

01-451-CD  
JOBBER'S BUYING GROUP, INC. -vs- PENN-CRAMPAN COAL COMPANY

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

JOBBER'S BUYING GROUP, INC.,  
Plaintiff

vs.

PENN-GRAMPIAN COAL  
COMPANY,

Defendant

CIVIL ACTION

No. 01-451-CO

Type of Pleading:

**COMPLAINT**

Filed on behalf of:

PLAINTIFF

Counsel of record for this  
party:

Robert M. Hanak  
Supreme Court No. 05911  
Hanak, Guido and Taladay  
498 Jeffers St., P. O. Box 487  
DuBois, PA 15801

814-371-7768

**FILED**

APR 02 2001

William A. Shaw  
Prothonotary

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

JOBBERS BUYING GROUP, INC.,  
Plaintiff

vs.

No.

PENN-GRAMPIAN COAL  
COMPANY,

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 defense 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  
Second Floor  
Clearfield, PA 16830  
(814) 765-2641, Ext 1303

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

JOBBERS BUYING GROUP, INC., :  
Plaintiff :  
vs. :  
No.  
PENN-GRAMPIAN COAL :  
COMPANY, :  
Defendant :

COMPLAINT

AND NOW, comes the Plaintiff, and by its Attorneys,  
Hanak, Guido and Taladay, avers a cause of action against the  
Defendant as follows:

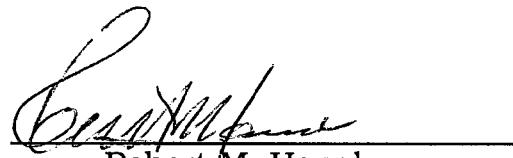
1. Plaintiff is the Jobbers Buying Group, Inc., a Pennsylvania business corporation, whose principal office and place of business is on McCracken Run Road, P. O. Box 604, DuBois, Clearfield County, Pennsylvania.
2. Defendant is Penn-Grampian Coal Company, a Pennsylvania business corporation, whose principal office and place of business is P. O. Box 249, Clearfield, Clearfield County, Pennsylvania.
3. Plaintiff is in the business of distributing and selling diesel fuel, gasoline and hydrocarbon products.
4. Defendant is in the business of mining and sales of bituminous coal, clay and stone.
5. At the instance and request of the Defendant, Plaintiff commenced selling to Defendant diesel fuel, gasoline and other hydrocarbon products for use in Defendant's business. Over the course

of years commencing on May 15, 1995, Plaintiff supplied to the Defendant \$15,145.03 of fuel and oil products for use by Defendant in its business.

6. Defendant has made payments on a consistent basis to the Plaintiff through September 13, 2000. After the last credit application, there is remaining a balance of \$6,000.00 owed by Defendant to Plaintiff before application of interest. A copy of the summary bills of account and purchase invoices are attached hereto as Exhibit "A".

7. Defendant refuses and continues to refuse to pay the unpaid balance of \$6,000.00, together with interest thereon.

WHEREFORE, Plaintiff demands judgment against the named Defendant in the amount of \$6,000.00 worth of principal, together with interest at the legal rate as the court may determine.



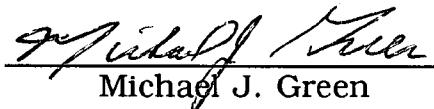
\_\_\_\_\_  
Robert M. Hanak  
Attorney for Plaintiff

**VERIFICATION**

I, MICHAEL J. GREEN, President of Jobber's Buying Group, Inc., do hereby verify that I have read the foregoing Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

