

00-1146-CD  
Kemper Ins. vs Jeffrey Kavelak et al

00

00-1146-CD

KEMPER INSURANCE COMPANIES -vs- JEFFERY KAVELAK et al

Lap over margin

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

KEMPER INSURANCE COMPANIES,  
Plaintiff

vs.

JEFFERY KAVELAK and PATRICIA  
KAVELAK, his wife; and,  
JOHN R. SPINGOLA, t/d/b/a  
COUNTRY GARDEN SIX PACK,  
Defendants

COMPLAINT

NOTICE TO DEFENDANTS:

YOU are hereby notified  
that you are required to file  
an Answer to the within Complaint  
within twenty (20) days after  
service upon you or judgment  
may be entered against you.

*Joseph Colavecchi*  
JOSEPH COLAVECCHI, ESQUIRE  
Attorney for Plaintiff

COLAVECCHI  
RYAN & COLAVECCHI

ATTORNEYS AT LAW  
221 EAST MARKET STREET  
(ACROSS FROM COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA 16830

**FILED**  
01/08/2001  
SEP 15 2000  
William A. Shaw  
Prothonotary  
Att'y  
pd. 80.00  
Att'y

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

(12) KEMPER INSURANCE COMPANIES,  
Plaintiff

Vs.

(51) JEFFERY KAVELAK and (71) PATRICA  
KAVELAK, his wife; and (23) JOHN  
R. SPINGOLA, t/d/b/s (12) COUNTRY  
GARDEN SIX PACK,  
Defendant

CIVIL DIVISION

No. 00 - 1146 - CD

COMPLAINT

Filed on Behalf of:

Plaintiff, KEMPER INSURANCE  
COMPANIES

Counsel of Record for This  
Party:

JOSEPH COLAVECCHI, ESQUIRE  
Pa. I.D. #06810

COLAVECCHI RYAN & COLAVECCHI  
221 East Market Street  
P.O. Box 131  
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF  
COLAVECCHI  
RYAN & COLAVECCHI  
221 E. MARKET ST.  
(ACROSS FROM  
COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA

**FILED**

SEP 15 2000

William A. Shaw  
Prothonotary

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

KEMPER INSURANCE COMPANIES, :  
Plaintiff : No. 00 - - CD  
:  
Vs. :  
:  
JEFFERY KAVELAK and PATRICIA :  
KAVELAK, his wife; and :  
JOHN R. SPINGOLA, t/d/b/a :  
COUNTRY GARDEN SIX PACK, :  
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.

LAW OFFICES OF  
COLAVECCHI  
RYAN & COLAVECCHI  
221 E. MARKET ST.  
(ACROSS FROM  
COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
Second and Market Streets  
Clearfield, PA 16830  
Phone 814/765-2641 Ex. 5982

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

KEMPER INSURANCE COMPANIES, :  
Plaintiff : No. 00 - - CD  
vs. :  
JEFFERY KAVELAK and PATRICIA :  
KAVELAK, his wife; and, :  
JOHN R. SPINGOLA, t/d/b/a :  
COUNTRY GARDEN SIX PACK, :  
Defendant :

COMPLAINT

1. Plaintiff is Kemper Insurance Companies, a corporation authorized to do business under the laws of the Commonwealth of Pennsylvania having its principal place of business at 25 DeForest Avenue, Summit, New Jersey 07901-2154.

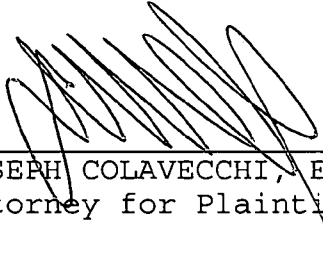
2. Defendants are Jeffery Kavelak, Patricia Kavelak and John R. Spingola, t/d/b/a Country Garden Six Pack, having their place of business at 8 Nichols Street, P.O. Box 1288, Clearfield, Pennsylvania 16830.

3. Plaintiff and Defendants entered into a Payment Agreement dated December 10, 1999, regarding payment for a workers' compensation policy, having Policy Number 3ba00185105, requiring payments in the amount of Two Hundred Fifty Dollars (\$250.00) to be paid on the 15th of each month from December 1999 to and including August 15, 2000. A copy of said Agreement is attached hereto and marked Exhibit "A."

