

01-409-CD  
GLENN LINDBERG etal -vs- FIRST COMMONWEALTH BANK etal

**William A. Shaw**  
Prothonotary

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

GLENN LINDBERG,  
d/b/a LINDBERG COMPUTER SYSTEMS  
and ACE COMPUTER EXPRESS

Plaintiff

vs.

FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK, and

AMERICAN NATIONAL BANK and  
TRUST COMPANY of CHICAGO,

Defendants

No. \_\_\_\_\_ C.D. 2001

Civil Action - Law

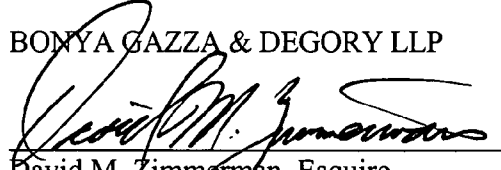
**PRAECIPE FOR WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please issue a Writ of Summons on each of the Defendants in the captioned matter.

BONYA GAZZA & DEGORY LLP

By:

  
David M. Zimmerman, Esquire

PA I.D. # 62496

134 South Sixth Street

Indiana, PA 15701

(724) 465-5535

Attorneys for Plaintiff Glenn Lindberg

**FILED**

*WAS* MAR 22 2001  
*1:45/43*  
William A. Shaw *PP*  
Prothonotary *80-*

I WAIT TO SHERIFF

I WAIT TO ATTY

**IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY PENNSYLVANIA  
CIVIL ACTION**

**SUMMONS**

**Glenn Lindberg  
Lindberg Computer Systems  
Ace Computer Express**

**Vs.**

**NO.: 2001-00409-CD**

**First Commonwealth Bank  
d/b/a Deposit Bank and  
American National Bank and  
Trust Company of Chicago**

TO: First Commonwealth Bank d/b/a Deposit Bank:

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 03/22/2001

---

William A. Shaw  
Prothonotary

Issuing Attorney:  
David M. Zimmerman, Esq.  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, PA 15701

**IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY PENNSYLVANIA  
CIVIL ACTION**

**SUMMONS**

**Glenn Lindberg  
Lindberg Computer Systems  
Ace Computer Express**

**Vs.**

**NO.: 2001-00409-CD**

**First Commonwealth Bank  
d/b/a Deposit Bank and  
American National Bank and  
Trust Company of Chicago**

TO: American National Bank and Trust Company of Chicago:

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 03/22/2001

---

William A. Shaw  
Prothonotary

Issuing Attorney:  
David M. Zimmerman, Esq.  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, PA 15701

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

Sheriff Docket # 10819

LINDBERG, GLENN d/b/a LINDBERG COMPUTER SYSTEMS

01-409-CD

VS.

FIRST COMMONWEALTH BANK d/b/a DEPOSIT BANK

SUMMONS

**SHERIFF RETURNS**

NOW MARCH 26, 2001 AT 10:19 AM EST SERVED THE WITHIN SUMMONS ON  
FIRST COMMONWEALTH BANK d/b/a DEPOSIT BANK, DEFENDANT AT  
EMPLOYMENT, LONG AVE. & BRADY ST., DUBOIS, CLEARFIELD COUNTY,  
PENNSYLVANIA BY HANDING TO BRENDA THORNHILL, ADMIN. ASSIST., A  
TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN  
TO HER THE CONTENTS THEREOF.  
SERVED BY: SNYDER

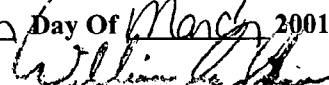
**Return Costs**

Cost	Description
28.22	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

**FILED**


MAR 28 2001  
01:58pm  
William A. Shaw  
Prothonotary

**Sworn to Before Me This**

28th Day Of March 2001  


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

**So Answers,**

  
Chester A. Hawkins  
Sheriff



IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

GLENN LINDBERG,  
d/b/a LINDBERG COMPUTER SYSTEMS  
and ACE COMPUTER EXPRESS

Plaintiff

vs.

FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK, and

AMERICAN NATIONAL BANK and  
TRUST COMPANY of CHICAGO,

Defendants

NO. 00409 C.D. 2001

CIVIL ACTION

TYPE OF PLEADING:  
Affidavit of Service

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:

David M. Zimmerman  
PA I.D. #62496  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, PA 15701  
(412) 465-5535

**FILED**

APR 10 2001

William A. Shaw  
Prothonotary



IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

GLENN LINDBERG,	)	
d/b/a LINDBERG COMPUTER SYSTEMS	)	
and ACE COMPUTER EXPRESS	)	
	)	
Plaintiff	)	No. 00409 C.D. 2001
	)	
vs.	)	
	)	
FIRST COMMONWEALTH BANK	)	
d/b/a DEPOSIT BANK, and	)	
	)	Civil Action - Law
AMERICAN NATIONAL BANK and	)	
TRUST COMPANY of CHICAGO,	)	
	)	
Defendants	)	
	)	
COMMONWEALTH OF PENNSYLVANIA	)	
	:ss	
COUNTY OF INDIANA	)	

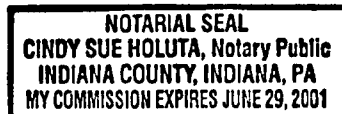
**AFFIDAVIT OF SERVICE**

I, David M. Zimmerman, counsel for Plaintiff in the above matter, depose and say that (1) I am a competent adult; (2) I served a Writ of Summons against Defendant American National Bank and Trust Company of Chicago ("ANB") pursuant to Pa.R.C.P. 404(2), 403 and 424 by sending said Writ by U.S. Certified Mail, Return Receipt Requested to ANB at 120 LaSalle Street, Chicago, Illinois 60603; (3) pursuant to ANB's admissions in pleadings in litigation in federal court, namely First Commonwealth Bank, d/b/a Deposit Bank vs. American National Bank and Trust Company of Chicago, U.S. District Court, Western District of Western Pennsylvania, No. CV-00-1731, ANB is a bank organized under the laws of the United States with its principal place of business at said address; (4) attached hereto are the originals of the Mailing Receipt and the Return Receipt, which indicates that the Certified Mailing was delivered and signed for on April 4, 2001, as well as copies of the Writ of Summons and the cover letter under which it was sent to ANB; and (5) this affidavit is being executed and filed pursuant to Pa.R.C.P. 405.

Dated: April 9, 2001

Sworn to and subscribed before me  
this 9<sup>th</sup> day of April, 2001.

Cindy Sue Holuta  
Notary Public



David M. Zimmerman  
David M. Zimmerman  
PA I.D. # 62496  
134 South Sixth Street  
Indiana, PA 15701  
(724) 465-5535

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

Article Sent To:  
 American Nat'l Bank + Trust Co. of Chicago

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

Postmark Here  
 MAR 26 1007  
 CHICAGO IL

Name (Please Print Clearly) (to be completed by mailer)  
 Am. Nat'l Bank + Trust Co. of Chicago  
 Street, Apt. No., or PO Box No.  
 120 LaSalle St.  
 City, State, Zip+4  
 Chicago IL 60603

PS Form 3800, July 1999 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Received by (Please Print Clearly) B. Date of Delivery          APR 04 2001</p> <p>C. Signature          x <i>Donna Lee</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:          Am. National Bank + Trust Co. of Chicago          120 LaSalle St.          Chicago IL 60603</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Copy from service label)          7059-3400-6008-8510-6880</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

*No. Lindberg*

**FILE COPY**

**BONYA GAZZA & DEGORY, LLP**  
ATTORNEYS AT LAW  
134 SOUTH SIXTH STREET  
INDIANA, PENNSYLVANIA 15701

JOHN A. BONYA  
BEVERLY A. GAZZA  
STANLEY P. DEGORY  
NICHOLAS J. MERESIC  
DAVID M. ZIMMERMAN

March 26, 2001

TELEPHONE  
(724) 465-5535  
TELECOPIER  
(724) 465-9085  
E-MAIL  
dzh@bgdlawfirm.com

**BY U.S. CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

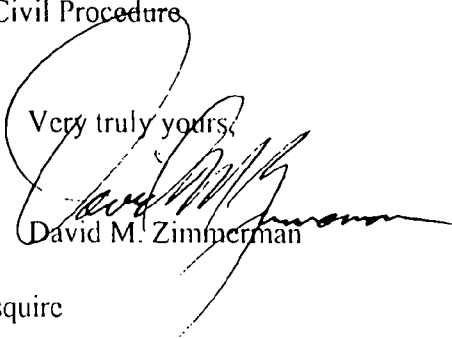
American National Bank and Trust Company of Chicago  
120 LaSalle Street,  
Chicago, Illinois, 60603

Re: Glenn Lindberg, d/b/a Lindberg Computer Systems  
and Ace Computer Express vs. First Commonwealth  
Bank d/b/a Deposit Bank and American National  
Bank and Trust Company of Chicago  
Clearfield County Court of Common Pleas, Pennsylvania  
No. 2001-00409-CD

Dear Madam/Sir:

I represent Glenn Lindberg regarding the above matter. Enclosed is a Writ of Summons that has been issued by the Court of Common Pleas of Clearfield County, Pennsylvania. The receipt of this letter and the Writ constitute service of process as required under the Pennsylvania Rules of Civil Procedure.

