

00-1046-CD

DC Guelich al vs Thunder Coal Co.

00

00-1045-JD
D.C. GUELICH EXPLOSIVE CO., INC. & ~~THUNDER COAL COMPANY a/k/a~~
THUNDER COAL CO.

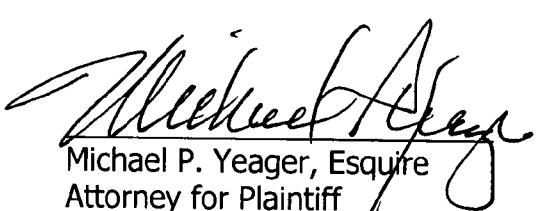
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.,	:	
INC.,	:	
Plaintiff	:	No. 00 - 1046 - CD
VS.	:	
THUNDER COAL COMPANY a/k/a	:	
THUNDER COAL CO.,	:	
Defendant	:	
VS.	:	
CSB BANK,	:	
Garnishee	:	

PRAECIPE TO SATISFY JUDGMENT

TO THE PROTHONOTARY:

Please mark the above-captioned matter satisfied in full.


Michael P. Yeager, Esquire
Attorney for Plaintiff

FILED

APR 21 2005
6/1/2005
William A. Shaw
Prothonotary/Clerk of Courts

Certification to ATT

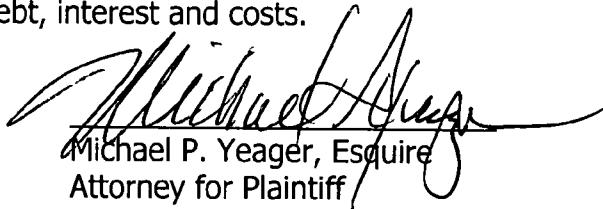
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.,	:	
INC.,	:	
Plaintiff	:	No. 00 - 1046 - CD
vs.	:	
THUNDER COAL COMPANY a/k/a	:	
THUNDER COAL CO.,	:	
Defendant	:	
vs.	:	
CSB BANK,	:	
Garnishee	:	

PRAECIPE TO SATISFY JUDGMENT

TO THE PROTHONOTARY:

Please mark the Judgment entered as against CSB Bank, Garnishee in the amount of \$10,219.98 satisfied in full of debt, interest and costs.



Michael P. Yeager, Esquire
Attorney for Plaintiff

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

D. C. Guelich Explosive Co., Inc.
Plaintiff(s)

No.: 2000-01046-CD

Real Debt: \$10,219.98

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Thunder Coal Company
Clearfield Bank & Trust Company
GPU Energy
Defendant(s)

Entry: \$20.00

Instrument: Judgment to Garshinee

CSB Bank

Date of Entry: April 13, 2005

Expires: April 13, 2010

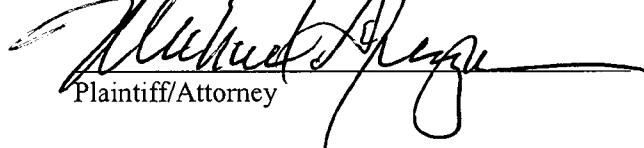
Certified from the record this April 13, 2005



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on 4/21 05, 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 DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2000-01046-CD

D. C. Guelich Explosive Co., Inc.

Debt: \$10,219.98

Vs.

Atty's Comm.:

Thunder Coal Company

Interest From:

Cost: \$7.00

CSB Bank

NOW, Thursday, April 21, 2005 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 21st day of April, A.D. 2005.

Prothonotary

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

111 D. C. GUELICH EXPLOSIVE CO., : NO. 00-1046- CD
INC., :
Plaintiff :
vs : Type of Case: Assumpsit
111 THUNDER COAL COMPANY a/k/a : Type of Pleading: Complaint
THUNDER COAL CO., : Filed on Behalf of: Plaintiff
Defendant : Counsel of Record for this Party:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
: (814) 765-9611

FILED

AUG 24 2000

William A. Shaw
Prothonotary

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

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
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 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
2nd & Market Streets
Clearfield, PA 16830
Telephone: 814-765-2641 Ex 50-51

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

D. C. GUELICH EXPLOSIVE CO.,	:	
INC.,	:	
Plaintiff	:	No. 00 - - CD
:	:	
vs.	:	
:	:	
THUNDER COAL COMPANY a/k/a	:	
THUNDER COAL CO.,	:	
Defendant	:	

C O M P L A I N T

COMES NOW, the Plaintiff, by and through its attorney, Michael P. Yeager, Esquire, and files the within Complaint based upon a cause of action whereof the following is a statement:

1. The Plaintiff is a Pennsylvania corporation with its principal place of business located at R.D. 3, Box 125A, Clearfield, PA 16830.
2. The Defendant is a Pennsylvania corporation with its registered office located at R.D. 1, Box 477, Route 464, Grampian, PA 16838 and with a mailing address of P.O. Box 283, Grampian, PA 16838.
3. At the special instance and request of the Defendant, Plaintiff sold and delivered to Defendant certain materials and services, at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's books of original entry, a summary of which is attached hereto, made part hereof and incorporated herein as "Exhibit A".
4. The aforesaid materials and services were supplied

generally to the Defendant at various coal mining operations in Clearfield County, Pennsylvania.

5. The Defendant received and accepted the materials and services described in "Exhibit A".

6. The prices set forth in "Exhibit A" are the fair, reasonable and market prices for said materials, services and interest and the prices which the Defendant agreed to pay.

7. The Plaintiff provided the materials and services described in "Exhibit A" based upon the reasonable and justifiable expectation of being paid the amounts set forth below, and in reliance upon Defendant's promises to compensate Plaintiff for same.

8. Although demand has been made, the Defendant has failed to make complete payment of the amount due as outlined herein.

COUNT I

BREACH OF CONTRACT

9. Paragraph Nos. 1 through 8 above are incorporated herein as if more fully set forth.

10. As a result of the Defendant's failure to pay for the materials and services and interest as set forth on the attached "Exhibit A", Plaintiff has been damaged in the amount of Twenty-Nine Thousand Four Hundred Fifty-Nine and 87/100 (\$29,459.87) Dollars.

WHEREFORE, Plaintiff claims there is justly due and owing to it from the Defendant the sum of Twenty-Nine Thousand Four Hundred Fifty-Nine and 87/100 (\$29,459.87) Dollars, together with

interest and costs of suit for which judgment is accordingly demanded against the Defendant, Thunder Coal Company a/k/a Thunder Coal Co.

COUNT II

QUASI-CONTRACT

11. Paragraph Nos. 1 through 10 above are incorporated herein as if more fully set forth.

12. Defendant have been unjustly enriched in the amount of the materials, services and interest set forth on the attached "Exhibit A".

WHEREFORE, Plaintiff claims there is justly due and owing to it from the Defendant the sum of Twenty-Nine Thousand Four Hundred Fifty-Nine and 87/100 (\$29,459.87) Dollars, together with interest and costs of suit for which judgment is accordingly demanded against the Defendant, Thunder Coal Company a/k/a Thunder Coal Co.



Michael P. Yeager, Esquire
Attorney for Plaintiff

ACCOUNTS RECEIVABLE DETAIL AGING REPORT

Aging date: 8/23/00

Document types: I = Invoice P = Payment C = Cr memo D = Dr memo B = Balance forward F = Finance charge R = Returned check

Notes: On types I, B, C, D and R, Amount-1 is the amount subject to discount. On type P Amount-1 is cash receipt amt.

On type P Amount-1 is fin charge amt. On types I, C, D and R, Amount-2 is the amount not subject to discount.

On type P Amount-2 is discount plus allowance. (No amount-2 for types F & B).

Cust-#	Name	Balance	aged customer balances			
Contact-1	Address-1	Credit-limit	Current	Ove 30 days	Over 45 days	Over 60 days
Phone-#-1	Address-2	Terms				
Phone-#-2	City/State/Zip	Last-pmt-dat				

A/R account: 000-1100 ACCOUNTS RECEIVABLE

10THUN	OPR-ITM	THUNDER COAL COMPANY	29,459.87	522.76	0.00	522.76	28,414.35
		P.O. BOX 283	Unlimited credit				
236-3200		GRAMPTIAN, PA 16838	NET 30 DAYS	22	0%	22	96%
			6/26/00				

