

00-1127-CD
Russell Paving vs Ronald Berger

00

00-1127-CD
RUSSELL PAVING -vs- RONALD A. BERGER

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL (1)

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

00-1127-CO

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT

RONALD A. BERGER

MAG. DIST. NO. OR NAME OF D.J.

46-3-01

ADDRESS OF APPELLANT

R13 BOX 178

CITY

PATRICK N. FORD

STATE

ZIP CODE

DATE OF JUDGMENT

8/22/00

IN THE CASE OF (Plaintiff)

PUNXSUTAWNEY PA

15767

RUSSELL PAVING

(Defendant)

CLAIM NO.

CV 0000400-00

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

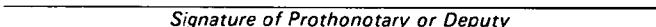
LT 19



This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.



PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon RUSSELL PAVING, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 00-1127-CO) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To RUSSELL PAVING, appellee(s)

Name of appellee(s)



(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: Sept. 12 2000



FILED

REC'D
SEP 12 2000
01233 Acty Hanking pd
William A. Shaw
Prothonotary

\$80.00
CC to Acty

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 19_____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____, 19_____.

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

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

RONALD A. BERGER
RD 3 BOX 178
PUNXSUTANWEY, PA 15767

RCWD 8-25-00
NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: RUSSELL PAVING NAME and ADDRESS

P.O. BOX 96
CURWENSVILLE, PA 16833

DEFENDANT: BERGER, RONALD A. VS.
RD 3 BOX 178
PUNXSUTANWEY, PA 15767

Docket No.: CV-0000400-00
Date Filed: 6/01/00



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

Judgment was entered for: (Name) RUSSELL PAVING

Judgment was entered against: (Name) BERGER, RONALD A.

in the amount of \$ 5,118.25 on: (Date of Judgment) 8/22/00

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	\$ 5,000.00
Judgment Costs	\$ 118.25
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 5,118.25
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.

8/22/00 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.

Date _____, District Justice

My commission expires first Monday of January,

2006

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

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**

RONALD A. BERGER
RD 3 BOX 178
PUNXSUTANWEY, PA 15767

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

BERGER, RONALD A.

NAME and ADDRESS

RD 3 BOX 178
PUNXSUTANWEY, PA 15767

DEFENDANT:

RUSSELL, DAN

NAME and ADDRESS

P.O. BOX 96
DBA RUSSELL PAVING
CURWENSVILLE, PA 16833

VS.

Docket No.: **CV-0000400-00**

Date Filed: **7/25/00**

CROSS COMPLAINT **001**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR DEFENDANT

Judgment was entered for: (Name) **RUSSELL, DAN**

Judgment was entered against: (Name) **BERGER, RONALD A.**

in the amount of \$ **.00** on: (Date of Judgment) **8/22/00**

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	\$.00
Judgment Costs	\$.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$.00
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.

8/22/00 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.

Date _____, District Justice

My commission expires first Monday of January 2006

SEAL

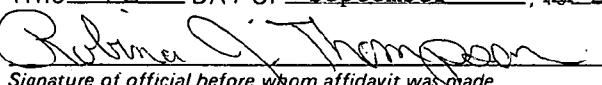
PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)*

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield ; ss**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 00-1127, upon the District Justice designated therein on
 (date of service) Sept. 15, 2000 by personal service by certified (registered) mail, sender's
 receipt attached hereto, and upon the appellee, (name) Russell Paving, on
Sept. 15, 2000 by personal service by certified (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on Sept. 15, 2000 by personal service by certified (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
 THIS 15 DAY OF September, 2000*Signature of affiant*
 Signature of official before whom affidavit was madeNotary Public

Title of official

My commission expires on 19**NOTARIAL SEAL**

Robina J. Thompson, Notary Public
 DuBois, Clearfield County
 My Commission Expires April 3, 2004

FILED012:45 pm
 SEP 15 2000William A. Shaw
 Prothonotary

DOC 5/29

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL

FROM

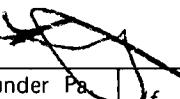
DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

