

01-687-CD
BARRY L. WINGARD -vs- ROYAL DIadem DESIGN CENTER

COURT OF COMMON PLEAS
 County of Clearfield
 JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM
 DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO.

01-687-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 ROYAL DIADEM DESIGN CENTER		MAG. DIST. NO. OR NAME OF D.J. 46-3-01		
ADDRESS OF APPELLANT 100 North Brady Street		CITY Du Bois	STATE PA	ZIP CODE 15801
DATE OF JUDGMENT 4/27/01	IN THE CASE OF (Plaintiff) BARRY L. WINGARD	(Defendant) ROYAL DIADEM DESIGN CENTER		
CLAIM NO. CV 0000102-01	VS. Christopher E. Mohney, Esquire	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.		
Signature of Prothonotary or Deputy				

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 BARRY L. WINGARD, appellee(s) to file a complaint in this appeal
 (Name of appellee(s))
 (Common Pleas No. 01-687-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To BARRY L. WINGARD, appellee(s)
 (Name of appellee(s))

[Signature]
 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: May 10, 2001

[Signature]
 Signature of Prothonotary or Deputy

FILED

MAY 10 2001

William A. Shaw
 Prothonotary

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: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA

Telephone: **(814) 371-5321 15801**

ATTORNEY DEF PRIVATE :

CHRISTOPHER E. MOHNEY ESQ
90 BEAVER DRIVE
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS

WINGARD, BARRY L
18 MUNDERF STAR RT
BROOKVILLE, PA 15825

VS.

DEFENDANT: NAME and ADDRESS

ROYAL DIADEM DESIGN CENTER
100 NORTH BRADY ST
DUBOIS, PA 15801

Docket No.: **CV-0000102-01**
Date Filed: **3/13/01**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **WINGARD, BARRY L**

Judgment was entered against: (Name) **ROYAL DIADEM DESIGN CENTER**

in the amount of \$ **4,501.01** on: (Date of Judgment) **4/27/01**

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

Damages will be assessed on: _____

Amount of Judgment	\$ 4,400.51
Judgment Costs	\$ 100.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 4,501.01

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____

Levy is stayed for _____ days or generally stayed.

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

Objection to levy has been filed and hearing will be held: _____

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.

4-27-01 Date Patrick N. Ford-PLTF, 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

FILED

REC'D MAY 10 2001

5/14/01

Attn: Mohney

cc: Mohney

PO 480.06

William A. Shaw

Prothonotary

Atty Mohney

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

BARRY L. WINGARD, : NO. 01 - 687 - C.D.
Plaintiff :
VS. : TYPE OF CASE: CIVIL
ROYAL DIADEM DESIGN CENTER, : TYPE OF PLEADING: CONSENT ORDER
Defendant : FILED ON BEHALF OF: DEFENDANT
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: SUPREME COURT NO.: 63494
: BLAKLEY, JONES & MOHNEY
: 90 BEAVER DRIVE, BOX 6
: DU BOIS, PA 15801
: (814) 371-2730

FILED

JUN 22 2001
01/36/noce
William A. Shaw
Prothonotary

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

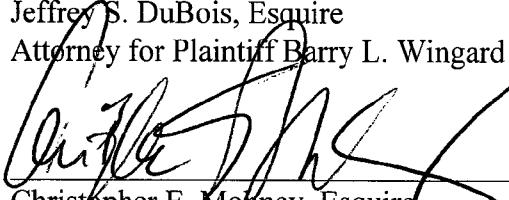
BARRY L. WINGARD,	:	NO. 01 - 687 - C.D.
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
ROYAL DIADEM DESIGN CENTER,	:	
	:	
Defendant	:	

CONSENT ORDER

The above parties, by their respective undersigned counsel, hereby consent to the Court ordering that the Judgment of Non Pros filed on Praecipe of Defendant on June 1, 2001, are hereby stricken, and the case re-opened.