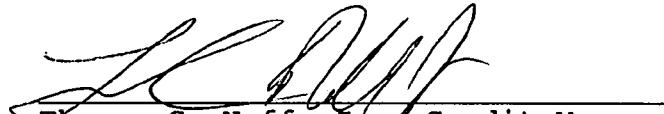
Doc-#	Doc-date	Typ	Apply-to	Due-date	Reference	Amount-1	Amount-2	Doc-total	Age
51190	1/27/00	I	51190	2/26/00	From O/E order: 078434	2,859.40	0.00	2,859.40	209
3105	6/26/00	P	51190	6/26/00		1,258.33	0.00	1,258.33	59
51219	1/28/00	I	51219	2/27/00	From O/E order: 078440	4,629.84	0.00	4,629.84	208
51271	2/04/00	I	51271	3/05/00	From O/E order: 078482	6,786.06	0.00	6,786.06	201
51280	2/07/00	I	51280	3/08/00	From O/E order: 078491	2,429.00	0.00	2,429.00	198
51364	2/16/00	I	51364	3/17/00	From O/E order: 078552	4,950.88	0.00	4,950.88	189
51364ADJ	2/25/00	C	51364	2/25/00		31.11	0.00	31.11	180
51366	2/17/00	I	51366	3/18/00	From O/E order: 078554	3,678.11	0.00	3,678.11	188
51576	3/07/00	I	51576	4/06/00	From O/E order: 078665	2,016.14	0.00	2,016.14	170
19991130	11/30/99	F	19991130	11/30/99	Finance chgs on 11/30/99	78.72	0.00	78.72	267
19991231	12/31/99	F	19991231	12/31/99	Finance chgs on 12/31/99	180.04	0.00	180.04	236
20000131	1/31/00	F	20000131	1/31/00	Finance chgs on 01/31/00	188.20	0.00	188.20	205
20000229	2/29/00	F	20000229	2/29/00	Finance chgs on 02/29/00	124.21	0.00	124.21	177
20000331	3/31/00	F	20000331	3/31/00	Finance chgs on 03/31/00	459.85	0.00	459.85	146
20000430	4/30/00	F	20000430	4/30/00	Finance chgs on 04/30/00	622.76	0.00	622.76	116
20000531	5/31/00	F	20000531	5/31/00	Finance chgs on 05/31/00	622.76	0.00	622.76	85
20000630	6/30/00	F	20000630	6/30/00	Finance chgs on 06/30/00	522.76	0.00	522.76	55
20000731	7/31/00	F	20000731	7/31/00	Finance chgs on 07/31/00	522.76	0.00	522.76	24
51366ADJ	2/11/00	I	51366ADJ	3/12/00		77.82	0.00	77.82	194



VERIFICATION

I, THOMAS C. NEFF, JR., Credit Manager of D. C. GUELICH EXPLOSIVE CO., INC., being duly authorized to make this Verification, have read the foregoing Complaint. The statements therein are true and correct to the best of my personal knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C.S.A., Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.



Thomas C. Neff, Jr. Credit Mgr.
D. C. Guelich Explosive Co., Inc.

FILED

REC
AUG 24 2000
FOR 0/2/38/CATHY LEAGUE PD \$80.00
William A. Shaw
Prothonotary
cc Shaw

MICHAEL P. YEAGER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

D.C. GUELICH EXPLOSIVE CO. INC
VS
THUNDER COAL COMPANY A/K/A

00-1046-CD

NOW AUGUST 30, 2000 AT 9:16 AM DST SERVED THE WITHIN
COMPLAINT ON THUNDER COAL COMPANY A/K/A THUNDER COAL CO.,
DEFENDANT AT RESIDENCE RD 1 BOX 477, RT. 464, GRAMPIAN,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LORI SPENCER,
WIFE OF OWNER(ALLAN SPENCER) A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS
THEREOF.

SERVED BY: MORGILLO

24.57 SHFF. HAWKINS PAID BY: PLFF.
10.00 SURCHARGE PAID BY: PLFF.

SWORN TO BEFORE ME THIS

SO ANSWERS

SU ANSWERS
Chester A. Hauke
by Manly Hahn

CHESTER A. HAWKINS
SHERIFF

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

FILED

SEP 06 2000
01 10:43
William A. Shaw
Prothonotary

(3)

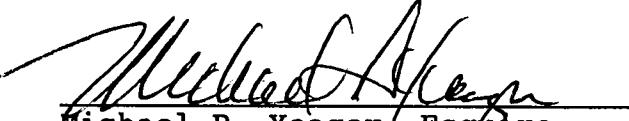
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
20

PRAECIPE FOR DEFAULT JUDGMENT

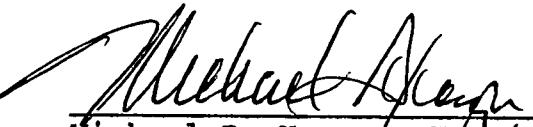
TO THE PROTHONOTARY:

Please enter default judgment in the amount of Twenty-Nine Thousand Four Hundred Fifty-Nine and 87/100 (\$29,459.87) Dollars together with interest, costs and attorneys commission on the above captioned Defendant due to the Defendant's failure to enter an appearance or file an Answer within the allotted twenty (20) day time limit.


Michael P. Yeager, Esquire

Attorney for the Plaintiff

I hereby certify that a written notice of the intention to file a Praecipe for default judgment was mailed to the Defendant above named after default on September 20, 2000, at least ten (10) days prior to the filing of the within Praecipe. A copy of the aforesaid Notice is attached hereto, made a part hereof and incorporated herein by reference as "Exhibit A". A Certificate of Mailing indicating the date of said mailing is attached hereto, made a part hereof and incorporated herein by reference as "Exhibit B".


Michael P. Yeager, Esquire

Attorney for Plaintiff

FILED

OCT 03 2000
0 10 10 was
William A. Shaw, Jr.
Prothonotary
EKB
20

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

COPIES

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

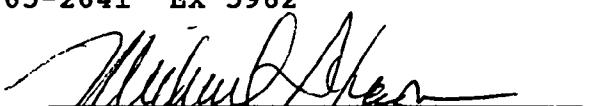
To: THUNDER COAL CO., INC.
R.D. 1, Box 477
Route 464
Grampian, PA 16838

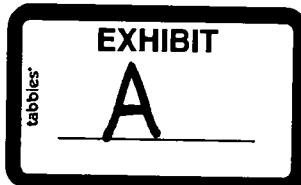
Date of Notice: September 20, 2000

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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
CLEARFIELD COUNTY COURTHOUSE
Clearfield, Pennsylvania 16830
Telephone: 814-765-2641 Ex 5982


Michael P. Yeager, Esquire
Attorney for Plaintiff
P.O. Box 752
Clearfield, PA 16830



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

copy

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

To: THUNDER COAL CO., INC.
R.D. 1, Box 477
Route 464
Grampian, PA 16838

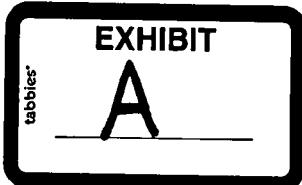
Date of Notice: September 20, 2000

IMPORTANT NOTICE

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

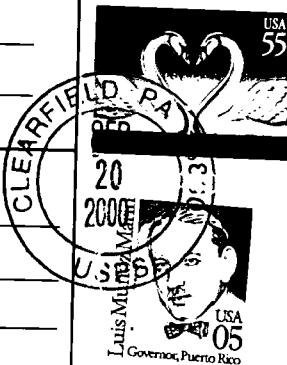
COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Clearfield, Pennsylvania 16830
Telephone: 814-765-2641 Ex 5982


Michael P. Yeager, Esquire
Attorney for Plaintiff
P.O. Box 752
Clearfield, PA 16830



U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE — POSTMASTER			
Received From:			
Michael P. Yeager, Esquire			
P.O. Box 752			
Clearfield, PA 16830			
One piece of ordinary mail addressed to:			
Thunder Coal Co., Inc.			
R.D. 1, Box 477, Route 464			
Grampian, PA 16838			

Affix fee here in stamps
or meter postage and
post mark. Inquire of
Postmaster for current
fees.



PS Form 3817, Mar. 1989



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

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
:
vs. :
:
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

Notice is given that a JUDGMENT in the above-captioned
matter has been entered against you in the amount of \$29,459.87
on October 3, 2000.

William A. Shaw, Prothonotary

By _____

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

D. C. GUELICH EXPLOSIVE CO.
Plaintiffs (s)

Docket: 282

No.: 00-1046-CD

Real Debt: \$29,459.87

Atty's Comm:

Vs.

Costs: \$

Int. From:

THUNDER COAL COMPANY
a/d/a THUNDER COAL CO.
Defendant (s)

Entry: \$20.00

Instrument: DEFAULT JUDGMENT

Date of Entry: OCTOBER 3, 2000

Expires: OCTOBER 3 2005

Certified from the record this 3rd day of October, 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 DIVISION

D. C. GUELICH EXPLOSIVE
COMPANY, INC.,
Plaintiff

vs

THUNDER COAL COMPANY a/k/a
THUNDER COAL CO.,
Defendant

* No. 00-1046-CD

*

*

* Type of Case: Civil

*

*

*

* Type of Pleading: Answer

*

*

*

* Filed on Behalf of: Defendant

*

*

*

* Counsel of Record for this Party:

* CHRIS A. PENTZ, ESQUIRE

*

* Supreme Court I.D. # 39232

* 211 1/2 East Locust Street

* P. O. Box 552

* Clearfield PA 16830

* 814 765-4000

FILED

OCT 09 2000

William A. Shaw
Prothonotary

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

D. C. GUELICH EXPLOSIVE
COMPANY, INC.,
Plaintiff

vs
THUNDER COAL COMPANY a/k/a
THUNDER COAL CO.,
Defendant

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*
*
*
*
* No. 00-1046-CD
*
*
* Type of Case: Civil
*
*
* Type of Pleading: Answer
*
*
*
* Filed on Behalf of: Defendant
*
*
*
* Counsel of Record for this Party:
* CHRIS A. PENTZ, ESQUIRE
*
* Supreme Court I.D. # 39232
* 211 ½ East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED

OCT 09 2000

William A. Shaw
Prothonotary

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

*

D.C. GUELICH EXPLOSIVE CO., *
INC., *
Plaintiff *
vs *
No. 00-1046-CD
THUNDER COAL COMPANY a/k/a *
THUNDER COAL CO. *
Defendant *
*

ANSWER

1. Paragraph 1 is admitted.
2. Paragraph 2 is admitted.
3. Paragraph 3 is admitted in part and denied in part.

It is admitted that certain materials and services were provided but it is denied as to amount in that the materials and services total \$28,091.53.