00-1127-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT RONALD A BERGER	MAG. DIST. NO. OR NAME OF D.J. PATRICK N. FORD
ADDRESS OF APPELLANT P.O. Box 178	CITY PUNXSUTAWNEY, PA
DATE OF JUDGMENT 8/22/00	STATE PA
CLAIM NO. CV 0000400-00	ZIP CODE 15767
IN THE CASE OF (Plaintiff) RUSSELL PAVING	(Defendant) BERGER, RONALD A.
VS.	
SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 	
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p> <p><i>Signature of Prothonotary or Deputy</i></p>	

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

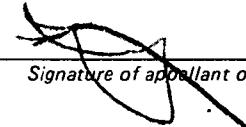
(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon **RUSSELL PAVING**, appellee(s), to file a complaint in this appeal
(Name of appellee(s))

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To **RUSSELL PAVING**, appellee(s)
(Name of appellee(s))


Signature of appellant or his attorney or agent

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: **Sept. 12 2000**


Signature of Prothonotary or Deputy

7099 3220 0011 0188 3475

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)**

Article Sent To:
District Justice Patrick Ford

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

DUBOIS PA 15801
CRP Postmark Here 2000
USPS

Name (Please Print Clearly) (To be completed by maller)
District Justice Patrick Ford
Street, Apt. No.; or PO Box No.
107 North Brady Street, P.O. Box 452
City, State, ZIP+ 4
DuBois, PA 15801

PS Form 3800, July 1999

See Reverse for Instructions

7099 3220 0011 0188 3468

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)**

Article Sent To:
Russell Paving

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

DUBOIS PA 15801
SEP Postmark Here 2000
USPS

Name (Please Print Clearly) (To be completed by maller)
Russell Paving
Street, Apt. No.; or PO Box No.
P.O. Box 96
City, State, ZIP+ 4
Curwensville, PA 16833

PS Form 3800, July 1999

See Reverse for Instructions

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Lst. 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**

3
**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

BERGER, RONALD A.

NAME and ADDRESS

RD 3 BOX 178

PUNXSUTANWEY, PA 15767

L

VS.

DEFENDANT:

RUSSELL, DAN

NAME and ADDRESS

P.O. BOX 96

DBA RUSSELL PAVING

CURWENSVILLE, PA 16833

Docket No.: **CV-0000400-00**

Date Filed: **7/25/00**

CROSS COMPLAINT **001**



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

THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR DEFENDANT

00-1127-CO

Judgment was entered for: (Name) **RUSSELL, DAN**

Judgment was entered against: (Name) **BERGER, RONALD A.**

in the amount of \$ **.00** on: (Date of Judgment) **8/22/00**

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	\$.00
Judgment Costs	\$.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$.00
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

FILED

Date:	Place:
Time:	

SEP 21 2000

11:10 a.m.

William A. Shaw

Prothonotary

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.

3-22-00 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.

Date _____, District Justice

My commission expires first Monday of January,

2006

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

CROSS Complaint

CIVIL COMPLAINT

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD
Address: 109 NORTH BRADY STREET
P.O. BOX 452
DUBOIS, PA 15801
Telephone: (814) 371-5321

PLAINTIFF:

NAME and ADDRESS

RONALD A. BERGER
RD 3 BOX 178
L PUNXSUTAWNEY, PA 15767
VS.

DEFENDANT:

NAME and ADDRESS

DAN RUSSELL DBA
RUSSELL PAVING
P.O. Box 96
L CURWENSVILLE, PA 16833

Docket No.: CV 400-00

Date Filed:



	AMOUNT	DATE PAID
FILING COSTS	\$ _____	/ /
SERVING COSTS	\$ _____	/ /
TOTAL	\$ _____	/ /

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 8,000.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

CROSS COMPLAINT is as follows:
PROPOSED COST TO FIX PARKING LOT IS \$11,852.00 PLUS
COSTS TO REPAINT LINES. ALSO HAVE 2 BILLS
FROM CMT LAB FOR EXAMINATION OF PROBLEM.
HAVE NOT PAID RUSSELL PAVING \$5,000.00 DUE.
BECAUSE PARKING LOT IS NOT CORRECT.

I, RONALD A. BERGER verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. S.C.A. § 4904) related to unsworn falsification to authorities.

