

55-1541-3
PHILIPSBURG HOSPITAL -vs- C. RICHARD KISTER et al

ONWEALTH OF PENNSYLVANIA
COUNTY OF: CENTRE

Mag. Dist. No.:

49-3-03

DJ Name: Hon.

ALLEN W. SINCLAIR

Address: 126 N. SECOND STREET
P.O. BOX 95
PHILIPSBURG, PA

Telephone: (814) 342-4557 16866

1270
PHILIPSBURG HOSPITAL - KEYSTONE CRE
P.O. BOX 686
LOCK HAVEN, PA 17745

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) PHILIPSBURG HOSPITAL - KEYSTON

Judgment was entered against: (Name) KISTLER, BONITA

in the amount of \$ 624.60 on: (Date of Judgment) 9/07/00

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	\$ <u>568.10</u>
Judgment Costs	\$ <u>56.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>624.60</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

Date:	Place:
Time:	OCT 31 2000

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.

9-7-00 Date _____, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

10-24-00 Date _____, District Justice

My commission expires first Monday of January,

2006

SEAL

THE COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CENTRE

Mag. Dist. No.:

49-3-03

DJ Name: Hon.

ALLEN W. SINCLAIR

Address: 126 N. SECOND STREET
P.O. BOX 95
PHILIPSBURG, PA

Telephone: (814) 342-4557 16866

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

PHILIPSBURG HOSPITAL - KEYSTONE CRE
P.O. BOX 686
LOCK HAVEN, PA 17745

NAME and ADDRESS

DEFENDANT:

KISTLER, C. RICHARD, ET AL.
R.R. 1, BOX 498A
OSCEOLA MILLS, PA 16666

VS.

NAME and ADDRESS

KISTLER, C. RICHARD, ET AL.
R.R. 1, BOX 498A
OSCEOLA MILLS, PA 16666

PHILIPSBURG HOSPITAL - KEYSTONE CRE
P.O. BOX 686
LOCK HAVEN, PA 17745

Docket No.: CV-0000138-00
Date Filed: 8/21/00



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) PHILIPSBURG HOSPITAL - KEYSTON

Judgment was entered against: (Name) KISTLER, C. RICHARD

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Judgment Costs	\$ 56.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 624.60
Post Judgment Credits	\$,
Post Judgment Costs	\$,
<hr/>	
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

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My commission expires first Monday of January,

2006

SEAL

F 1 C

REC'D OCT 31 2009 Keystone PA \$20.00
WILLIAM A. GLENN
Prothonotary

Not to Dug's
Stat. to Keystone



KEystone CREDIT COLLECTIONS



124½ East Main Street • P.O. Box 686
LOCK HAVEN, PA 17745
Phone (570) 748-2981 • In PA Call 1-800-826-4050
FAX (570) 748-6718



Member of Trans Union and Experian Credit Bureau Reporting

October 27, 2000

C. Richard Kistler
RR 1 Box 498A
Osceola Mills, PA 16666

00-1341-00

Re: Our DB # 13170

Dear Mr. and Mrs. Kistler:

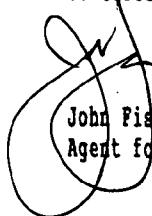
You are hereby notified that judgment has been entered against your property by the Philipsburg Area Hospital.

Amount of Judgment \$ 568.10 plus costs

Interest will be accrued as provided by law on District Justice judgments.

If you fail to pay the judgment, you could lose valuable property. Thirty (30) days after judgment is entered, the creditor has the right to execute this judgment by Sheriff Sale.

Sincerely,


John Fisher
Agent for Philipsburg Area Hospital

JF/jm

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

Philipsburg Hospital/Keystone Credit
Plaintiff(s)

No. 00-1341-CD

COPY

vs.

RICHARD C. KISTLER

BONITA KISTLER

Defendant(s)

Real Debt \$624.60

Atty's Comm _____

Atty's Comm _____

Costs \$ _____

Int. From _____

Entry \$ _____

Instrument _____

Date of Entry October 31, 2000

Expires October 31, 2005

Certified from the record this 31st day of October, 2000.

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, 20 ____, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

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

Philipsburg Hospital/Keystone Credit
Plaintiff(s)

No. 00-1341-CD

vs.

RICHARD C. KISTLER

BONITA KISTLER

Defendant(s)

Real Debt \$624.60

Atty's Comm _____

Atty's Comm _____

Costs \$ _____

Int. From _____

Entry \$ _____

Instrument _____

Date of Entry October 31, 2000

Expires October 31, 2005

Certified from the record this 31st day of October, 2000.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on May 28, 20 04, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.


Plaintiff/Attorney Agent

FILED

JUN 02 2004

William A. Shaw
Prothonotary

FILED
M 10, 30 2004

JUN 02 2004

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2000-01341-CD

Philipsburg Hospital

Debt: \$624.60

Vs.

Atty's Comm.:

C. Richard Kistler
Bonita Kistler

Interest From:

Cost: \$

NOW, Wednesday, June 02, 2004 , directions for satisfaction having been received, and
all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 2nd day of June, A.D. 2004.

Prothonotary

While it is impossible to establish precise standards as to the degree of particularity required in a given situation, two conditions must always be met. The pleadings must adequately explain the nature of the claim to the opposing party so as to permit him to prepare a defense and they must be sufficient to convince the court that the averments are not merely subterfuge.

Bata v. Central-Penn National Bank of Philadelphia, 224 A.2d 174, 179 (Pa. 1966), cert. denied, 386 U.S. 1007, 87 S.Ct. 1348, 18 L.Ed.2d 433 (1967).

In this matter, certain Defendant's maintain that the requisite elements of justifiable reliance, and a detriment based upon this reliance, are absent. Accepting all of the well-pleaded facts averred in the second amended complaint as true, this Court must agree with the Defendant's on this point. Plaintiffs only contention resembling justifiable reliance is that certain minority shareholders were caused to sell a combined total of 529 shares of C&M stock for less than the Plaintiffs believe they were worth, consequently devaluing all C&M stocks. Because the Plaintiffs do not plead that the minority shareholders sold their shares because they justifiably relied on alleged misrepresentations made by any of the Defendant's, this objection shall be sustained.

Several objections are also raised in response to Plaintiff's conspiracy claim. The Pennsylvania Supreme Court set forth the elements of civil conspiracy in Thompson Coal Co. v. Pike Coal Co., 412 A.2d 466, 472 (Pa. 1979): "[I]t must be shown that two or more persons combined or agreed with intent to do an unlawful act or to do an otherwise lawful act by unlawful means." GMH Associates, Inc. v. Prudential Realty Group, 752 A.2d 889, 905 (Pa. Super. 2000) *citing Thompson, supra*. Proof of malice, i.e., an intent to injure, is an essential part of a conspiracy cause of action; this unlawful intent must