4. The answer as set forth in Paragraph 3 above is incorporated herein as though set forth in full.

5. The answer as set forth in Paragraph 3 above is incorporated herein as though set forth in full.

6. The answer as set forth in Paragraph 3 above is incorporated herein as though set forth in full.

7. The answer as set forth in Paragraph 3 above is incorporated herein as though set forth in full.

8. The answer as set forth in Paragraph 3 above is incorporated herein as though set forth in full.

COUNT I

BREACH OF CONTRACT

9. Paragraphs 1 through 8 above are incorporated herein as though set forth in full.

10. The answer as set forth in Paragraph 3 above is incorporated as though set forth in full.

WHEREFORE, Defendant requests Your Honorable Court to deny judgment in the amount of \$29,459.87 with interest and costs.

COUNT II

QUASI-CONTRACT

11. Paragraphs 1 through 10 above are incorporate herein as though set forth in full.

12. Paragraph 12 is admitted in part and denied in part. It is admitted that certain materials and services were provided but it is denied as to amcunt in that the materials and services total \$28,091.53.

WHEREFORE, Defendant requests Your Honorable Court to deny judgment in the amount of \$29,459. 87 with interest and costs.

Respectfully submitted this 9 day of October, 2000.

Chris A. Pentz
Chris A. Pentz, Esquire
Attorney for defendant

VERIFICATION

I, **Michael W. Pentz**, state that I am the Secretary of Thunder Coal Company, the Defendant herein, that I am authorized to make this Answer on its behalf and that the facts set forth in the foregoing Answer are true upon my personal knowledge, information and belief.

I understand that my statements are made subject to Pa.C.S. §4904 providing for criminal penalties for unsworn falsification to authorities.

10-6-00


By Michael W. Pentz, Secretary
of Thunder Coal Company

Date

211 1/2 EAST LOCUST ST. P.O. BOX 562
CLEARFIELD, PENNSYLVANIA 16830
ATTORNEY AT LAW
CHRIS A. PENNZ

Fold Here

ED
Oct 09 2000
013451 KCS
John A. Shew
Shew

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

D.C. GUELICH EXPLOSIVE
COMPANY, INC.,
Plaintiff

VS

THUNDER COAL CCOMPANY a/k/a
THUNDER COAL CO.,
Defendant

* No. 00-1046-CD

* Type of Case: Civil

* Type of Pleading: Certificate of
* Service

* Filed on Behalf of: Defendant

* Counsel of Record for this Party:
* CHRIS A. PENTZ, ESQUIRE

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED
OCT 13 2000
William A. Shaw
Prothonotary

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

D.C. GUELICH EXPLOSIVE
COMPANY, INC.,
Plaintiff

vs

THUNDER COAL CCOMPANY a/k/a
THUNDER COAL CO.,
Defendant

*
*
*
*
*
*
*
*
* No. 00-1046-CD

* Type of Case: Civil

* Type of Pleading: Certificate of
* Service

* Filed on Behalf of: Defendant

* Counsel of Record for this Party:

* CHRIS A. PENTZ, ESQUIRE

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED
OCT 13 2000
William A. Shaw
Prothonotary

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

D.C. GUELICH EXPLOSIVE
COMPANY, INC.,
Plaintiff

vs

THUNDER COAL COMPANY a/k/a
THUNDER COAL CO.,
Defendant

* No. 00-1046-CD

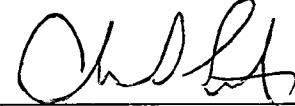
CERTIFICATE OF SERVICE

This is to certify that a certified copy of
the Defendant's Answer was served upon:

Michael Yeager, Esquire
Attorney for Plaintiff,
D.C. Guelich Explosive Company, Inc.
110 North Second Street
Clearfield PA 16830

Service was made by first class regular mail, postage prepaid
from the U.S. Post Office at Clearfield, PA.

Service was made the 13 day of October, 2000.



Chris A. Pentz

Attorney for Defendant

CHRIS A. PENTZ
ATTORNEY AT LAW
211 1/2 EAST LOCUST ST. P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

6
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

D. C. GUELICH EXPLOSIVES CO., : NO. 00 - 1046 - CD
INC., :
Plaintiff : Type of Case: Assumpsit
vs :
THUNDER COAL COMPANY a/k/a : Type of Pleading: Praecipe for
THUNDER COAL CO., : Writ of Execution
Defendant : Filed on Behalf of: Plaintiff
: Counsel of Record for this Party:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
: (814) 765-9611

FILED

OCT 19 2000

William A. Shaw
Prothonotary

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Please issue writ of execution in the above matter, as follows:

1. directed to the Sheriff of Clearfield County and the Sheriff of Berks County;
2. against Thunder Coal Company a/k/a Thunder Coal Co., Defendant; and
3. against Hepburnia Coal Co., R K R Enterprises, Inc., County National Bank, CSB Bank, Clearfield Bank & Trust Company and GPU Energy, garnissees;

4. and index this writ:

(a) Against THUNDER COAL COMPANY a/k/a THUNDER COAL CO. and

(b) Against Hepburnia Coal Co. as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(c) Against R K R Enterprises, Inc. as Garnishee as a lis pendens against any and all accounts, certificates of

deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(d) Against County National Bank as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

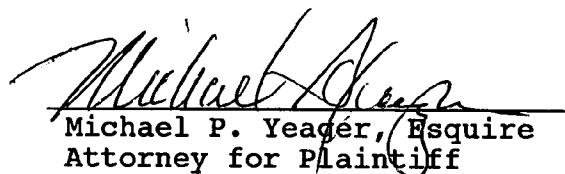
(e) Against CSB Bank as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(f) Against Clearfield Bank & Trust Company as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(g) Against GPU Energy as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

5. Amount due as of 8/23/00	\$ 29,459.87
Interest	
Costs (to be added):	
Sheriff's Costs	
Attorney's fees paid	

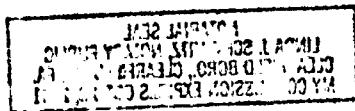
TOTAL \$



Michael P. Yeager, Esquire
Attorney for Plaintiff

FILED

OCT 19 2000
8/24/00
atty legal pd
LeWorts
William A. Shaw
Prothonotary Sheriff
3worts - atty legal



deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(d) Against County National Bank as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

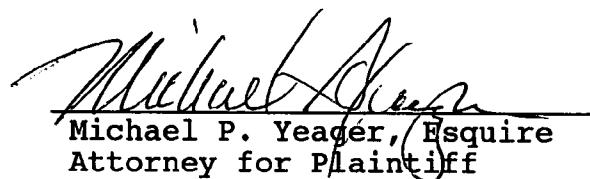
(e) Against CSB Bank as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(f) Against Clearfield Bank & Trust Company as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

(g) Against GPU Energy as Garnishee as a lis pendens against any and all accounts, certificates of deposit, funds, escrow funds or funds of any kind being held in any way on behalf of Defendant, and

5. Amount due as of 8/23/00	\$ 29,459.87
Interest	
Costs (to be added):	
Sheriff's Costs	
Attorney's fees paid	

TOTAL \$



Michael P. Yeager, Esquire
Attorney for Plaintiff

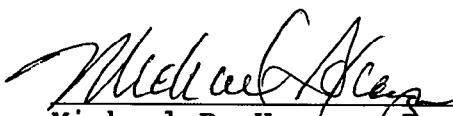
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

AFFIDAVIT OF RESIDENCE OF DEFENDANT

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :
:

Michael P. Yeager, Attorney for the above-named Plaintiff
being duly sworn according to law, deposes and says that to the
best of his knowledge, information and belief, the last known
address of the above-named Defendant is: Thunder Coal Company
a/k/a Thunder Coal Co. R.D. 1, Box 477, Route 464, Grampian, PA
16838.



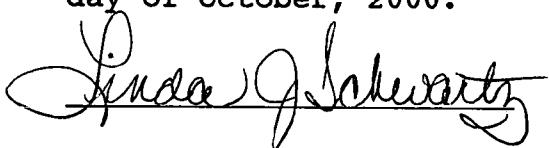
Michael P. Yeager, Esquire
Attorney for Plaintiff

Sworn to and subscribed

before me this 18th

day of October, 2000.