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

Date: 3-27-01

  
Michael J. Green

Jobbers Buying Group, Inc.  
Accts. Rec - Sales

	Initials	Date
Prepared By		
Approved By		

© WILSON JONES

G7205 GREEN 7205 BUFF

		1	2	3	4	5
1824	Penn - Grampian Coal Co	Reg Sales (on-sight)	Cardtrol Purchases	Foreign Purchases	Total Sales	Payments
1	5-15-95	197092	2242	27140	226474	
2	5-31-95	87569	28160	24785	115170	
3	6-15-95	281878	5544	17768	305190	
4	6-30-95	133248	-	29274	162522	
5	7-15-95	111424	-	28311	139735	
6	7-31-95	159075	-	29307	188382	
7	8-15-95	183430	-	21036	204466	
8	8-31-95	139035	-	25349	164384	
9	8-31-96		1300		1300	
10	10-31-96		6240		6240	
11	11-15-96		640		640	
12	1-27-97 (Partial pmt applied)					44185
13	3-19-97					50000
14	5-9-97					50000
15	5-31-97					50000
16	7-15-97					50000
17	8-26-98					100000
18	9-30-98					100000
19	11-7-98					7038
20	4-23-99					75000
21	6-4-99					50000
22	7-22-99					50000
23		1292751	18782	202970	1514503	689503
24	9-22-99	1292751	18782	202970	1514503	25000
25						714503
26						
27	Less: Payments on Account					
28						
29	Uncollected Balance: 9-30-99					800000
30						
31	Payment 9-13-00					500000
32						
33	Uncollected Balance 3-15-01					400000
34						
35						
36						
37						
38						
39						
40						

© WILSON JONES

**G7205 GREEN**      **7205 BUFF**

	Initials	Date
<b>Prepared By</b>		
<b>Approved By</b>		

# 110-00  
Accounts Rec - other.

Date: 06/06/2000 ACCOUNTS RECEIVABLE As of: 05/31/2000 Page: 1

TICKET DATE TOTAL DUE CURRENT 30 DAY 60 DAY 90 &amp; OVER

1824 PENN-GRAMPTAN COAL CO

bi-monthly

051595	RR	2,264.74	2,264.74
053195	RR	1,151.70	1,151.70
061595	RR	3,051.90	3,051.90
063095	RR	1,625.22	1,625.22
071595	RR	1,397.35	1,397.35
073195	RR	1,883.82	1,883.82
081595	RR	2,044.66	2,044.66
083195	RR	1,643.84	1,643.84
083196	RR	13.00	13.00
103196	RR	62.40	62.40
111596	RR	6.40	6.40
012497	PMT	441.85CR	441.85CR
031997	PMT	500.00CR	500.00CR
050997	PMT	500.00CR	500.00CR
053197	PMT	500.00CR	500.00CR
071597	PMT	500.00CR	500.00CR
082698	PMT	1,000.00CR	1,000.00CR
093098	PMT	1,000.00CR	1,000.00CR
110798	PMT	703.18CR	703.18CR
042399	PMT	750.00CR	750.00CR
060499	PMT	500.00CR	500.00CR
072299	PMT	500.00CR	500.00CR
092299	PMT	250.00CR	250.00CR
CUSTOMER TOTAL		8,000.00	.00
GRAND TOTAL		8,000.00	.00

8,000.00

8,000.00

1824 PENN-GRAMPIAN COAL CO		bi-monthly
051595	5270	95001 FOREIGN PURCHASE NO
051595	5271	95003 FOREIGN PURCHASE PRE
051595	5272	95004 F. P. HIGHWAY DIESEL
053195	5288	95001 FOREIGN PURCHASE NO
053195	5289	95003 FOREIGN PURCHASE PRE
053195	5290	95002 FOREIGN PURCHASE PRE
053195	5291	95004 F. P. HIGHWAY DIESEL
		NO. 3 OTHER 844
		51.12
		519.32
		11.96
		26.56
		23.60
		156.16
		156.16
		93.60
		214.20

99 ALL OTHERS

Date: 06/30/95

JOBBERS BUYING GROUP INC  
SALES REPORT

DATA FILE DATE: 06/30/95

Page: 44

DATE	TICKET	PROD	DESCRIPTION	TRUCK	UNITS	PRICE	SALES PA	EXCT FED	EXC PA	FRAN	TOTAL
	1A24	PRNN-GRAMPIAN COAL CO									
"	061595	6280	95001 FOREIGN PURCHASE NO		1	100.80					
"	061595	6281	95003 FOREIGN PURCHASE PRE		1	21.00					
"	061595	6282	95002 FOREIGN PURCHASE MID		1	13.40					
"	061595	6283	95004 F.P. HIGHWAY DIESEL		1	42.48					
"	063095	6279	95001 FOREIGN PURCHASE NO		1	178.56					
"	063095	6280	95003 FOREIGN PURCHASE PRE		1	48.30					
"	063095	6281	95002 FOREIGN PURCHASE MID		1	17.16					
"	063095	6282	95004 F.P. HIGHWAY DIESEL		1	48.72					
"			* CUSTOMER TOTAL *			470.42					
"											