RONALD A. BERGER
(Signature of Plaintiff or Authorized Agent)

Plaintiff's
Attorney: _____

Address: _____

Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

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

4
**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS

RUSSELL PAVING
P.O. BOX 96
CURWENSVILLE, PA 16833

VS.
DEFENDANT: NAME and ADDRESS
BERGER, RONALD A.
RD 3 BOX 178
PUNXSUTANWEY, PA 15767

Docket No.: **CV-0000400-00**
Date Filed: **6/01/00**



THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

00-1127-0

Judgment was entered for: (Name) **RUSSELL PAVING**

Judgment was entered against: (Name) **BERGER, RONALD A.**

in the amount of \$ **5,118.25** on: (Date of Judgment) **8/22/00**

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

Damages will be assessed on: _____

Amount of Judgment	\$ 5,000.00
Judgment Costs	\$ 118.25
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 5,118.25

This case dismissed without prejudice.

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

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:

FILED

SEP 21 2000

11:01 am

William A. Shaw

Prothonotary

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.

8/22/00 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.

Date _____, District Justice

My commission expires first Monday of January,

2006

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

CIVIL COMPLAINT

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD
Address: 109 NORTH BRADY STREET
P.O. BOX 452
DUBOIS, PA 15801
Telephone: (814) 371-5321

PLAINTIFF:

RUSSELL PAVING
P.O. Box 96
CURWENSVILLE, PA 16833

NAME and ADDRESS

DEFENDANT:

RONALD A. BERBER
R.D. #3 Box 178

NAME and ADDRESS

Punxsutawney, PA 15767

Docket No.: CV 400-00
Date Filed:

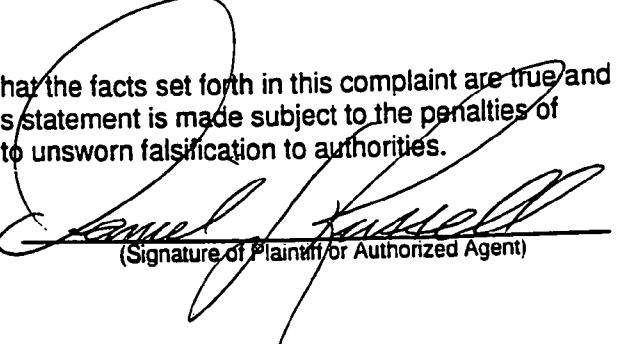


	AMOUNT	DATE PAID
FILING COSTS	\$ 9.75	1/1
SERVING COSTS	\$ _____	1/1
TOTAL	\$ _____	1/1

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 5000.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Asphalt paved parking lot still owes a balance of 5000.00 from June 1955

I, DANIEL J. RUSSELL verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.


(Signature of Plaintiff or Authorized Agent)

Plaintiff's
Attorney:

Address:

Telephone:

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

5

CLEARFIELD, PENNSYLVANIA 16830
P.O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

FILED
SEP 29 2000
RD# Q3310
RDN
PROBATE
PROBATE
Atty Kubista

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

DANIEL J. RUSSELL, d/b/a)
RUSSELL PAVING,)
)
 Plaintiff,)
)
 v.) 00-1127-CD
)
 RONALD A. BERGER,)
)
 Defendant.)

COMPLAINT

Filed on behalf of
Plaintiff

Counsel of Record for
this party:

Kimberly M. Kubista
PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED

SEP 29 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

DANIEL J. RUSSELL, d/b/a)
RUSSELL PAVING,)
)
 Plaintiff,)
)
 v.) 00-1127-CD
)
 RONALD A. BERGER,)
)
 Defendant.)

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT 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
Second & Market Streets, Clearfield, PA 16830
(814) 765-2641, Ex. 50-51

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

DANIEL J. RUSSELL, d/b/a)
RUSSELL PAVING,)
)
 Plaintiff,)
)
 v.) 00-1127-CD
)
 RONALD A. BERGER,)
)
 Defendant.)