FILED

OCT 19 2000
0124960000
William A. Shaw
Prothonotary
Sheriff
3writs - a/c the Mayor

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

D. C. GUELICH EXPLOSIVES CO., : NO. 00 - 1046 - CD
INC., :
Plaintiff : Type of Case: Assumpsit
vs :
: Type of Pleading: Writ of
TEUNDER COAL COMPANY a/k/a : Execution
THUNDER CCAL CO., :
Defendant : Filed on Behalf of: Plaintiff
: Counsel of Record for this Party:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
: (814) 765-9611

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

D. C. GUELICH EXPLOSIVES CO., : NO. 00 - 1046 - CD
INC., :
Plaintiff : Type of Case: Assumpsit
vs : Type of Pleading: Writ of
THUNDER COAL COMPANY a/k/a : Execution
THUNDER COAL CO., : Filed on Behalf of: Plaintiff
Defendant : Counsel of Record for this Party:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
: : (814) 765-9611

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

D. C. GUELICH EXPLOSIVES CO.,	:
INC.,	:
Plaintiff	: No. 00 - 1046 - CD
:	:
vs.	:
:	:
THUNDER COAL COMPANY a/k/a	:
THUNDER COAL CO.,	:
Defendant	:

WRIT OF EXECUTION

N O T I C E

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. 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 below.

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.

William A. Shaw, Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

TO: SHERIFF OF BERKS COUNTY

To satisfy the judgment, interest and costs against Thunder
Coal Company a/k/a Thunder Coal Co.:

1. you are directed to levy upon the property of the
Defendant and to sell its interest therein;

2. you are also directed to attach the property of the
Defendant not levied upon in the possession of GPU Energy as
Garnishee, any accounts, certificates of deposit, funds, escrow
funds or funds of any kind or other property being held on behalf
of Defendant 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
accounts, certificates of deposit, funds, escrow funds or
funds of any kind and from delivering any property being
held on behalf of the Defendant or otherwise disposing
thereof;

3. 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 or her that he or she has been added as a Garnishee and is enjoined as above stated.

Amount due:	\$ 29,459.87
Interest	154.57
[Costs to be added]	

WILLIAM A. SHAW, PROTHONOTARY
CF CLEARFIELD COUNTY



Date: October 19, 2000

By: William A. Shaw

3. 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 or her that he or she has been added as a Garnishee and is enjoined as above stated.

Amount due:	\$ 29,459.87
Interest	154.57
[Costs to be added]	

WILLIAM A. SHAW, PROTHONOTARY
OF CLEARFIELD COUNTY



Date: October 19, 2000

By: _____

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAWS

1. \$300 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 - LAW

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

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 statutory exemption be
(i) set aside in kind (specify property to be set
aside in kind): _____

(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 statutory exemption: \$ _____ in cash; in
kind (specify property): _____.
(b) Social Security benefits on 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 me 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.

Dated: _____

THIS CLAIM TO BE FILED WITH THE OFFICE
OF THE SHERIFF OF CLEARFIELD COUNTY:
CLEARFIELD COUNTY COURTHOUSE
814-765-2641

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

COPY

D. C. GUELICH EXPLOSIVES CO., : NO. 00 - 1046 - CD
INC., :
Plaintiff : Type of Case: Assumpsit
vs : Type of Pleading: Writ of
THUNDER COAL COMPANY a/k/a : Execution
THUNDER COAL CO., : Filed on Behalf of: Plaintiff
Defendant : Counsel of Record for this Party:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
: (814) 765-9611

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

WRIT OF EXECUTION

N O T I C E

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. 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 below.

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William A. Shaw, Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

TO: CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY

To satisfy the judgment, interest and costs against Thunder
Coal Company a/k/a Thunder Coal Co.:

1. you are directed to levy upon the property of the
Defendant and to sell its interest therein;

2. you are also directed to attach the property of the
Defendant not levied upon in the possession of Hepburnia Coal
Co., R K R Enterprises, Inc., County National Bank, CSB Bank,
Clearfield Bank & Trust Company as Garnishees, any accounts,
certificates of deposit, funds, escrow funds or funds of any kind
or other property being held on behalf of Defendant and to notify
the Garnishee that:

(a) an attachment has been issued;

(b) the Garnishees are enjoined from paying any debt
to or for the account of the Defendant and from delivering
any accounts, certificates of deposit, funds, escrow funds
or funds of any kind and from delivering any property being

held on behalf of the Defendant or otherwise disposing thereof;

3. 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 or her that he or she has been added as a Garnishee and is enjoined as above stated.

Amount due:	\$ 29,459.87
Interest	
[Costs to be added]	154.57

Date: October 19, 2000

WILLIAM A. SHAW, PROTHONOTARY
OF CLEAREFIELD COUNTY

By: William A. Shaw

held on behalf of the Defendant or otherwise disposing thereof;

3. 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 or her that he or she has been added as a Garnishee and is enjoined as above stated.

Amount due:	\$ 29,459.87
Interest	
[Costs to be added]	154.57

Date: October 19, 2000

WILLIAM A. SHAW, PROTHONOTARY
OF CLEARFIELD COUNTY

By: William A. Shaw

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAWS

1. \$300 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 - LAW

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

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 statutory exemption be
(i) set aside in kind (specify property to be set
aside in kind): _____
_____;
(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 statutory exemption: \$ _____ in cash; in
kind (specify property): _____.
(b) Social Security benefits on deposit in the amount
of \$ _____;
(c) Other (specify amount and basis of exemption):

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
.

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 statutory exemption be
(i) set aside in kind (specify property to be set
aside in kind): _____

(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 statutory exemption: \$_____ in cash; in
kind (specify property): _____.
(b) Social Security benefits on 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 me 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.

Dated: _____

THIS CLAIM TO BE FILED WITH THE OFFICE
OF THE SHERIFF OF CLEARFIELD COUNTY:
CLEARFIELD COUNTY COURTHOUSE

814-765-2641

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

D.C. Guelich Explosives Co., Inc.

PLAINTIFF

: NO. 00-1046-CD

VS.

Thunder Coal Company a/k/a
Thunder Coal Co., Inc.

DEFENDANT

AND

CLEARFIELD BANK & TRUST COMPANY
GARNISHEE

To: The Prothonotary of Clearfield County

The Clearfield Bank & Trust Company, Garnishee, files answers to plaintiff's interrogatories as follows:

The answer to the plaintiff's interrogatories to #1 is No.

The answer to the plaintiff's interrogatories to #2 is NA.

The answer to the plaintiff's interrogatories to #3 is No.

The answer to the plaintiff's interrogatories to #4 is NA.

The answer to the plaintiff's interrogatories to #5 is No.

The answer to the plaintiff's interrogatories to #6 is NA.

The answer to the plaintiff's interrogatories to #7 is No.

The answer to the plaintiff's interrogatories to #8 is NA.

The answer to the plaintiff's interrogatories to #9 is No.

The answer to the plaintiff's interrogatories to #10 is NA.

The answer to the plaintiff's interrogatories to #11 is No.

The answer to the plaintiff's interrogatories to #12 is NA.

The answer to the plaintiff's interrogatories to #13 is No.

The answer to the plaintiff's interrogatories to #14 is NA.

FILED

OCT 30 2000

0111501 W

William A. Shaw
Prothonotary

2 Cents To Mail

823

Date: October 30, 2000



Lori A. Kurtz
Collection Officer
Clearfield Bank & Trust Company

No. 00-1046-CD

D.C. Guelich Explosives Co., Inc.
Plaintiff

vs.

Thunder Coal Company a/k/a
Thunder Coal Co., Inc., Defendant

AND

Clearfield Bank & Trust Co.
Garnishee





SHERIFF OF BERKS COUNTY

633 Court Street, Reading, PA 19601

Phone 610-478-6240 Fax 610-478-6222

Barry Jozwiak, Sheriff

Eric J. Weaknecht, Chief Deputy

RE:00-1046-CD (Clearfield Co., Pa.)

TO THE HONORABLE, THE JUDGES OF THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA: I, Barry J. Jozwiak, SHERIFF OF THE COUNTY OF BERKS, PA., hereby and return that I served the within WRIT OF EXECUTION (attachment) and INTERROGATORIES TO GARNISHEE under the Pennsylvania Rules of Civil Procedure effective January 1, 1986 as follows:

That I attached as within commanded anything in the possession, custody or control of the Garnishee that belongs to the defendant, THUNDER COAL COMPANY. and at the same time summoned as Garnishee the Following: GPU ENERGY, by handing, VIRGINIA SNYER, person in charge at the time being 2 true and attested copies of the Writ and 2 copies of the Interrogatories at the usual place of business, 2800 POTTSVILLE PIKE, READING, PA 19612 and made known to her the contents thereof and directed her to forward a copy of the writ and a copy of the Answers to the Interrogatories to the defendant.

October 26, 2000 a true and attested copy of the Writ was mailed to the defendant at: RD 1 Box 477, Route 464, Grampian, Pa. 16838..

Sheriff Jozwiak pd. \$62.00
State Surcharge pd \$40.00

FILED

OCT 30 2000
012481ncc
William A. Shaw
Prothonotary
KAB

Returned:
October 26, 2000

So Answers,
Barry J. Jozwiak

Barry J. Jozwiak,
Sheriff of Berks Co., Pa.