" 1A24 PRNN-GRAMPIAN COAL CO b1-monthly

" 060195 36571 45454 OFF HIGHWAY FUEL OIL 41 1929 .6600 1273.14

" 061395 36594 45454 OFF HIGHWAY FUEL OIL 41 2273 .6800 1545.64

" 061595 6279 10109 NO LEAD GAS-CAROLLOCK 1 44 1.0365 45.61 5.28 4.55

" 062795 39179 45454 OFF HIGHWAY FUEL OIL 41 2082 6400 1332.49

" 6328 \* CUSTOMER TOTAL 4196.87 438 4.55

" 4106.70

6

ALL OTHERS							07/01/95 thru 07/31/95				
SALE FEE RE H/S STEER							07/01/95 thru 07/31/95				
DATE	TICKET	PROD	DESCRIPTION	TRUCK	UNITS	PRICE	SALES	PA SALE	EXCI FED	EXC PA FRAN	TOT
07/15/95	1824	PENN-GRANPIAN COAL CO	60001 FOREIGN PURCHASE NO	60001	1	22.44					
07/15/95	1824	60001 FOREIGN PURCHASE NO	60001 FOREIGN PURCHASE NO	60001	1	22.44					
07/15/95	7265	95003 FOREIGN PURCHASE PRE	1			17.55					
07/15/95	7265	95004 F.P. HIGHWAY DIESEL	1			42.92					
07/31/95	7269	95001 FOREIGN PURCHASE NO	1			188.02					
07/31/95	7270	95003 FOREIGN PURCHASE PRE	1			3.74					
07/31/95	7271	95002 FOREIGN PURCHASE NO	1			3.74					
07/31/95	7273	95004 F.P. HIGHWAY DIESEL	1			167.51					
		* CUSTOMER TOTAL *				576.18					

15

1824 PENN-GRAMPIAN COAL CO		bi-monthly		Y	
071095	39196	45454	OFF HIGHWAY FUEL OIL	41	1741
072535	39263	45454	OFF HIGHWAY FUEL OIL	1	2625
			A CUSTOMERS TOTAL	41	4366
					6300
					159075
					111424
					6406
					111351
					111372

1824 PENN-GRAMPIAN COAL CO						
	081595	8276	95001	FOREIGN PURCHASE NO	1	bi-monthly
	081595	8277	95004	F.P. HIGHWAY DIESEL	1	160.48
	083195	8289	95001	FOREIGN PURCHASE NO	1	49.88
	083195	8290	95003	FOREIGN PURCHASE PRE	1	168.20
	083195	8291	95004	F.P. HIGHWAY DIESEL	1	35.64
				* CUSTOMER TOTAL *		52.65
						463.85

1824 PENN-GRAMPIAN COAL CO						
	081095	39322	45454	OFF HIGHWAY FUEL OIL	40	bi-monthly
	082395	39373	45454	OFF HIGHWAY FUEL OIL	41	1834.70
				* CUSTOMER TOTAL *		1874.70
						390.15
						3224.65

HANAK, GUIDO and TALADAY  
LAW OFFICES  
498 Jeffers Street, P.O. Box 487  
DuBois, Pennsylvania 15801

**FILED**

APR 02 2001  
204 Cnty Dubois Pa  
William A. Shaw  
Prothonotary  
1cc Cnty Dubois

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10846

JOBBER'S BUYING GROUP INC.

01-451-CD

VS.