COMPLAINT

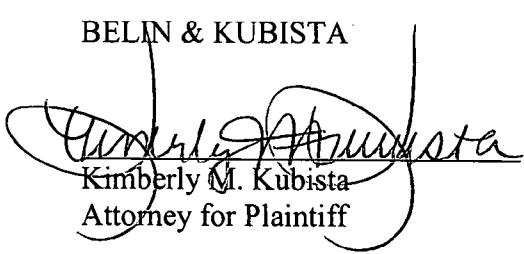
NOW COMES the Plaintiff, DANIEL J. RUSSELL, d/b/a RUSSELL PAVING, by and through his attorneys, Belin & Kubista, and sets forth the following Complaint, and in support thereof would aver as follows:

1. That Plaintiff is DANIEL J. RUSSELL, d/b/a RUSSELL PAVING, a sole proprietorship with an address and place of business at P.O. Box 96, Curwensville, Pennsylvania.
2. That Defendant is Ronald A. Berger, an adult individual, currently residing at R.D. 3, Box 178, Punxsutawney, Pennsylvania.
3. That Plaintiff in the month of June, 1999, paved a parking lot situate at Park Avenue, DuBois, Pennsylvania for Defendant. The contract price for such paving was the total sum of \$8,000.00.
4. That Defendant failed to pay Plaintiff a balance of \$5,000.00 for said paving.

5. That Plaintiff filed a Magistrate's Complaint against Defendant in order to obtain payment of the \$5,000.00.
6. That Plaintiff incurred cost of \$97.50 to file said complaint.
7. That Defendant filed a cross complaint with the Magistrate averring that "the parking lot is not correct."
8. That judgment was entered in favor of Plaintiff in the amount of \$5,000.00 on the complaint on August 22, 2000, and judgment was also entered in favor of Plaintiff on the cross complaint on August 22, 2000.

WHEREFORE, Plaintiff requests Your Honorable Court to enter judgment against the Defendant in the amount of \$5,000.00 plus interest and costs and for such other relief as the Court deems appropriate.

BELIN & KUBISTA

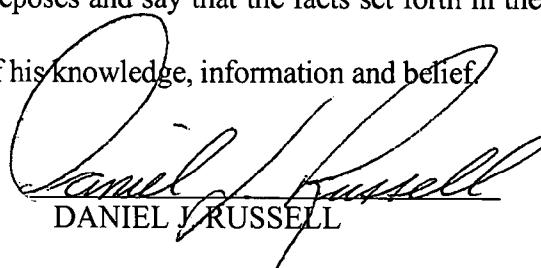

Kimberly M. Kubista
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

)
COUNTY OF CLEARFIELD)

ss:

Before me, the undersigned officer, personally appeared DANIEL J. RUSSELL,
who, being duly sworn according to law, deposes and say that the facts set forth in the foregoing
Complaint are true and correct to the best of his knowledge, information and belief.

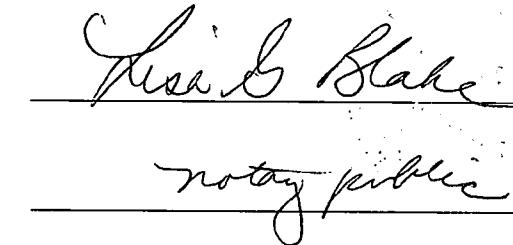


DANIEL J. RUSSELL

SWORN AND SUBSCRIBED before me this 27 day of

September, 2000.

NOTARIAL SEAL
LISA G. BLAKE, NOTARY PUBLIC
CLEARFIELD BORO., CLEARFIELD CO.
MY COMMISSION EXPIRES NOV. 10, 2003



LISA G. BLAKE
notary public

CLIFFFIELD, PENNSYLVANIA 16830
P. O. BOX 1
15 NORTH FRONT STREET
ATTORNEYS AT LAW
BELLIN & KUBISTA

⑥
FILED
OCT 19 2000
Catty Kubista
William A. Shaw
Prothonotary
~~cc~~ Cont. Do. to
Atty Kubista
Copy to CA

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

21
DANIEL J. RUSSELL, d/b/a)
RUSSELL PAVING,)
Plaintiff,)
v.) 00-1127-CD
RONALD A. BERGER,)
Defendant.)

PRAECIPE TO DISCONTINUE

Filed on behalf of
Plaintiff

Counsel of Record for
this party:

Kimberly M. Kubista
PA ID #52782

BELIN & KUBISTA
15 North Front Street
Clearfield, PA 16830

(814) 765-8972

FILED

OCT 19 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

DANIEL J. RUSSELL, d/b/a)
RUSSELL PAVING,)
Plaintiff,)
v.) 00-1127-CD
RONALD A. BERGER,)
Defendant.)