Linda Underwood
Linda Underwood

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

D.C. GUELICH EXPLOSIVES, CO., :
INC., :
Plaintiff :
vs. :
No. 00-1046-CD
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., INC., :
Defendant :
and :
COUNTY NATIONAL BANK :
Garnishee :
:

CERTIFICATE OF SERVICE

I, Peter F. Smith, Attorney for County National Bank, the
Garnishee named above, hereby certify that I sent answers to
Plaintiff's Interrogatories by first class mail, postage prepaid,
on the following party:

Michael P. Yeager, Esquire
110 North Second Street
Clearfield, PA 16830

By certified mail to Defendant:
Thunder Coal Company
a/k/a Thunder Coal Co., Inc.
P.O. Box 283
Grampian, PA 16838

Date: November 1, 2000


Peter F. Smith, Esquire
Attorney for Garnishee

NOV 03 2000

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

D. C. GUELICH EXPLOSIVES CO.,
INC.,

Plaintiff

NO. OO – 1046 - CD

vs.

THUNDER COAL COMPANY a/k/a
THUNDER COAL CO., INC.,
Defendant

GPU ENERGY
RESPONSE TO INTERROGATORIES

Pennsylvania Electric Company, Metropolitan Edison Company, and Jersey Central Power & Light, each d/b/a GPU Energy (hereinafter referred to as "GPU Energy"), by and through its Counsel hereby submits its responses to Plaintiff's Interrogatories as follows:

1. At the time you were served or at any time subsequent thereto, did you owe the Defendant any money or were you liable to them on any negotiable or written instrument, or did they claim that you owed them any money or were liable to them for any reason?

Answer: No

2. If the answer to Interrogatory 1 is in the affirmative, please state with specificity those amounts of money owed or obligations to the Defendant outstanding.

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3. At the time you were served with these Interrogatories or at any time subsequent thereto, was there in your possession, custody or control, or in the joint possession, custody or control of yourself and one or more other person any property or any nature owned solely or in part by the Defendant?

Answer: Not Applicable

4. If the answer to Interrogatory 3 is in the affirmative, please state with specificity those properties possessed or controlled by you or in part by the Defendant.

Answer: Not Applicable

5. At the time you were served with these Interrogatories or at any time subsequent thereto, 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?

Answer: Not Applicable

6. If the answer to Interrogatory 5 is in the affirmative, please list those properties in which you held title.

Answer: Not Applicable.

7. 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?

Answer: Not Applicable.

8. If the answer to Interrogatory 7 is in the affirmative, please state with specificity those properties which you hold as such a fiduciary for Defendant.

Answer: Not Applicable.

9. 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?

Answer: Not Applicable.

10.. If the answer to Interrogatory 9 is in the affirmative, please state with specificity those properties so transferred, the transferees in each transaction and the dates such transfer took place.

Answer: Not Applicable.

11. At any time after you were served, did you pay, transfer, or deliver any money or property to the Defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the Defendant against you?

Answer: Not Applicable.

12. If the answer to Interrogatory 11 is in the affirmative, please state with specificity those properties so transferred, the dates of transfer and the respective transferees.

Answer: Not Applicable.

13. At the time you were served with these Interrogatories or at any time subsequent thereto, did you have pledges, documents of title, securities, accounts, taxes, deposits or amounts of money in which the Defendant had an interest?

Answer: Not Applicable.

14. If the answer to Interrogatory 13 is in the affirmative, please state with specificity those accounts, deposits, balances, transactions involving any amounts, accounts or deposits, instruments, certificates, drafts, notes or other instruments in which the Defendant may have interest.

Answer: Not Applicable.

Respectfully submitted,



Dennis J. Kulish, Esquire
Attorney I.D. # 58830

Attorney for GPU Energy
2800 Pottsville Pike, P.O. Box 16001
Reading, PA 19640-0001
(610) 921-6359

Dated: November 3, 2000

VERIFICATION

I, HARRY P. HUNT, on behalf of the Garnishee, G P U ENERGY, being duly sworn according to law, verify that the statements made in these Answers to Interrogatories are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsification to authorities.

G P U ENERGY

Date: 11/1/00, 2000 By Harry P. Hunt

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

D. C. GUELICH EXPLOSIVES : No. 00-1046-CD
CO., INC., :
Plaintiff :
vs. : Type of Case: Civil
THUNDER COAL COMPANY, : Type of Pleading: ANSWERS OF
a/k/a THUNDER COAL CO., : GARNISHEE, CSB BANK, TO
INC., Defendant : INTERROGATORIES WITH NEW MATTER
: Filed on behalf of:
: CSB BANK, Garnishee
: Counsel of Record for this Party:
: Laurance B. Seaman, Esquire
: Supreme Court No.: 19620
: GATES & SEAMAN
: Attorneys at law
: Two North Front Street
: P. O. Box 846
: Clearfield, Pennsylvania 16830
: (814) 765-1766
:
:
:
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FILED

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o/ 3:20 (cm

William A. Shaw

Prothonotary

~ C/C ~

KPA

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

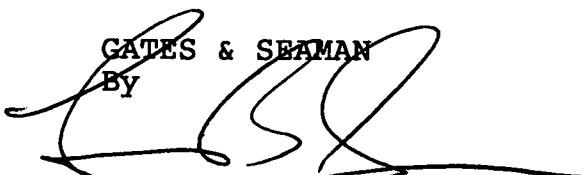
D. C. GUELICH EXPLOSIVES CO., :
INC., Plaintiff :
: No. 00-1046-CD
-vs- :
: THUNDER COAL COMPANY, a/k/a THUNDER:
COAL CO., INC., Defendant :

N O T I C E

To: D. C. Guelich Explosives Co., Inc.
c/o Michael P. Yeager, Esquire
P. O. Box 752
Clearfield, PA 16830

Thunder Coal Company, a/k/a Thunder Coal Co., Inc.
R. R. #1, Box 477
Grampian, PA 16838

YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN RESPONSE TO
THE ENCLOSED NEW MATTER WITHIN TWENTY (20) DAYS FROM
SERVICE HEREOF OR A JUDGMENT MAY BE ENTERED AGAINST
YOU.


GATES & SEAMAN
By

Laurence B. Seaman, Esquire
Attorney for CSB Bank, Garnishee

Date: November 8, 2000

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

D. C. GUELICH EXPLOSIVES CO., :
INC., Plaintiff :
: : No. 00-1046-CD
-vs- :
: :
THUNDER COAL COMPANY, a/k/a THUNDER: :
COAL CO., INC., Defendant :
:

ANSWERS OF GARNISHEE, CSB BANK, TO INTERROGATORIES
WITH NEW MATTER

CSB BANK, Garnishee, makes the following answer to
Plaintiff's Interrogatories:

1. No.

2. See Answer to Interrogatory No. 1.

3. Yes.

4.(1) Checking Account No. 19908, with a balance of
\$485.03;

(2) Certificate of Deposit No. 1009590, originally in the
amount of \$10,000.00, with a present balance of \$11,522.12;

(3) Certificate of Deposit No. 1009594, originally in the
amount of \$10,000.00, with a present balance of \$11,721.45;

(4) Time Certificate of Deposit No. 10011267, originally
in the amount of \$13,300.00, with a present balance of
\$14,537.27; and

(5) Certificate of Deposit No. 1009664, originally in the
amount of \$2,500.00, with a present balance of \$2,951.78.

See New Matter which is incorporated herein by reference.

5. Yes, if holding an encumbered Certificate of Title as
collateral constitutes holding "legal title".

6.(1) Certificate of Title for a 1995 Chevrolet Truck,
Vehicle Identification No. 1GCEK14K6SZ154874;

(2) Certificate of Title for a 1997 Ford Truck, Vehicle

Identification No. 1FTDX0865VKA03440; and

(3) Certificate of Title for a 1999 Chevrolet Suburban, Vehicle Identification No. 3GNFK16R4XG100342.

See New Matter which is incorporated herein by reference.

7. No.
8. See Answer to Interrogatory No. 7.
9. No.
10. See Answer to Interrogatory No. 9.
11. No.
12. See Answer to Interrogatory No. 11.
13. Yes.
14. See Answers to Interrogatories No. 4 and 6 and New Matter, which is incorporated herein by reference.

NEW MATTER

By way of New Matter, Garnishee, CSB BANK, avers:

1. Item No. (2) in Answer to Interrogatory No. 4 has been assigned to Garnishee as collateral for Irrevocable Letter of Credit No. 256, dated September 8, 1997, in the amount of \$17,750.00, issued by Garnishee to Rockwood Casualty Insurance Company.
2. Item No. (3) in Answer to Interrogatory No. 4 has been assigned to Garnishee as collateral for Irrevocable Letter of Credit No. 253, dated March 24, 1997, in the amount of \$22,500.00, issued by Garnishee to Rockwood Casualty Insurance Company.

3. Item No. (4) in Answer to Interrogatory No. 4 has been assigned to Garnishee as collateral for Irrevocable Letter of Credit No. 259, dated August 18, 1998, in the amount of \$13,300.00, issued by Garnishee to Rockwood Casualty Insurance Company.