4. Defendants have defaulted on this Agreement leaving a balance due and owing to Plaintiff in the amount of One Thousand Nine Hundred Twenty-five Dollars (\$1,925.00).

5. Plaintiff has demanded payment of the said amount due under said Agreement but Defendants have refused and still refuse to pay the same or any part thereof.

WHEREFORE, Plaintiff demands judgment against Defendants in the amount of One Thousand Nine Hundred Twenty-five Dollars (\$1,925.00).



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JOSEPH COLAVECCHI, ESQUIRE  
Attorney for Plaintiff

VERIFICATION

I, Joseph Colavecchi, Esquire, attorney and agent for Kemper Insurance Companies verify that the statements made in this Complaint 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.



---

JOSEPH COLAVECCHI



**ACS****ASSET CONTROL SERVICES OF NH, INC.  
COMMERCIAL COLLECTIONS DIVISION**P.O. BOX 87  
HAMPTON, NH 03843-0087Telephone (603) 772-1206  
Fax (603) 929-1039**PAYMENT AGREEMENT****Debtor: COMTAX****Policy No: 3BA001851-05****Balance Owed: \$2,175.00****Creditor: Kemper Insurance Companies****Agent for Creditor: ACS of NH, Inc.****Date: December 10, 1999**

In consideration of the balance owed of \$2,175.00, the debtor promises to pay and the creditor agrees to accept the following payment schedule to satisfy the above-referenced obligation:

<u>Due Date</u>	<u>Amount</u>	<u>ck #</u>
<del>Immediate</del>	<del>\$250.00</del>	<del>— 12-23-99</del>
January 15, 2000	250.00	5607
February 15, 2000	250.00	
March 15, 2000	250.00	
April 15, 2000	250.00	
May 15, 2000	250.00	
June 15, 2000	250.00	
July 15, 2000	250.00	
August 15, 2000	250.00	

Please note all payments should be made payable to Kemper Insurance Companies and forwarded to the following address:


**ASSET CONTROL SERVICES OF NH, INC.  
COMMERCIAL COLLECTIONS DIVISION**

P.O. Box 87

Hampton, NH 03843-0087

Debtor shall have the right to pre-pay all or any part of the outstanding balance without penalty. Failure to comply with this payment agreement either on or before all specified due dates will result in the forwarding of this balance owed to our attorney to initiate immediate litigation. This note will terminate upon full and final payment of this debt.

**Agreed, Acknowledged and Accepted:**

  
(name, title)  
(company)

  
Robert M. Rose, Vice President  
Asset Control Services of NH, Inc.  
Agent for: Kemper Insurance Co.

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket # 10181

KEMPER INSURANCE COMPANIES

00-1146-CD

VS.

KAVELAK, JEFFREY T/D/B/A

**COMPLAINT**

**SHERIFF RETURNS**

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NOW SEPTEMBER 19, 2000 AT 2:02 PM DST SERVED THE WITHIN COMPLAINT ON  
PATRICA KAVELAK T/D/B/A COUNTRY GARDEN SIX PACK, DEFENDANT AT  
EMPLOYMENT 8 NICHOLS ST., P.O. BOX 1288, CLEARFIELD, CLEARFIELD COUNTY  
PENNSYLVANIA BY HANDING TO PATRICA KAVELAK A TRUE AND ATTESTED COPY OF  
THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.  
SERVED BY: NEVLING/McCLEARY

NOW SEPTEMBER 19, 2000 AT 2:02 PM DST SERVED THE WITHIN COMPLAINT ON  
JEFFREY KAVELAK T/D/B/A COUNTRY GARDEN SIX PACK, DEFENDANT AT  
EMPLOYMENT 8 NICHOLS ST., P.O. BOX 1288, CLEARFIELD, CLEARFIELD COUNTY  
PENNSYLVANIA BY HANDING TO PATRICA KAVELAK, WIFE (BUSINESS PARTNER) A  
TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER  
THE CONTENTS THEREOF.  
SERVED BY: NEVLING/McCLEARY

NOW SEPTEMBER 19, 2000 AT 2:11 PM DST SERVED THE WITHIN COMPLAINT ON  
JOHN R. SPINGOLA T/D/B/A COUNTRY GARDEN SIX PACK, DEFENDANT AT  
RESIDENCE 205 N. 2ND ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA  
BY HANDING TO JOHN SPINGOLA A TRUE AND ATTESTED COPY OF THE ORIGINAL  
COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: NEVLING/McCLEARY

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**Return Costs**

Cost	Description
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31.33	SHFF. HAWKINS PAID BY: ATTY
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30.00	SURCHARGE PAID BY: ATTY
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In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10181

KEMPER INSURANCE COMPANIES

00-1146-CD

VS.