PRAECIPE TO DISCONTINUE

TO THE PROTHONTARY:

Please mark the above captioned action satisfied,
settled and discontinued.

Respectfully submitted,

BELIN & KUBISTA

By: 
Kimberly M. Kubista
Attorney for Plaintiff

Date: 10-19-00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Civil Division

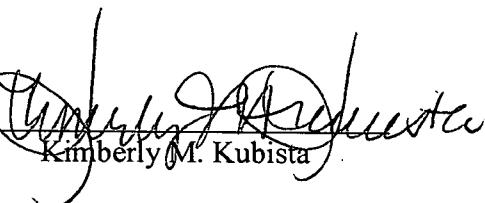
DANIEL J. RUSSELL, d/b/a)
RUSSELL PAVING,)
Plaintiff,)
v.) 00-1127-CD
RONALD A. BERGER,)
Defendant.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Praeclipe to Discontinue was sent by
first-class mail, postage prepaid this 19th day of October, 2000, to the following:

David Hopkins, Esquire
902 Beaver Drive
DuBois, PA 15801

BELIN & KUBISTA

By: 
Kimberly M. Kubista

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

DANIEL J. RUSSELL, d/b/a RUSSELL

PAVING,

Plaintiff(s)

vs.

No. 00-1127-CD

RONALD A. BERGER,

Defendant(s)

CERTIFICATE OF DISCONTINUANCE
COUNTY OF CLEARFIELD
COMMONWEALTH OF PENNSYLVANIA

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 this day, the 19th of OCTOBER, 2000, A.D. 2000, marked:

SATISFIED, SETTLED and DISCONTINUED.

Record costs in the sum of \$80.00 have been paid in full by
Kimberly Kubista, Esquire

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 19th day of October A.D. 2000.

Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

(7)

Sheriff Docket # 10235

RUSSELL, DANIEL J. D/B/A RUSSELL PAVING

00-1127-CD

VS.

BERGER, RONALD A.

COMPLAINT

SHERIFF RETURNS

NOW OCTOBER 2, 2000, THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHINCOMPLAINT ON RONALD A. BERGER, DEFENDANT.

NOW OCTOBER 9, 2000 SERVED THE WITHIN COMPLAINT ON RONALD A. BERGER, DEFENDANT BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

Return Costs

Cost	Description
27.88	SHFF. HAWKINS PAID BY: ATTY.
51.00	SHFF. DEMKO PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

FILED

OCT 25 2000

William A. Shaw
Prothonotary

Sworn to Before Me This

25th Day Of October 2000
William A. Shaw

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

So Answers,

*Chester A. Hawkins
by Marilyn Harris*
Chester A. Hawkins
Sheriff

EKB

No. 00-1127-CD

Personally appeared before me, Terry Fedigan, Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on October 9, 2000 at 3:45 o'clock P.M. served the Notice and Complaint upon RONALD A. BERGER, Defendant, at his residence, R.D. #3, Box 178, Punxsutawney, Township of Henderson, County of Jefferson, State of Pennsylvania by handing to him, personally, a true copy of the Notice and Complaint, and by making known to him the contents thereof.

Advance Costs Received:	\$ 125.00
My Costs:	\$ 49.00 Paid
Prothy:	\$ 2.00
Total Costs:	\$ 51.00
Refunded:	\$ 74.00

Sworn and subscribed
to before me this 10th
day of October 2000
E. H. H. (Signature)

So Answers,

Gerry Fedigan
Deputy
Thomas A. Demko
SHERIFF
JEFFERSON COUNTY, PENNSYLVANIA

**PROTHONOTARY
CLERK OF COURTS**
My Commission Expires
1st Monday of January 2002
Jefferson County, PA