PENN-GRAMPIAN COAL COMPANY

**COMPLAINT**

**SHERIFF RETURNS**

NOW APRIL 5, 2001 AT 2:10 PM DST SERVED THE WITHIN COMPLAINT ON  
PENN-GRAMPIAN COAL COMPANY, DEFENDANT AT EMPLOYMENT, P.O. BOX 249  
CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO  
BILL THORP, OWNER, A TRUE AND ATTESTED COPY OF THE ORIGINAL  
COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: DAVIS

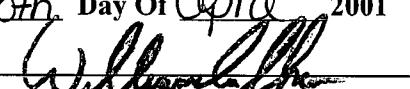
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Return Costs

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

Sworn to Before Me This

10th Day Of April 2001



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

So Answers,



Chester A. Hawkins  
Sheriff

**FILED**

APR 10 2001  
01:42 pm  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

JOBBER'S BUYING GROUP, INC.,  
Plaintiff

vs.

PENN-GRAMPIAN COAL  
COMPANY,  
Defendant

CIVIL ACTION

No. 2001 - 451 C.D.

Type of Pleading:

**PRAECIPE FOR JUDGMENT  
BY DEFAULT**

Filed on behalf of:

PLAINTIFF

Counsel of record for this  
party:

Robert M. Hanak  
Supreme Court No. 05911  
Hanak, Guido and Taladay  
498 Jeffers St., P. O. Box 487  
DuBois, PA 15801

814-371-7768

**FILED**

JUL 10 2001

William A. Shaw  
Prothonotary

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

JOBBERS BUYING GROUP, INC., :  
Plaintiff :  
vs. : No. 2001 - 451 C.D.  
PENN-GRAMPIAN COAL :  
COMPANY, :  
Defendant :

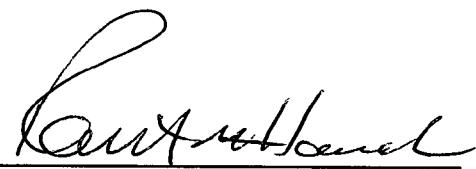
PRAECIPE FOR JUDGMENT BY DEFAULT

AND NOW, comes the Plaintiff and praecipes the Prothonotary to enter default judgment against the Defendant, Penn-Grampian Coal Company, based on the following:

1. A Complaint was duly filed at the above docket on April 2, 2001, and was served on the Defendant by Sheriff's service in Clearfield County on April 5, 2001 (see return of service attached hereto).
2. Defendant, within the pleading period, did not file a responsive pleading, and no entries of appearance have been made by any counsel on behalf of Defendant.
3. On May 29, 2001, Plaintiff submitted the required notice of praecipe for judgment by default pursuant to Pa.R.C.P. 237.1 (see attached notice as submitted).
4. Since the notice of praecipe for judgment was served on the Defendant, there have been no responsive pleadings or appearances filed on Defendant's behalf.

5. In Plaintiff's Complaint, a sum certain of \$6,000.00 was averred as Plaintiff's total claim, exclusive of interest.

WHEREFORE, it is hereby praeciped and requested of the Prothonotary of Clearfield County to enter judgment on behalf of Plaintiff and against Penn-Grampian Coal Company in the amount of \$6,000.00, together with the costs of suit and interest from the date of judgment at the legal rate.



Robert M. Hanak  
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2001, I mailed a copy of the foregoing PRAECIPE FOR JUDGMENT BY DEFAULT by first class mail, postage prepaid, to the following:

Penn-Grampian Coal Company  
%David S. Ammerman, Esq.  
310 East Cherry Street  
Clearfield, PA 16830

Robert M. Hanak

Robert M. Hanak  
Attorney for Plaintiff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10846

JOBBER'S BUYING GROUP INC.

01-451-CD

VS.