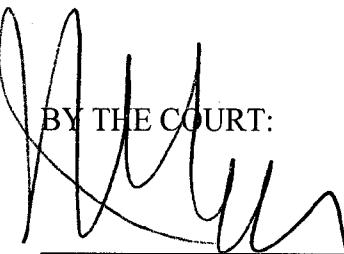


Jeffrey S. DuBois, Esquire
Attorney for Plaintiff Barry L. Wingard



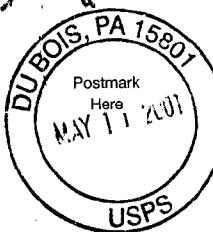
Christopher E. Monney, Esquire
Attorney for Defendant Royal Diadem
Design Center

AND NOW, this 21st day of June, 2001, upon the foregoing Stipulation of counsel of record for the parties, it is hereby ORDERED AND DECREED that the Judgment of Non Pros is stricken and the case re-opened.



BY THE COURT:

4738 0294
0000 7000 1670

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
HONORABLE PATRICK N. FORD	
Postage	\$.34
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.74
<i>Recipient's Name (Please Print Clearly) (to be completed by mailer)</i> HONORABLE PATRICK N. FORD Street, Apt. No., or P.O. Box No. 309 MAPLE AVENUE City, State, ZIP+4 DU BOIS, PA 15801	
	

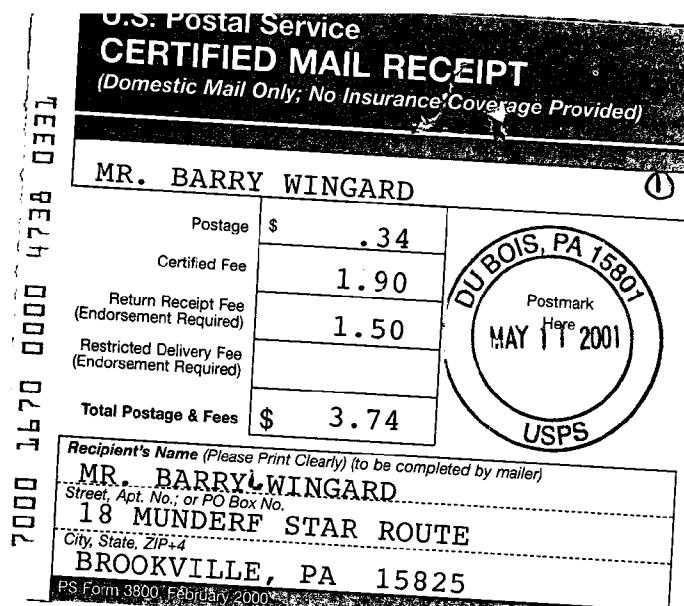
Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.



Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain *Return Receipt* service, please complete and attach a *Return Receipt* (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

102595-99-M-2087

PS Form 3800, February 2000 (Reverse)

COURT OF COMMON PLEAS
County of ~~Clearfield~~
JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM
DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

01-687-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 ROYAL DIADEM DESIGN CENTER	MAG. DIST. NO. OR NAME OF D.J. 46-3-01
ADDRESS OF APPELLANT 100 North Brady Street	CITY Du Bois
STATE PA	ZIP CODE 15801
DATE OF JUDGMENT 4/27/01	IN THE CASE OF (Plaintiff) BARRY L. WINGARD
CLAIM NO. CV 19 0000102-01	VS. ROYAL DIADEM DESIGN CENTER
LT 19	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT Christopher E. Mohney, Esquire
<p>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.</p> <p><i>Signature of Prothonotary or Deputy</i></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>	

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 **BARRY L. WINGARD**, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. **01-687-CD**) within twenty (20) days after service of rule or sufficient entry of judgment of non pros.

RULE: To **BARRY L. WINGARD**, 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: **4/28/01**

Signature of appellant or his attorney or agent

Signature of Prothonotary or Deputy

I hereby certify this to be a true and attested copy of the original statement filed in this case.

MAY 10 2001

Attest:

William Mohney
Prothonotary

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 01-687-C, Dated in the District Justice designated thereon, May 11 2001 by personal service by (certified) ~~xxxxxxxx~~ mail, sender's receipt attached hereto, and upon the appellee, (name) May 11 2001 by personal service by (certified) ~~xxxxxxxx~~ 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) whom the Rule was addressed on May 11 2001 by personal service by (certified) ~~xxxxxxxx~~ mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS 11TH DAY OF MAY 2001.