4. Item No. (5) in Answer to Interrogatory No. 4 has been assigned to and is physically being held by Pike Township as a road bond.

5. Item No. (1) in Answer to Interrogatory No. 6 is being held by Garnishee as collateral, first lien holder, under a Note and Security Agreement, dated September 11, 1997, for Loan No. 139589 in the original amount of \$15,923.02.

6. Item No. (2) in Answer to Interrogatory No. 6 is being held by Garnishee as collateral, first lien holder, under a Pennsylvania Motor Vehicle Installment Sale Contract (and Security Agreement), dated May 24, 1997, for Loan No. 139338 in the original amount of \$24,099.02.

7. Item No. (3) in Answer to Interrogatory No. 6 is being held by Garnishee as collateral, first lien holder, under a Pennsylvania Motor Vehicle Installment Sale Contract (and Security Agreement), dated March 24, 1998, for Loan No. 206759 in the original amount of \$17,856.94.

8. Garnishee also has a perfected first priority security interest in a used D-10 N Caterpillar Tractor, Serial No. 2YD0730, as collateral under a Commercial Security Agreement

3. Item No. (4) in Answer to Interrogatory No. 4 has been assigned to Garnishee as collateral for Irrevocable Letter of Credit No. 259, dated August 18, 1998, in the amount of \$13,300.00, issued by Garnishee to Rockwood Casualty Insurance Company.

4. Item No. (5) in Answer to Interrogatory No. 4 has been assigned to and is physically being held by Pike Township as a road bond.

5. Item No. (1) in Answer to Interrogatory No. 6 is being held by Garnishee as collateral, first lien holder, under a Note and Security Agreement, dated September 11, 1997, for Loan No. 139589 in the original amount of \$15,923.02.

6. Item No. (2) in Answer to Interrogatory No. 6 is being held by Garnishee as collateral, first lien holder, under a Pennsylvania Motor Vehicle Installment Sale Contract (and Security Agreement), dated May 24, 1997, for Loan No. 139338 in the original amount of \$24,099.02.

7. Item No. (3) in Answer to Interrogatory No. 6 is being held by Garnishee as collateral, first lien holder, under a Pennsylvania Motor Vehicle Installment Sale Contract (and Security Agreement), dated March 24, 1998, for Loan No. 206759 in the original amount of \$17,856.94.

8. Garnishee also has a perfected first priority security interest in a used D-10 N Caterpillar Tractor, Serial No. 2YD0730, as collateral under a Commercial Security Agreement

and Promissory Note to Loan No. 140442, dated August 18, 1998,
in the amount of \$141,600.00.

GATES & SEAMAN

By:



Laurence B. Seaman, Esquire
Attorney for CSB Bank, Garnishee

Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

Date: 11/31/00

VERIFICATION

I, Wesley M. Weymers, President of CSB Bank, verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I the undersigned understand that false statements made herein are subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.



Wesley M. Weymers, President
CSB BANK

Date: 11-8-00

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

D. C. GUELICH EXPLOSIVES CO., :
INC., Plaintiff :
: No. 00-1046-CD
-vs- :
: THUNDER COAL COMPANY, a/k/a THUNDER:
COAL CO., INC., Defendant :

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of November, 2000, a true and correct copy of the Answers of Garnishee, CSB Bank, to Interrogatories and New Matter was sent by regular U. S. mail to:

Michael P. Yeager, Esquire
P. O. Box 752
Clearfield, PA 16830

Thunder Coal Company,
a/k/a Thunder Coal Co., Inc.
R. D. #1, Box 477
Grampian, PA 16838

Gates & Seaman
By: 

Laurence B. Seaman, Esquire
Attorney for CSB Bank, Garnishee

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 00-1046-CD

D. C. GUELICH EXPLOSIVES
CO., INC., Plaintiff

-vs-

THUNDER COAL COMPANY,
a/k/a THUNDER COAL CO., INC.
Defendant

ANSWERS OF GARNISHEE,
CSB BANK, TO INTERROGATORIES
WITH NEW MATTER

LAW OFFICES
GATES & SEAMAN
2 NORTH FRONT STREET
P.O. BOX 846
CLEARFIELD, PA. 16830

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

D. C. GUELICH EXPLOSIVES CO., : NO. 00 - 1046 - CD
INC., :
Plaintiff : Type of Case: Assumpsit
vs :
: Type of Pleading: Writ of
THUNDER COAL COMPANY a/k/a : Execution
THUNDER COAL CO., :
Defendant : Filed on Behalf of: Plaintiff
: Counsel of Record for this Party:
: Michael P. Yeager, Esq.
: Supreme Court No.: 15587
: P.O. Box 752
: 110 North Second Street
: Clearfield, PA 16830
: (814) 765-9611

COPY

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

WRIT OF EXECUTION

N O T I C E

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. 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 below.

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.

William A. Shaw, Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641

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

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

TO: CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY

To satisfy the judgment, interest and costs against Thunder
Coal Company a/k/a Thunder Coal Co.:

1. you are directed to levy upon the property of the
Defendant and to sell its interest therein;
2. you are also directed to attach the property of the
Defendant not levied upon in the possession of Hepburnia Coal
Co., R K R Enterprises, Inc., County National Bank, CSB Bank,
Clearfield Bank & Trust Company as Garnishees, any accounts,
certificates of deposit, funds, escrow funds or funds of any kind
or other property being held on behalf of Defendant and to notify
the Garnishee that:

(a) an attachment has been issued;
(b) the Garnishees are enjoined from paying any debt
to or for the account of the Defendant and from delivering
any accounts, certificates of deposit, funds, escrow funds
or funds of any kind and from delivering any property being

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAWS

held on behalf of the Defendant or otherwise disposing thereof;

3. 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 or her that he or she has been added as a Garnishee and is enjoined as above stated.

Amount due:	\$ 29,459.87
Interest	154.57
[Costs to be added]	

WILLIAM A. SHAW, PROTHONOTARY
OF CLEARFIELD COUNTY

Date: October 19, 2000 By: William A. Shaw

RECEIVED OCT 19 2000

④ 2:45 PM
Clerk of Court
Margaret H. Pott

held on behalf of the Defendant or otherwise disposing thereof;

3. 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 or her that he or she has been added as a Garnishee and is enjoined as above stated.

Amount due:	\$ 29,459.87
Interest	154.57
[Costs to be added]	

Date: October 19, 2000

WILLIAM A. SHAW, PROTHONOTARY
OF CLEARFIELD COUNTY

By: William A. Shaw

RECEIVED Oct 19 2000
at 2:45 PM
by Maryann W. Potts
W. A. Shaw

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAWS

1. \$300 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 - LAW

D. C. GUELICH EXPLOSIVES CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
:

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 statutory exemption be
(i) set aside in kind (specify property to be set
aside in kind): _____
_____;
(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 statutory exemption: \$ _____ in cash; in
kind (specify property): _____.
(b) Social Security benefits on 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 me 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.

Dated: _____

THIS CLAIM TO BE FILED WITH THE OFFICE
OF THE SHERIFF OF CLEARFIELD COUNTY:
CLEARFIELD COUNTY COURTHOUSE
814-765-2641

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10322

D.C. GUELICH EXPLOSIVES CO., INC.

00-1046-CD

VS.

THUNDER COAL COMPANY ET AL

WRIT OF EXECUTION INTERROGATORIES TO GARNISHEE

SHERIFF RETURNS

NOW, OCTOBER 20, 2000, AT 10:21 AM O'CLOCK SERVED WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON SHERRY MCCALL, PERSON IN CHARGE OF HEPBURNIA COAL CO., GARNISHEE, AT HER PLACE OF EMPLOYMENT, PO BOX 1, GRAMPIAN, CLEARFIELD COUNTY, PENNSYLVANIA, 16830, BY HANDING TO SHERRY MCCALL, PERSON IN CHARGE OF HEPBURNIA COAL CO., GARNISHEE, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

NOW, OCTOBER 20, 2000, AT 10:28 AM O'CLOCK SERVED WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON KIM HORTON, MANAGER OF RKR ENTERPRISES, INC., GARNISHEE, AT HIS PLACE OF EMPLOYMENT, R.D. #1, GRAMPIAN, CLEARFIELD COUNTY, PENNSYLVANIA, 16838, BY HANDING TO KIM HORTON, MANAGER OF RKR ENTERPRISES, INC., 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, OCTOBER 20, 2000, AT 10:30 AM O'CLOCK SERVED WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON LARRY A. PUTT OF COUNTY NATIONAL BANK, GARNISHEE, AT HIS PLACE OF EMPLOYMENT, P.O. BOX 42, SECOND AND MARKET STREETS, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, 16830, BY HANDING TO LARRY A. PUTT OF COUNTY NATIONAL 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, OCTOBER 20, 2000, AT 10:35 AM O'CLOCK SERVED WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE ON GARY E. CURRY OF CLEARFIELD BANK AND TRUST COMPANY, GARNISHEE, AT HIS PLACE OF EMPLOYMENT, P.O. BOX 171, 11 NORTH SECOND STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, 16830, BY HANDING TO GARY E. CURRY OF CLEARFIELD BANK AND TRUST COMPANY, GARNISHEE, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10322

D.C. GUELICH EXPLOSIVES CO., INC.