KAVELAK, JEFFREY T/D/B/A

COMPLAINT

SHERIFF RETURNS

Sworn to Before Me This

9th Day Of October 2000

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

So Answers,

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

FILED

OCT 09 2000  
01:31:40  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
No. 00 - 1146 - CD

KEPPER INSURANCE COMPANIES,  
Plaintiff

vs.

JEFFERY KAVELAK and PATRICIA  
KAVELAK, his wife; and JOHN R.  
SPINGOLA, t/d/b/a COUNTY GARDEN  
SIX PACK,  
Defendants

PRAECIPE TO DISCONTINUE

FILED

OCT 12 2000  
010:36/cty Colavecchi  
William A. Shaw  
Prothonotary

**COLAVECCHI & RYAN**  
ATTORNEYS AT LAW  
221 E. MARKET STREET  
(ACROSS FROM COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA. 16830

*PD \$7.00  
let. Set to cty  
Copy to CA*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KEMPER INSURANCE COMPANIES,  
Plaintiff

Vs.

<sup>5</sup>JEFFERY KAVELAK and <sup>71</sup>PATRICA  
KAVELAK, his wife; and <sup>5</sup>JOHN  
R. SPINGOLA, t/d/b/a <sup>13</sup>COUNTRY  
GARDEN SIX PACK,  
Defendant

CIVIL DIVISION

No. 00 - 1146 - CD

PRAECIPE TO DISCONTINUE

Filed on Behalf of:

Plaintiff, KEMPER INSURANCE  
COMPANIES

Counsel of Record for This  
Party:

JOSEPH COLAVECCHI, ESQUIRE  
Pa. I.D. #06810

COLAVECCHI RYAN & COLAVECCHI  
221 East Market Street  
P.O. Box 131  
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF  
COLAVECCHI  
RYAN & COLAVECCHI  
221 E. MARKET ST.  
(ACROSS FROM  
COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA

FILED

OCT 12 2000

William A. Shaw  
Prothonotary

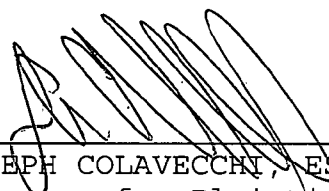
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

KEMPER INSURANCE COMPANIES, :  
Plaintiff : NO. 00 - 1146 - CD  
:  
Vs. :  
:  
5. JEFFERY KAVELAK and PATRICIA :  
KAVELAK, his wife; and JOHN R. :  
SPINGOLA, t/d/b/a COUNTY GARDEN :  
SIX PACK, :  
Defendants:

PRAECIPE TO DISCONTINUE

TO: WILLIAM SHAW, PROTHONOTARY

Please mark the record in the above-captioned action,  
discontinued, settled and ended AND show the judgment as satisfied.

  
JOSEPH COLAVECCHI, ESQUIRE  
Attorney for Plaintiff

October 11, 2000

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

COPY

KEMPER INSURANCE COMPANIES  
Plaintiff(s)

vs.

No. 00-1146-CD

JEFFERY KAVELAK and PATRICA

KAVELAK, his wife, and JOHN R.

SPINGOLA, t/d/b/a COUNTRY GARDEN

SIX PACK  
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 12th of OCTOBER, A.D. 2000, marked:

DISCONTINUED, SETTLED and ENDED.

Record costs in the sum of \$141.33 have been paid in full by

Joseph Colavecchi, Esquire

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this  
Court at Clearfield, Clearfield County, Pennsylvania this 12th day of  
October A.D. 2000.

\_\_\_\_\_  
Prothonotary