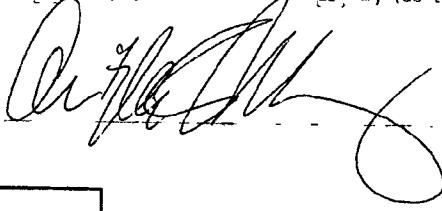
Kristin D Duttry
Signature of official before whom affidavit was made

NOTARY PUBLIC

Title of official

My commission expires on 1/30/03, 19

Notarial Seal
Kristin D. Duttry, Notary Public
DuBois, Clearfield County
My Commission Expires Jan. 30, 2003


Signature of affiant


Signature of witness


Signature of witness
MAY 14 2001
REB

William A. Shae
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA

Telephone: (814) 371-5321 15801

PATRICK N. FORD
309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA 15801

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS

WINGARD, BARRY L
18 MUNDERF STAR RT
BROOKVILLE, PA 15825

DEFENDANT: NAME and ADDRESS
ROYAL DIADEM DESIGN CENTER
100 NORTH BRADY ST
DUBOIS, PA 15801

Docket No.: CV-0000102-01
Date Filed: 3/13/01



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF 01-687-CO

Judgment was entered for: (Name) WINGARD, BARRY L

Judgment was entered against: (Name) ROYAL DIADEM DESIGN CENTER

in the amount of \$ 4,501.01 on: (Date of Judgment) 4/27/01

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>4,400.51</u>
Judgment Costs	\$ <u>100.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>4,501.01</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____

Certified Judgment Total \$ _____

FILED

Date:	Place:
Time:	

MAY 16 2001
miss *KA*
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.

4-27-01 Date Patrick N. Ford - PNF, 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

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

BARRY L. WINGARD, : No. 01 - 687 - C.D.
Plaintiff :
: :
vs. : Type of Pleading: Praeclipe for
: Judgment of Non Pros
ROYAL DIADEM DESIGN CENTER, :
Defendant :
: Filed on behalf of: Defendant
: :
: Filed by: Christopher E. Mohney
: Attorney for Defendant
: 90 Beaver Drive
: Box 6
: DuBois, PA 15801
: (814) 371 - 2730
: Atty. I.D. #63494

1
FILED
JUN 01 2001
William A. Shaw
Prothonotary

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

BARRY L. WINGARD, :
Plaintiff : No. 01 - 687 - C.D.
: :
vs. : :
ROYAL DIADEM DESIGN CENTER, : :
Defendant : :

PRAECIPE FOR JUDGMENT OF NON PROS

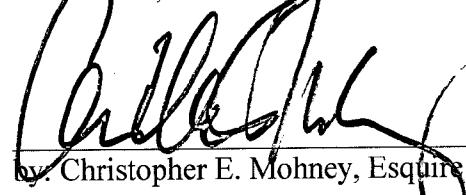
TO WILLIAM SHAW, PROTHONOTARY:

Please enter judgment of non pros against the plaintiff and in favor of defendant ROYAL DIADEM DESIGN CENTER for failure to file a complaint within twenty (20) days from the date of service of the rule to file complaint.

The undersigned certifies that service of the Rule to File Complaint was served on Plaintiff BARRY L. WINGARD on May 11, 2001 via certified mail return receipt requested. Attached hereto are copies of said Rule, receipt evidencing mailing on May 11, 2001, and return receipt of BARRY L. WINGARD dated May 12, 2001.

Respectfully submitted,

BLAKLEY, JONES & MOHNEY

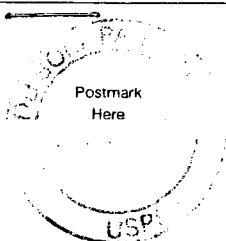


Christopher E. Mohney, Esquire

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

HONORABLE PATRICK N. FORD

Postage	\$.34
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.74



Recipient's Name (Please Print Clearly) (to be completed by mailer)

HONORABLE PATRICK N. FORD

Street, Apt. No., or PO Box No.

309 MAPLE AVENUE

City, State, ZIP+4

DU BOIS, PA 15801

PS Form 3800, February 2000

See Reverse for Instructions

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

MR. BARRY WINGARD

Postage	\$.34
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.74

Recipient's Name (Please Print Clearly) (to be completed by mailer)

MR. BARRY WINGARD

Street, Apt. No., or PO Box No.