Very truly yours,

  
David M. Zimmerman

cc(w\encl): Jonathan T. Krassenstein, Esquire  
Glenn Lindberg

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

SUMMONS

Glenn Lindberg  
Lindberg Computer Systems  
Ace Computer Express

Vs.

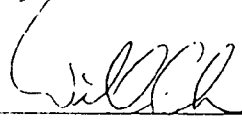
NO.: 2001-00409-CD

First Commonwealth Bank  
d/b/a Deposit Bank and  
American National Bank and  
Trust Company of Chicago

TO: American National Bank and Trust Company of Chicago:

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 03/22/2001

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary

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

Issuing Attorney:  
David M. Zimmerman, Esq.  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, PA 15701

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO. 00409 C.D. 2001

GLENN LINDBERG, d/b/a  
LINDBERG COMPUTER SYSTEMS and  
ACE COMPUTER EXPRESS,  
Plaintiff

vs.

FIRST COMMONWEALTH BANK d/b/a  
DEPOSIT BANK, AND

AMERICAN NATIONAL BANK and  
TRUST COMPANY OF CHICAGO,  
Defendants

AFFIDAVIT OF SERVICE

**FILED**

*Time stamped*  
2001-04-10

APR 10 2001

*Ally Zimmerman*

William A. Shaw  
Prothonotary

*WAS*

BONYA GAZZA & DEGORY, LLP  
ATTORNEYS AT LAW  
134 SOUTH SIXTH STREET  
INDIANA, PENNSYLVANIA 15701

No. 2001-00409-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

GLENN LINDBERG d/b/a  
LINDBERG COMPUTER SYSTEMS  
AND ACE COMPUTER EXPRESS,

Plaintiffs,

vs.

FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK and AMERICAN  
NATIONAL BANK AND TRUST  
COMPANY OF CHICAGO,

Defendants.

CIVIL DIVISION

No. 2001-00409-CD

Issue No.:

**JURY TRIAL DEMANDED**

**PRAECIPE FOR APPEARANCE**

Filed on behalf of Defendant, FIRST  
COMMONWEALTH BANK d/b/a  
DEPOSIT BANK

Counsel of Record for this Party:

Frederick N. Egler, Jr., Esquire  
Pa. I.D. #28864

Scott R. Leah, Esquire  
Pa. I.D. #57564

Egler, Garrett & Egler  
Firm #077  
428 Forbes Avenue  
2100 Lawyers Building  
Pittsburgh, PA 15219

(412) 281-9810  
(412) 391-2132 (Fax)

**FILED**

APR 20 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

GLENN LINDBERG d/b/a	)	CIVIL DIVISION
LINDBERG COMPUTER SYSTEMS	)	
AND ACE COMPUTER EXPRESS,	)	No. 2001-00409
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
FIRST COMMONWEALTH BANK	)	
d/b/a DEPOSIT BANK and AMERICAN	)	
NATIONAL BANK AND TRUST	)	
COMPANY OF CHICAGO,	)	
	)	
Defendants.	)	

**PRAECIPE FOR APPEARANCE**


TO: PROTHONOTARY OF CLEARFIELD COUNTY

Kindly enter the appearance of Frederick N. Egler, Jr., Esquire and Scott R. Leah, Esquire and EGLER, GARRETT & EGLER on behalf of defendant, First Commonwealth Bank d/b/a Deposit Bank, with regard to the above-captioned matter.

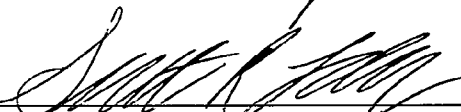
**JURY TRIAL DEMANDED**

EGLER, GARRETT & EGLER

BY:

  
Frederick N. Egler, Jr., Esquire

BY:

  
Scott R. Leah, Esquire

ATTORNEYS FOR DEFENDANT,  
FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK



**CERTIFICATE OF SERVICE**


I hereby certify that a true and correct copy of the within **PRAECIPE FOR APPEARANCE**  
**ON BEHALF OF FIRST COMMONWEALTH BANK d/b/a DEPOSIT BANK** was sent by first  
class mail, postage pre-paid, on this 18th day of April, 2001 to the following:

David M. Zimmerman, Esquire  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, Pennsylvania 15701

Jonathan T. Krassenstein, Esquire  
Krassenstein & Associates  
7500 Brooktree Drive  
Wexford, Pennsylvania 15090

EGLER, GARRETT & EGLER

BY

  
\_\_\_\_\_  
ATTORNEYS FOR DEFENDANT  
FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

GLENN LINDBERG d/b/a  
LINDBERG COMPUTER SYSTEMS and  
ACE COMPUTER SYSTEMS,

Plaintiff,

v.

FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK and  
AMERICAN NATIONAL BANK and  
TRUST COMPANY OF CHICAGO

Defendants.

No. 2001-00409-CD

PRAECIPE FOR APPEARANCE

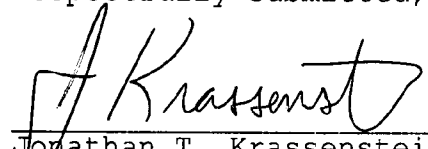
TO: PROTHONOTARY OF CLEARFIELD COUNTY

SIR: Kindly enter the appearance of Jonathan T. Krassenstein,  
Esq. and Toni L. DiGiacobbe, Esq. and the law firm of  
Krassenstein & Associates Professional Corporation, on behalf of  
Defendant American National Bank and Trust Company of Chicago in  
the above-captioned matter.

**JURY TRIAL DEMANDED**

Respectfully submitted,

Date: 5/9/01

  
Jonathan T. Krassenstein  
Es. ID# 52095  
Toni L. DiGiacobbe  
Pa. ID# 56686

Krassenstein & Associates  
Professional Corporation  
7500 Brooktree Drive  
Wexford, PA 15090  
(724) 935-6227

Counsel for Defendant

**FILED**

**MAY 1 2001**


William A. Shaw  
Prothonotary

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Praecipe for Appearance was served this 9<sup>TH</sup> day of May, 2001, via first class mail, postage prepaid, upon the following:

Scott R. Leah, Esq.  
Egler, Garrett & Egler  
2100 The Lawyers Building  
428 Forbes Avenue  
Pittsburgh, PA 15219

David M. Zimmerman, Esq.  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, PA 15701



---

Jonathan T. Krassenstein

BONYA, GAZZA & DEGORY, LLP

ATTORNEYS AT LAW

134 SOUTH SIXTH STREET

INDIANA, PENNSYLVANIA 15701

CERTIFIED COPY

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

GLENN LINDBERG,  
d/b/a LINDBERG COMPUTER SYSTEMS  
and ACE COMPUTER EXPRESS

Plaintiff

vs.

FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK, and

AMERICAN NATIONAL BANK and  
TRUST COMPANY of CHICAGO,

Defendants

NO. 00409 C.D. 2001

CIVIL ACTION

TYPE OF PLEADING:  
Praeipue for Discontinuance

FILED ON BEHALF OF: Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:

David M. Zimmerman  
PA I.D. #62496  
Bonya Gazza & DeGory, LLP  
134 South Sixth Street  
Indiana, PA 15701  
(724) 465-5535

**FILED**

JAN 25 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

GLENN LINDBERG,  
d/b/a LINDBERG COMPUTER SYSTEMS  
and ACE COMPUTER EXPRESS

Plaintiff

vs.

FIRST COMMONWEALTH BANK  
d/b/a DEPOSIT BANK, and

AMERICAN NATIONAL BANK and  
TRUST COMPANY of CHICAGO,

Defendants

No. 00409 C.D. 2001

Civil Action - Law

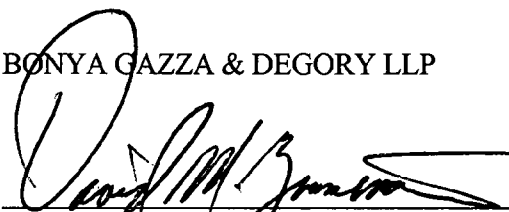
**PRAECIPE**

TO THE PROTHONOTARY:

Please mark the above action as settled, discontinued and ended.

BONYA GAZZA & DEGORY LLP

By:

  
David M. Zimmerman, Esquire

PA I.D. # 62496

134 South Sixth Street

Indiana, PA 15701

(724) 465-5535

Attorneys for Plaintiff Glenn Lindberg

Dated: January 24, 2002

**FILED**

*NR*

*m/11/01*  
JAN 25 2002

William A. Shaw  
Prothonotary

*Certificate of  
Disc. to Atty*

*copy to C/A*

*WAS*

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

**COPY**

**CIVIL DIVISION**

**Glenn Lindberg d/b/a  
Lindberg Computer Systems  
and Ace Computer Express**

**Vs.**

**No. 2001-00409-CD**

**First Commonwealth Bank d/b/a  
Deposit Bank, and  
American National Bank and Trust  
Company of Chicago**

**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 January 25, 2002 marked:

Settled, Discontinued, and Ended

Record costs in the sum of \$80.00 have been paid in full by David M. Zimmerman, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of January A.D. 2002.

---

William A. Shaw, Prothonotary