00-1046-CD

VS.

THUNDER COAL COMPANY ET AL

WRIT OF EXECUTION INTERROGATORIES TO GARNISHEE

SHERIFF RETURNS

**NOW, OCTOBER 20, 2000, AT 10:44 AM O'CLOCK SERVED WRIT OF EXECUTION
AND INTERROGATORIES TO GARNISHEE ON MARYLIN SNYDER, ASSISTANT
VICE PRESIDENT OF CSB BANK, GARNISHEE, AT HER PLACE OF EMPLOYMENT,
P.O. BOX 29, 434 STATE STREET, CURWENSVILLE, CLEARFIELD COUNTY,
PENNSYLVANIA, 16833, BY HANDING TO MARYLIN SNYDER, ASSISTANT
VICE PRESIDENT OF CSB BANK, GARNISHEE, A TRUE AND ATTESTED COPY OF
THE ORIGINAL WRIT OF EXECUTION AND MADE KNOWN TO HER THE CONTENTS
THEREOF.**

**NOW, OCTOBER 23, 2000, AT 11:14 AM O'CLOCK SERVED WRIT OF EXECUTION
AND INTERROGATORIES TO GARNISHEE ON ALAN A. SPENCER, PRESIDENT OF
THUNDER COAL COMPANY A/K/A THUNDER COAL CO., GARNISHEE, AT HIS PLACE
OF EMPLOYMENT RR #1, BOX 477, RT 464, GRAMPIAN, CLEARFIELD COUNTY,
PENNSYLVANIA, 16838, BY HANDING TO ALAN A. SPENCER, PRESIDENT OF
THUNDER COAL COMPANY A/K/A THUNDER COAL CO., 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, JUNE 22, 2000, RETURN WRIT AS BEING SERVED, PAID COSTS FROM
ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO THE ATTORNEY.**

SHERIFF HAWKINS \$95.84

SURCHARGE 70.00

PAID BY ATTORNEY

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10322

D.C. GUELICH EXPLOSIVES CO., INC.

00-1046-CD

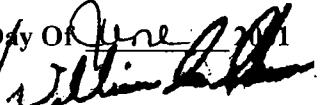
VS.

THUNDER COAL COMPANY ET AL

WRIT OF EXECUTION INTERROGATORIES TO GARNISHEE

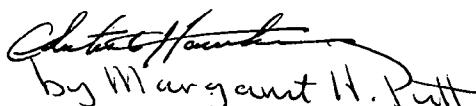
SHERIFF RETURNS

Sworn to Before Me This

22nd Day of June 2001


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

So Answers,


by Margaret H. Putt
Chester A. Hawkins
Sheriff

FILED

JUN 22 2001

013:50 pm

William A. Shaw
Prothonotary

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

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
20--

FILED

DEC 19 2001

01370/44

William A. Shaw, P
Prothonotary

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter default judgment against CSB Bank, Garnishee
for \$6,167.83 (1/2 of the total principal and accumulated and
accrued interest less forfeiture) attributable to and on the
following Certificate of Deposit:

Certificate of Deposit Number: 1009594
Original & Collateralized Amount: \$10,000.00
Accumulated & Accrued Interest: \$2,368.62
Forfeiture Amount: \$32.97
Balance: \$12,335.65

Total to be released to D. C. Guelich Explosive Co., Inc. is
\$6,167.83 held by CSB Bank, Garnishee, for the benefit of Thunder
Coal Company, the Defendant in the above-captioned matter.
Judgment is being entered in accordance with the admission of CSB
Bank, Garnishee in response to Interrogatories previously issued
in this matter.

This Praecipe for Judgment shall not affect any other
Certificates of Deposit or other funds held by CSB Bank for the

LEANT TO ATTY
NOTICE TO GARNISHEE

8
E

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

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
20--

FILED

DEC 19 2001

013105/04

William A. Shaw, Jr.
Prothonotary

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

LCM TO ATTY
NOTICE TO GARNISHEE

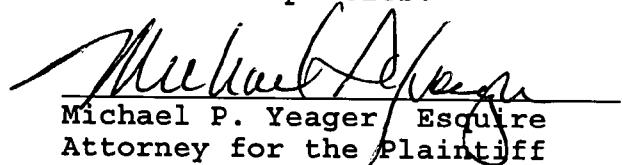
Please enter default judgment against CSB Bank, Garnishee
for \$6,167.83 (1/2 of the total principal and accumulated and
accrued interest less forfeiture) attributable to and on the
following Certificate of Deposit:

Certificate of Deposit Number:	1009594
Original & Collateralized Amount:	\$10,000.00
Accumulated & Accrued Interest:	\$2,368.62
Forfeiture Amount:	\$32.97
Balance:	\$12,335.65

Total to be released to D. C. Guelich Explosive Co., Inc. is
\$6,167.83 held by CSB Bank, Garnishee, for the benefit of Thunder
Coal Company, the Defendant in the above-captioned matter.
Judgment is being entered in accordance with the admission of CSB
Bank, Garnishee in response to Interrogatories previously issued
in this matter.

This Praecipe for Judgment shall not affect any other
Certificates of Deposit or other funds held by CSB Bank for the

benefit of Thunder Coal Company and garnished by Plaintiff in the above-captioned matter. Those garnished items shall remain covered by the garnishment proceedings herein until further Praecept or action of any of the affected parties.



Michael P. Yeager, Esquire
Attorney for the Plaintiff

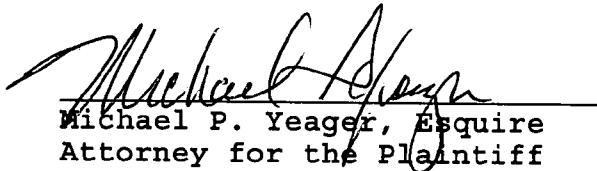
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
:

P R A E C I P E

TO THE PROTHONOTARY:

CSB BANK, GARNISHEE is hereby authorized to release to the Plaintiff the sum of \$6,167.83 presently held by CSB bank and attributable to Certificate of Deposit No. 1009594 on behalf of the above-captioned Defendant from the Garnishment filed by the Plaintiff, and to release to the Plaintiff the remaining funds in the amount of \$6,167.82 attributable to Certificate of Deposit No. 1109594; with the specific understanding that the same is only a partial payment on the continuing obligation of the Defendant to the Plaintiff; with any remaining assets held by CSB for the benefit of Defendants to remain covered by the garnishment proceedings herein until further Praecipe or action of any of the affected parties.


Michael P. Yeager, Esquire
Attorney for the Plaintiff

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

COPY

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
:

Notice is given that a JUDGMENT in the above-captioned matter has been entered against CSB Bank, Garnishee as follows: For \$6,167.83 (1/2 of the total principal and accumulated and accrued interest less forfeiture) attributable to and on the following Certificate of Deposit:

Certificate of Deposit Number:	1009594
Original & Collateralized Amount:	\$10,000.00
Accumulated & Accrued Interest:	\$2,368.62
Forfeiture Amount:	\$32.97
Balance:	\$12,335.65

Total to be released to D. C. Guelich Explosive Co., Inc. is \$6,167.83 held by CSB Bank, Garnishee, for the benefit of Thunder Coal Company, the Defendant in the above-captioned matter. Judgment is being entered in accordance with the admission of CSB Bank, Garnishee in response to Interrogatories previously issued in this matter.

The Praeclipe for Default Judgment shall not affect any other Certificates of Deposit or other funds held by CSB Bank for the benefit of Thunder Coal Company and garnished by Plaintiff in the

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

COPY

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
:

Notice is given that a JUDGMENT in the above-captioned matter has been entered against CSB Bank, Garnishee as follows: For \$6,167.83 (1/2 of the total principal and accumulated and accrued interest less forfeiture) attributable to and on the following Certificate of Deposit:

Certificate of Deposit Number:	1009594
Original & Collateralized Amount:	\$10,000.00
Accumulated & Accrued Interest:	\$2,368.62
Forfeiture Amount:	\$32.97
Balance:	\$12,335.65

Total to be released to D. C. Guelich Explosive Co., Inc. is \$6,167.83 held by CSB Bank, Garnishee, for the benefit of Thunder Coal Company, the Defendant in the above-captioned matter. Judgment is being entered in accordance with the admission of CSB Bank, Garnishee in response to Interrogatories previously issued in this matter.

The Praeclipe for Default Judgment shall not affect any other Certificates of Deposit or other funds held by CSB Bank for the benefit of Thunder Coal Company and garnished by Plaintiff in the

above-captioned matter. Those garnished items shall remain covered by the garnishment proceedings herein until further Praecept or action of any of the affected parties.