18 MUNDERF STAR ROUTE

City, State, ZIP+4

BROOKVILLE, PA 15825

PS Form 3800, February 2000

See Reverse for Instructions

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**

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No **01-687-C**, upon the District Justice designated therein on (date of service) **May 11, 2001** by personal service, by (certified) ~~xxxxxx~~ mail, sender's receipt attached hereto, and upon the appellee, (name) **May 11, 2001** by personal service by (certified) ~~xxxxxx~~ 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) whom the Rule was addressed on **May 11, 2001** by personal service by (certified) ~~xxxxxx~~ mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME
THIS **11TH** DAY OF **MAY**, **2001**

Kristin D. Duttry
Signature of official before whom affidavit was made

NOTARY PUBLIC

Title of official

My commission expires on **1/30/03**, 19

Notarial Seal
Kristin D. Duttry, Notary Public
DuBois, Clearfield County
My Commission Expires Jan. 30, 2003

[Signature]
Signature of affiant

1005 AM YAH

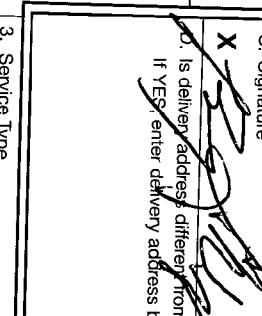
SENDER: COMPLETE THIS SECTION**COMPLETE THIS SECTION ON DELIVERY**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. BARRY L. WINGARD
18 MUNDERF STAR ROUTE
BROOKVILLE, PA 15825

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature 

D. Is delivery address different from item 1? Agent Addressee
If YES, enter delivery address below: Yes No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)
7000 1670 0000 4738 0331

PS Form 3811, July 1999

102505-99-M-1789

Domestic Return Receipt

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box.

CHRISTOPHER E. MOHNEY, ESQUIRE
BLAKLEY, JONES & MOHNEY
90 BEAVER DRIVE, BOX 6
DU BOIS, PA 15801

585142424

FILED Atty Mohney
JUN 8 1959 pd. 20.00
Notice to Def.
William A. Shaw Statement to Def.
Proprietary Atty to ~~Proprietary~~
Atty Mohney

COPY

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

BARRY L. WINGARD,	:	No. 01 - 687 - C.D.
Plaintiff	:	
	:	
vs.	:	
	:	
ROYAL DIADEM DESIGN CENTER,	:	
Defendant	:	

Please be advised that on this 1st day of June, 2001, upon Praeclipe of Defendant a judgment of Non Pros was entered against you in the above-captioned case.

PROTONOTARY,

by: , Deputy

COPY

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

Barry L. Wingard
Plaintiff(s)

No.: 2001-00687-CD

Real Debt: \$Non Pros

Atty's Comm:

Vs.

Costs: \$

Int. From:

Royal Diadem Design Center
Defendant(s)

Entry: \$20.00

Instrument: Judgment of Non Pros

Date of Entry: June 1, 2001

Expires: June 1, 2006

Certified from the record this 1st day of June, 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

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

BARRY L. WINGARD,)	
)	
Plaintiff,)) New 01-687 C.D.
vs.)	No.: 01-688 C.D.
ROYAL DIADEM DESIGN CENTER,)	No.: 01-689 C.D.
)	No.: 01-690 C.D.
Defendant)	
)	
)	

FILED

DEC 07 2001

0/1:40m

William A. Shaw
Prothonotary

Cent to
Att

COMPLAINT IN A CIVIL ACTION

AND NOW, comes the Plaintiff, Barry L. Wingard, by and through his attorneys, LUKEHART & LUNDY, who files this Complaint and in support thereof avers the following:

1. Plaintiff, BARRY L. WINGARD, is an adult individual residing at 18 Munderf Star Route, Brookville, Pennsylvania 15825.
2. ROYAL DIADEM DESIGN CENTER, at 100 North Brady Street, DuBois, Clearfield County, Pennsylvania 15801, Defendant herein, is believed to be a Pennsylvania corporation, partnership, or sole proprietorship, owned entirely by Jeffrey Rice, for which Plaintiff reserves the right to amend this complaint to include Jeffrey Rice as a defendant should it be determined it is not a corporation or Jeffrey Rice failed to operate as a corporation.
3. Defendant's business is located within Clearfield County, and all transactions and occurrences herein occurred in Clearfield County, and this Honorable Court has proper jurisdiction.
4. Defendant is in the business, among other things, of the resale of household furniture and various other household furnishings and accessories.

