calculated as follows:

Judgment against	
Defendant SUSAN GUIHER	\$5,535.39
Costs	<u> </u>
Total:	\$

I certify that the precise address of Plaintiff is P.O. Box 141029, Irving, Texas 75014, Defendant **SUSAN GUIHER** is 309 Olive Avenue, Du Bois, Pennsylvania 15801, and Garnishee **S & T BANK** is

614 Liberty Boulevard, Du Bois, Pennsylvania 15801.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

BY: 

Christopher E. Mohney, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW
NO. 00 - 1030 - C.D.

ASSOCIATES COMMERCIAL CORPORATION,
Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

PRAECIPE FOR JUDGMENT AGAINST
GARNISHEE S & T BANK

FILED

DEC 12 2000

M 13:51 Oth
William A. Shaw
Prothonotary

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6
DUBOIS, PA 15801

pd 600.00
not to be. whole
not to be whole
SAT
Statement to Oth
5/1

COPY

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

ASSOCIATES COMMERCIAL	:	NO. 00 - 1030 - C.D.
CORPORATION,	:	
PLAINTIFF	:	
VS.	:	
SUSAN GUIHER,	:	
DEFENDANT	:	
VS.	:	
S & T BANK,	:	
GARNISHEE	:	

TO: S & T BANK, GARNISHEE

NOTICE is given that JUDGMENT in the above captioned
matter has been entered against you in the amount of \$814.72 plus
interest and costs on _____, 2000.

William Shaw, Prothonotary

By: _____
Deputy

Y

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

Associates Commercial Corp.
Plaintiff(s)

No.: 2000-01030-CD

Real Debt: \$814.72

Atty's Comm:

Vs.

Costs: \$

Int. From:

Susan Guiher
Defendant(s)

Entry: \$20.00

Instrument: Judgment/Garnishee

Vs.

Date of Entry: December 12, 2000

S&T Bank
Garnishee(s)

Expires: December 12, 2005

Certified from the record this 12th day of December, 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

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

ASSOCIATES COMMERCIAL
CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

NO. 00 - 1030 - C.D.

TYPE OF CASE: CIVIL

TYPE OF PLEADING: PRAECIPE
TO MARK JUDGMENT SATISFIED

FILED ON BEHALF OF: PLAINTIFF
ASSOCIATES COMMERCIAL
CORPORATION

COUNSEL OF RECORD:
CHRISTOPHER E. MOHNEY, ESQUIRE

SUPREME COURT NO.: 63494

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

FILED

JAN 11 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW
NO. 00 - 1030 - C.D.

ASSOCIATES COMMERCIAL CORPORATION,

Plaintiff

VS.

SUSAN GUIHER,

Defendant

VS.

S & T BANK,

Garnishee

PRAECIPE TO MARK JUDGMENT
SATISFIED

FILED

JAN 11 2001

MA 311 atty
William A. Shaw

Prothonotary

*Mohney pd \$7.00
Staten + Ratio. to*

LAW OFFICES

BLAKLEY, JONES & MOHNEY

90 BEAVER DRIVE - BOX 6

DUBOIS, PA 15801

*atty Mohney
\$7.00*

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2000-01030-CD

Associates Commercial Corp.

Debt: \$814.72

Vs.

Atty's Comm.:

Susan Guiher

Interest From:

Vs.

Cost: \$7.00

S&T Bank

NOW, Thursday, January 11, 2001 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record as to Garnishee, S&T Bank only.

Certified from the record this 11th day of January, A.D. 2001.



Prothonotary