

01-688-CD
BARRY L. WINGARD -vs- ROYAL DIADEM DESIGN CENTER

COURT OF COMMON PLEAS
County of Clearfield
JUDICIAL DISTRICT

16th

NOTICE OF APPEAL

FROM
DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 01-688-CJ

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
DATE OF JUDGMENT 4/27/01	IN THE CASE OF (Plaintiff) BARRY L. WINGARD	STATE PA
		ZIP CODE 15801
CLAIM NO. CV XX 0000103-01		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.</p> <p>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
(Common Pleas No. 01-688-CJ) within twenty (20) days after service of rule or after entry of judgment of non pros.

Christopher E. Mohney
Signature of appellant or his attorney or agent

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: May 10, 2001*William A. Shaw*
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-0000103-01**
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 \$ **673.01** 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	\$ 615.51
Judgment Costs	\$ 57.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 673.01
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

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.

427-01 Date Patrick N. Ford - gnf, District Justice

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

Date _____, District Justice

FILED

REC'D MAY 10 2001
1301 CT 0800
William A. Shaw
Prothonotary

cc to CT, Mohney
cc to CT, Mohney

4738 0287
0000 1670
7000

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	

DU BOIS, PA 15801
Postmark
MAY 1 2001
USPS

Certified Mail Pro[®] Plus

- 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.

PS Form 3800, February 2000 (Reverse)

102595-99-M-2087

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

DUBOIS, PA 15801
Postmark
MAY 11 2001
USPS

Recipient's Name (Please Print Clearly) (to be completed by mailer)
MR. BARRY L. WINGARD
Street, Apt. No., or P.O. Box No.
18 MUNDERF STAR ROUTE
City, State, Zip+4
BROOKVILLE, PA 15825

4738 0317
0000 1670
7000 1670

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.

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

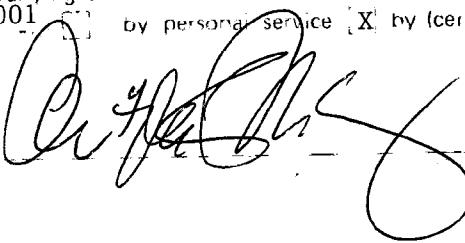
AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 01-688-C, Deposition District Justice designated therein on (date of service) May 11, XX 2001, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Barry L. Wingard, on May 11, XX 2001, 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 May 11, XX 2001, by personal service by (certified) ~~xxxxxxxxxx~~ mail, sender's receipt attached hereto

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

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


Signature of affiant

NOTARY PUBLIC
Title of official

My commission expires on 1/30/2003, 19..

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

10650 1047

5/10/2001
MAY

William
Proffit

COURT OF COMMON PLEAS
 County of Clearfield
 JUDICIAL DISTRICT

46-11

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 01-688-CO

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	vs. ROYAL DIADEM DESIGN CENTER (Defendant)		
CLAIM NO. CV # 0000103-01	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>_____ Signature of Prothonotary or Deputy</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,
 Name of appellee(s), to file a complaint in this appeal

(Common Pleas No. _____) within twenty (20) days after service of rule or after entry of judgment or non pros.

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

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 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 J. Mohney
Prothonotary

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

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

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: **WINGARD, BARRY L** NAME and ADDRESS

18 MUNDERF STAR RT
BROOKVILLE, PA 15825

VS.

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

Docket No.: **CV-0000103-01**
Date Filed: **3/13/01**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

01-688-CO

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

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

in the amount of \$ **673.01** 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	\$ 615.51
Judgment Costs	\$ 57.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 673.01
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

FILED

Date:	Place:
Time:	

MAY 16 2001

11:57 am
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 - PW**, 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

MONWEALTH OF PENNSYLVANIA

COUNTY OF: CLEARFIELD

CIVIL COMPLAINT

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD
 Address: **109 NORTH BRADY STREET**
P.O. BOX 452
DUBOIS, PA 15801
 Telephone: **(814) 371-5321**

PLAINTIFF:

NAME and ADDRESS

Barry Wingard
 18 Munderf Star Route
 Brookville PA 15825

DEFENDANT:

NAME and ADDRESS

Royal Diadem Design Centre
 100 North Brady Street
 DuBois PA 15801

VS.