5. Plaintiff worked for Defendant as the manager of Defendant's store from the period of August of 1996 to August, 2000.

6. Plaintiff's job duties included the interviewing and hiring of personnel, the ordering of all furniture and other accessories for resale within the store, the presentation and set-up of displays at the store, payment of all orders and bills, and general service to customers.

7. On or about 1999, and again in 2000, because of the fact Defendant was experiencing financial constraints, Plaintiff used his own personal credit cards, specifically First Card Visa, Chase Platinum, Citibank Master Card and GM Master Card, for monetary loans to Defendant so as to allow Defendant to pay various debts.

8. The total costs purchased on Plaintiff's credit cards were in the amount of Ten Thousand Eight Hundred Seventy-three and 75/100 (\$10,873.75) Dollars.

9. The agreement between the parties that Defendant would pay Plaintiff back in a reasonable time.

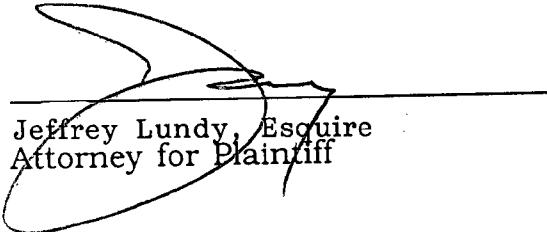
10. On or about August, 2000, because of difficulties between the parties, Plaintiff terminated his employment with Defendant.

11. Thereafter, Plaintiff requested payment in full for all the monies he had loaned to Defendant.

12. Despite repeated requests for payment, Defendant has refused to pay Plaintiff for the monies set forth above. Said conduct by Defendant is outrageous as these amounts are clearly owed by Defendant to Plaintiff and Plaintiff's generous act of using his own

credit cards were solely for the benefit of Defendant and has acted willful, malicious and outrageous in not paying the same back to Plaintiff and requiring him to file suit.

WHEREFORE, Plaintiff requests judgment in his favor and against Defendant in the amount of Ten Thousand Eight Hundred Seventy-three and 75/100 (\$10,873.75) Dollars, plus interest, costs, attorney's fees and any other relief this Court deems just and equitable.



Jeffrey Lundy, Esquire
Attorney for Plaintiff

VERIFICATION

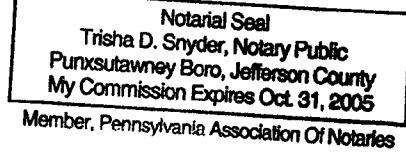
I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.



Barry L. Wingard

Sworn and subscribed to before me this
7th day of December, 2001.

Trisha D. Snyder
Notary Public



FILED
01/12/2001 200
DEC 07 2001 Piff

William A. Shaw
Prothonotary

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

BARRY L. WINGARD,
Plaintiff

vs.

ROYAL DIADEM DESIGN
CENTER,
Defendant

: No. 01-687 C.D.

: Type of Pleading:

ENTRY OF APPEARANCE

: Filed on Behalf of:

~~DEFENDANT~~
~~PLAINTIFF~~

: Counsel of Record for
This Party:

: Jeffrey S. DuBois
Supreme Court No. 62074
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

FILED

JUN 21 2001

William A. Shaw
Prothonotary

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

BARRY L. WINGARD,
Plaintiff

vs.

No. 01-687-CD

ROYAL DIADEM DESIGN CENTER,
Defendant

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance on behalf of Plaintiff, BARRY L.
WINGARD.