PENN-GRAMPIAN COAL COMPANY

COMPLAINT

COPY

**SHERIFF RETURNS**

NOW APRIL 5, 2001 AT 2:10 PM DST SERVED THE WITHIN COMPLAINT ON  
PENN-GRAMPIAN COAL COMPANY, DEFENDANT AT EMPLOYMENT, P.O. BOX 249  
CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO  
BILL THORP, OWNER, A TRUE AND ATTESTED COPY OF THE ORIGINAL  
COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: DAVIS

---

Return Costs

Cost      Description

19.34 SHFF. HAWKINS PAID BY: ATTY.

10.00 SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

So Answers,

\_\_\_\_ Day Of 2001



\_\_\_\_ Chester A. Hawkins

8242

DEPUTY SHERIFF'S EDUCATION & TRAINING ACCT.

COURT No. 01-451-CD

DATE Apr 3 2001

RECEIVED OF Jobber's DATE Apr 3 2001 \$ 10.00

Vs. Penn-Grampian

COMPLAINT

SUMMONS

EXECUTION

PETITIONS

OTHER

*Atty clkt 109.45*

*PAID APR - 3 2001*

CHESTER A. HAWKINS, SHERIFF  
CLEARFIELD COUNTY, PENNSYLVANIA

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

JOBBERS BUYING GROUP, INC.,	:	
Plaintiff	:	
vs.	:	No. 2001 - 451 C.D.
PENN-GRAMPIAN COAL	:	
COMPANY,	:	
Defendant	:	

IMPORTANT NOTICE

TO: PENN-GRAMPIAN COAL COMPANY  
%David S. Ammerman, Esq.  
310 East Cherry Street  
Clearfield, PA 16830

You are in default because you have failed to take action required of you in this case. Unless you act within ten (10) days of the date of this notice, 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  
Second Floor  
Clearfield, PA 16830  
(814) 765-2641 (Ext. 1303)

Date: May 29, 2001

\_\_\_\_\_  
/ > \  
\_\_\_\_\_  
Robert M. Hanak  
Attorney for Plaintiff  
498 Jeffers St.  
P. O. Box 487  
DuBois, PA 15801

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2001, I mailed a copy of the foregoing Important Notice by first class mail, postage prepaid, to the following:

David S. Ammerman, Esq.  
310 East Cherry Street  
Clearfield, PA 16830

/s/  
Robert M. Hanak  
Attorney for Plaintiff

FILED

JUL 11 2001

10:40 AM

Gerry Henak

William A. Shaw

Prothonotary

Pd \$20.00

Not to Det.

Statement to atty.

8/25

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

Jobber's Buying Group, Inc.  
Plaintiff(s)

No.: 2001-00451-CD

Real Debt: \$6,000.00

Atty's Comm:

Vs. Costs: \$

Int. From:

Penn-Grampian Coal Company  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 10, 2001

Expires: July 10, 2006

Certified from the record this 10th of July, 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

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Jobber's Buying Group, Inc.

Vs.

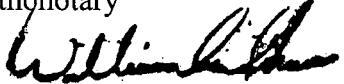
No. 2001-00451-CD

Penn-Grampian Coal Company

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$6,000.00 on the July 10, 2001.

William A. Shaw  
Prothonotary

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

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

Jobber's Buying Group, Inc.  
Plaintiff(s)

No.: 2001-00451-CD

Real Debt: \$6000.00

Atty's Comm:

Vs. Costs: \$

Int. From:

Penn-Grampian Coal Company  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 10, 2001

Expires: July 10, 2006

Certified from the record this 10th of July, 2001

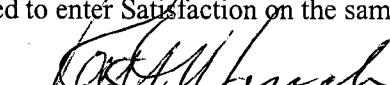


William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on Aug 28 2001, of defendant full satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.



Plaintiff/Attorney

**FILED**

AUG 29 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

**CERTIFICATE OF SATISFACTION OF JUDGMENT**

No.: 2001-00451-CD

Jobber's Buying Group, Inc.

Debt: \$6,000.00

Vs.

Atty's Comm.:

Penn-Grampian Coal Company

Interest From:

Cost: \$7.00

NOW, Wednesday, August 29, 2001 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 29th day of August, A.D. 2001.

---

Prothonotary

**FILED**

AUG 29 2001  
Oath of Commisioner  
William A. Shaw  
Prothonotary  
Pd \$7.00

Satisfaction  
[Signature]