Docket No.: **CV103-01**
 Date Filed:

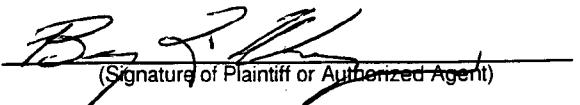


	AMOUNT	DATE PAID
FILING COSTS	\$ <u>5750</u>	/ /
SERVING COSTS	\$ _____	/ /
TOTAL	\$ _____	/ /

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 615.51 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Purchases made by Plaintiff on his personal credit card, specifically GM Mastercard, for furniture and other items for the Defendant for purposes of resale in store by Defendant. Despite repeated requests from Plaintiff to Defendant, the Defendant has refused to pay the same.

I, Barry Wingard verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. S.C.A. § 4904) related to unsworn falsification to authorities.


 (Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____

Address: _____

Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

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

BARRY L. WINGARD, : No. 01 - 688 - C.D.
Plaintiff :
: Type of Pleading: Praeclipe for
vs. : Judgment of Non Pros
: Filed on behalf of: Defendant
ROYAL DIADEM DESIGN CENTER, :
Defendant : Filed by: Christopher E. Mohney
: Attorney for Defendant
: 90 Beaver Drive
: Box 6
: DuBois, PA 15801
: (814) 371 - 2730
: Atty. I.D. #63494

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 - 688 - C.D.
:
vs. :
:
ROYAL DIADEM DESIGN CENTER, :
Defendant :
:

PRAECIPE FOR JUDGMENT OF NON PROS

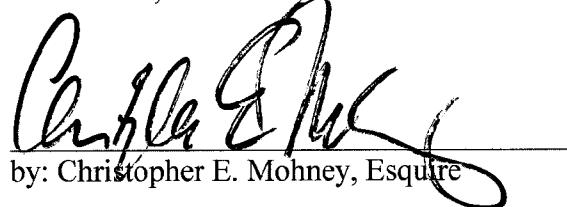
TO WILLIAM SHAW, PROTHONOTARY:

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



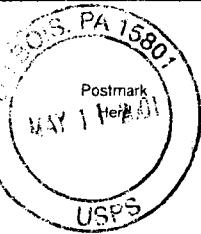
by: Christopher E. Mohney, Esquire

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

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 L. 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)

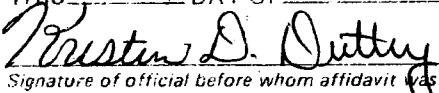
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 01-688-C, upon the District Justice designated therein on (date of service) May 11, 2001, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Barry L. Wingard 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 May 11, 2001, by personal service by (certified) ~~mail~~ mail, sender's receipt attached hereto.

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


Signature of official before whom affidavit was made

Signature of affiant

NOTARY PUBLIC

Title of official

My commission expires on 1/30/2003, 19

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

TUES 05 MAY

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

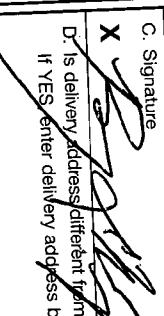
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