Jeffrey S. DuBois
Supreme Court I.D. No. 62074
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
814-371-7768

FILED

Jun 21 2001
M 11:55 AM
William A. Shaw
Prothonotary

SAC

**COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION**

**BARRY L. WINGARD, : No. 01-687-C.D.
Plaintiff : No. 01-688-C.D.
: No. 01-689-C.D.
vs. : No. 01-690-C.D.
: :
ROYAL DIADEM DESIGN CENTER, : Type of Case: Civil
Defendant : :
: Type of Pleading: Entry of Appearance
: :
: Filed on behalf of: Plaintiff
: :
: Counsel of Record:
: SCOTT C. ALLEN, ESQUIRE
: :
: Supreme Court No. 80824
: :
: 257 Main Street
: Brookville, Pennsylvania 15825
: (814) 849-4129**

FILED

OCT 16 2001
m1151noCC
William A. Shaw
Prothonotary


**COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION**

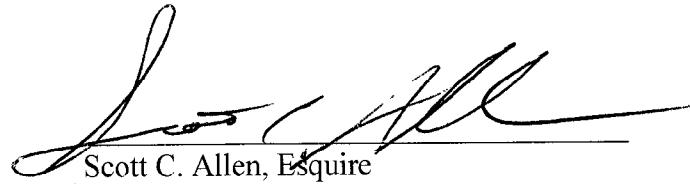
BARRY L. WINGARD,	:
Plaintiff	:
	:
	:
vs.	:
	:
	:
ROYAL DIADEM DESIGN CENTER,	:
Defendant	:

PRAECIPE TO ENTER APPEARANCE

To the Prothonotary:

Please enter my appearance on behalf of Barry L. Wingard, Plaintiff, in the above captioned matter.

Date: 10-15-2001



Scott C. Allen, Esquire

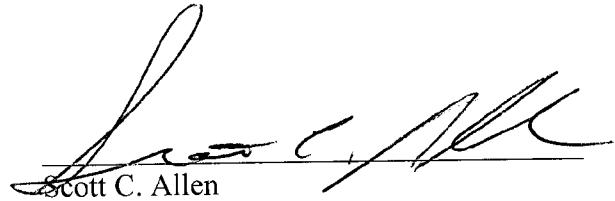
COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

BARRY L. WINGARD,	:
Plaintiff	:
	:
	No. 01-687-C.D.
	:
	No. 01-688-C.D.
vs.	:
	No. 01-689-C.D.
	:
ROYAL DIADEM DESIGN CENTER,	:
Defendant	:
	:

CERTIFICATE OF SERVICE

I certify that a true and correct copy of my Entry of Appearance was served this 15th day of October, 2001, by U.S. Mail, postage prepaid, on the following:

Christopher E. Mohney, Esquire
Blakley, Jones & Mohney
90 Beaver Drive, Box 6
DuBois, PA 15801



Scott C. Allen



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

Copy

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-0687-CD

Barry L. Wingard vs. Royal Diadem Design Center

Dear Jeffrey S. DuBois, Esq.:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

You may stop the Court terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed must be filed with the **Prothonotary** of Clearfield County, PO Box 549, Clearfield, Pennsylvania 16830. The Statement of Intention to Proceed must be filed on or before November 17, 2005.

If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

Handwritten signature of David S. Meholick

David S. Meholick
Court Administrator

FILED

SEP 12 2005

William A. Shaw
Prothonotary/Clerk of Courts



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-0687-CD

Barry L. Wingard vs. Royal Diadem Design Center

Dear Scott C. Allen, Esq.:

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By the Court,

A handwritten signature in black ink, appearing to read "David S. Meholic".

David S. Meholic
Court Administrator



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-0687-CD

Barry L. Wingard vs. Royal Diadem Design Center

Dear Christopher E. Mohney, Esq.:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

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By the Court,

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David S. Meholic
Court Administrator



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-0687-CD

Barry L. Wingard vs. Royal Diadem Design Center

Dear Jeffrey Lundy, Esq.:

Please be advised that the Court intends to terminate the above captioned case without notice, because the Court records show no activity in the case for a period of at least two years.

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If you fail to file the required statement of intention to proceed within the required time period, the case will be terminated.

By the Court,

A handwritten signature in black ink, appearing to read "David S. Meholick".

David S. Meholick
Court Administrator

Court of Common Pleas of Clearfield County, Pennsylvania
Civil Division

Barry L. Wingard

Vs.

01-0687-CD

Royal Diadem Design Center

Termination of Inactive Case

This case is hereby terminated with prejudice
this 17th day of November, 2005, as per Rule 230.2.



William A. Shaw
Prothonotary

FILED

NOV 17 2005

William A. Shaw
Prothonotary/Clerk of Courts