William A. Shaw, Prothonotary

By _____



Dated 12/19/01

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

COPY

D. C. Guelich Explosive Co., Inc.
Plaintiff(s)

No.: 2000-01046-CD

Real Debt: \$6,167.83

Atty's Comm:

Vs. Costs: \$

Int. From:

Thunder Coal Company Entry: \$20.00
Defendant(s)

Vs.
CSB Bank
Garnishee(s)

Instrument: Default Judgment/Garnishee CSB
Bank

Date of Entry: December 19, 2001

Expires: December 19, 2006

Certified from the record this 19th of December, 2001

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 DIVISION

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
:

PRAECIPE TO SATISFY JUDGMENT

TO THE PROTHONOTARY:

Please mark the Default Judgment entered as against CSB Bank, Garnishee in the amount of \$6,167.83 satisfied in full of debt, interest and costs. However, the underlying judgment and garnishment proceedings in this matter are to remain in place until further praecipe or action of any of the affected parties.



Michael P. Yeager, Esquire

Attorney for Plaintiff

FILED

DEC 19 2001

o/3:21 (w)

William A. Shaw
Prothonotary

1 CEN T TO ATTY



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2000-01046-CD

D. C. Guelich Explosive Co., Inc.

Plaintiff

Debt: \$6,167.83

Vs.

Atty's Comm.:

Thunder Coal Company

Defendant

Vs.

CSB Bank,

Garnishee

Interest From:

Cost: \$7.00

NOW, Wednesday, December 19, 2001 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record aganist Garnishee, CSB Bank, only.

Certified from the record this 19th day of December, A.D. 2001.

Prothonotary

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

D. C. GUELICH EXPLOSIVE CO., :
INC., :
Plaintiff : No. 00 - 1046 - CD
vs. :
THUNDER COAL COMPANY a/k/a :
THUNDER COAL CO., :
Defendant :
vs. :
CSB BANK, :
Garnishee :
:

FILED

APR 13 2005
0/3/05/c
William A. Shaw
Prothonotary/Clerk of Courts
No Return To
CSB,

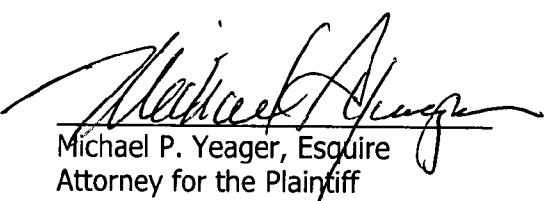
STAMPED TO AGO

PRAECIPE FOR JUDGMENT ON ADMISSION

TO THE PROTHONOTARY:

Please enter judgment against CSB Bank, Garnishee for \$10,219.98 attributable to and on
Certificate of Deposit Number 1009590 (Original Amount \$10,000) and Certificate of Deposit
Number 10011267 (Original Amount \$10,000).

Total to be released to D. C. Guelich Explosive Co., Inc. is \$10,219.98 held by CSB Bank,
Garnishee, for the benefit of Thunder Coal Company, the Defendant in the above-captioned
matter. Judgment is being entered in accordance with the admission of CSB Bank, Garnishee in
response to Interrogatories previously issued in this matter.


Michael P. Yeager, Esquire
Attorney for the Plaintiff

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

D. C. GUELICH EXPLOSIVE CO.,
INC.,

Plaintiff

No. 00 - 1046 - CD

vs.

THUNDER COAL COMPANY a/k/a
THUNDER COAL CO.,

Defendant

vs.

CSB BANK,

Garnishee

FILED

APR 13 2005

6/3/05/C

William A. Shaw
Prothonotary/Clerk of Courts

NOTICE TO

CSB,

STATEMENT AGA

PRAECIPE FOR JUDGMENT ON ADMISSION

TO THE PROTHONOTARY:

Please enter judgment against CSB Bank, Garnishee for \$10,219.98 attributable to and on
Certificate of Deposit Number 1009590 (Original Amount \$10,000) and Certificate of Deposit
Number 10011267 (Original Amount \$10,000).

Total to be released to D. C. Guelich Explosive Co., Inc. is \$10,219.98 held by CSB Bank,
Garnishee, for the benefit of Thunder Coal Company, the Defendant in the above-captioned
matter. Judgment is being entered in accordance with the admission of CSB Bank, Garnishee in
response to Interrogatories previously issued in this matter.

Michael P. Yeager
Attorney for the Plaintiff

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

D. C. GUELICH EXPLOSIVE CO.,	:	
INC.,	:	
Plaintiff	:	No. 00 - 1046 - CD
vs.	:	
THUNDER COAL COMPANY a/k/a	:	
THUNDER COAL CO.,	:	
Defendant	:	
vs.	:	
CSB BANK,	:	
Garnishee	:	

FILED

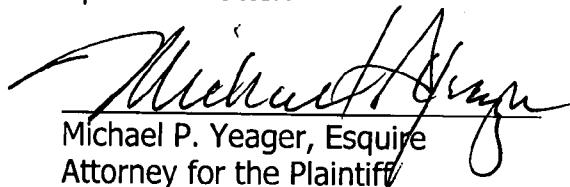
APR 13 2005

William A. Shaw
Prothonotary/Clerk of Courts

P R A E C I P E

TO THE PROTHONOTARY:

CSB BANK, GARNISHEE is hereby authorized to release to the Plaintiff the sum of \$10,219.98 presently held by CSB bank and attributable to Certificate of Deposit Numbers 1009590 and 10011267 on behalf of the above-captioned Defendant from the Garnishment filed by the Plaintiff in the above-captioned matter.



Michael P. Yeager, Esquire
Attorney for the Plaintiff

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

D. C. GUELICH EXPLOSIVE CO.,	:	
INC.,	:	
Plaintiff	:	No. 00 - 1046 - CD
	:	
vs.	:	
	:	
THUNDER COAL COMPANY a/k/a	:	
THUNDER COAL CO.,	:	
Defendant	:	
	:	
vs.	:	
	:	
CSB BANK,	:	
Garnishee	:	

Notice is given that a JUDGMENT in the above-captioned matter has been entered against CSB Bank, Garnishee as follows: For \$10,219.98 attributable to and on Certificate of Deposit #1009590 (Original Amount \$10,000) and Certificate of Deposit #10011267 (Original Amount \$10,000).

Total to be released to D. C. Guelich Explosive Co., Inc. is \$10,219.98 held by CSB Bank, Garnishee, for the benefit of Thunder Coal Company, the Defendant in the above-captioned matter. Judgment is being entered in accordance with the admission of CSB Bank, Garnishee in response to Interrogatories previously issued in this matter.

William A. Shaw, Prothonotary

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

D. C. Guelich Explosive Co., Inc.
Plaintiff(s)

No.: 2000-01046-CD

Real Debt: \$10,219.98

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Thunder Coal Company
Clearfield Bank & Trust Company
GPU Energy
Defendant(s)

Entry: \$20.00

Instrument: Judgment to Garshinee

CSB Bank

Date of Entry: April 13, 2005

Expires: April 13, 2010

Certified from the record this April 13, 2005

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

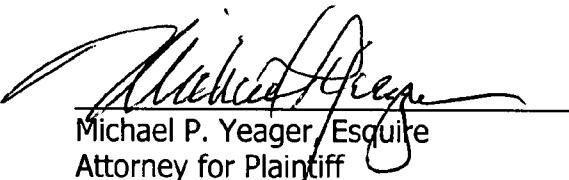
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.,	:
INC.,	:
Plaintiff	No. 00 - 1046 - CD
vs.	:
THUNDER COAL COMPANY a/k/a	:
THUNDER COAL CO.,	:
Defendant	:

PRAECIPE TO SETTLE, DISCONTINUE & END

TO WILLIAM A. SHAW, PROTHONOTARY:

Please mark the above-captioned matter settled, discontinued and ended.


Michael P. Yeager, Esquire
Attorney for Plaintiff

FILED

MAY 25 2005
0/11:55 AM
William A. Shaw
Prothonotary/Clerk of Courts
No CERT COPY
CERTIFICATE TO
ATTY & CJA

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

D. C. GUELICH EXPLOSIVE CO.,
INC.,

Plaintiff

No. 00 - 1046 - CD

vs.

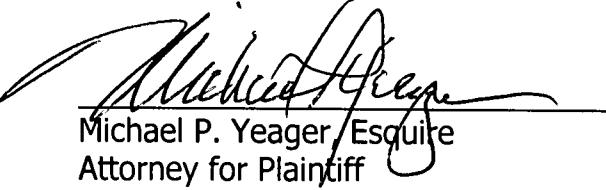
THUNDER COAL COMPANY a/k/a
THUNDER COAL CO.,

Defendant

PRAECIPE TO SETTLE, DISCONTINUE & END

TO WILLIAM A. SHAW, PROTHONOTARY:

Please mark the above-captioned matter settled, discontinued and ended.


Michael P. Yeager, Esquire
Attorney for Plaintiff

FILED

MAY 25 2005
6/11/05

William A. Shaw
Prothonotary/Clerk of Courts
No CERT COPY

CERTIFICATION TO
ATTY & C/A

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

D. C. Guelich Explosive Co., Inc.

Vs.

No. 2000-01046-CD

**Thunder Coal Company
Clearfield Bank & Trust Company
GPU Energy**

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on May 25, 2005, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$296.57 have been paid in full by Atty. for Plaintiff.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of May A.D. 2005.

William A. Shaw, Prothonotary