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

A. Received by (Please Print Clearly) **5-12-01**

B. Date of Delivery
5-12-01

C. Signature


D. Is delivery address different from item 1?
If YES, enter delivery address below:
✓

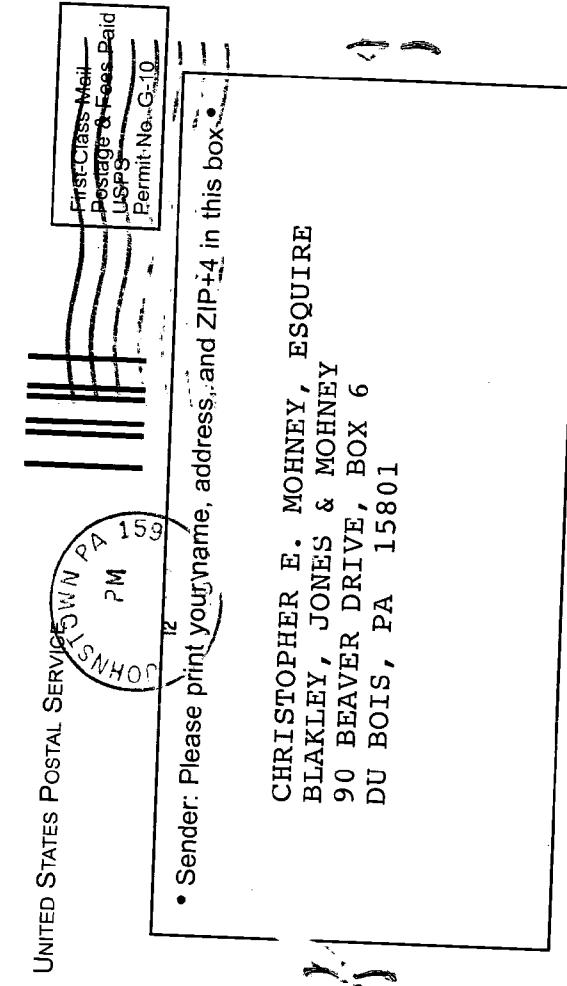
3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)
7000 1670 0000 4738 0317

Domestic Return Receipt

102595-99-M-178



Atty pd 20.00
01/30/01 Notice to Def
John A. Shroy Statement to Atty
notary

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

YCOPY

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

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

PROTONOTARY,

Collins

by: _____, Deputy

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

COPY

Barry L. Wingard
Plaintiff(s)

No.: 2001-00688-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 ACTION-LAW

BARRY L. WINGARD,
Plaintiff

vs.

ROYAL DIADEM DESIGN
CENTER,
Defendant

...: No. 01-688 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

Aug 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. 01-688-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

21 2001
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William A. Shaw
Prothonotary
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

BARRY L. WINGARD, : NO. 01 - 688 - C.D.
Plaintiff : TYPE OF CASE: CIVIL
VS. : TYPE OF PLEADING: CONSENT ORDER
ROYAL DIADEM DESIGN CENTER, : FILED ON BEHALF OF: DEFENDANT
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
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William A. Shaw
Prothonotary

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

BARRY L. WINGARD, : NO. 01 - 688 - 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 Praeclipe of Defendant on June 1, 2001, are hereby stricken, and the case re-opened.

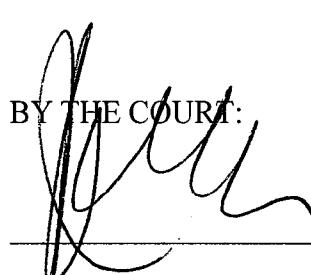


Jeffrey S. DuBois, Esquire
Attorney for Plaintiff Barry L. Wingard



Christopher E. Mohney, 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:

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

BARRY L. WINGARD, : **No. 01-687-C.D.**
Plaintiff : **No. 01-688-C.D.**

vs. : **No. 01-689-C.D.**
: **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
m 11:15 no CC
William A. Shaw
Prothonotary

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

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

)

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.

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William A. Shaw
Prothonotary

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.

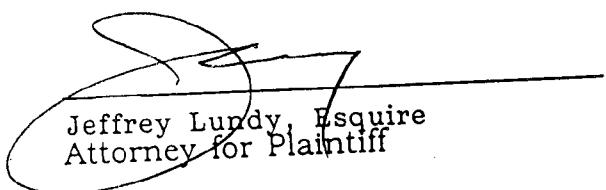
10. On or about August, 2000, because of difficulties between the parties, Plaintiff terminated his employment with Defendant.

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.

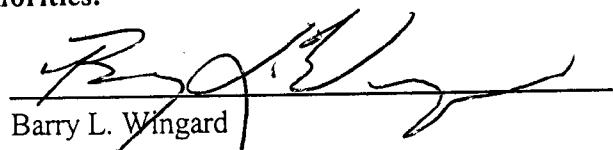
WHEREFORE, Plaintiff requests judgment in his favor and against Defendant in the amount of Ten Thousand Eight Hundred Seventy-three and 75/100 (\$10,873.75) Dollars, plus interest, costs, attorney's fees and any other relief this Court deems just and equitable.



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.

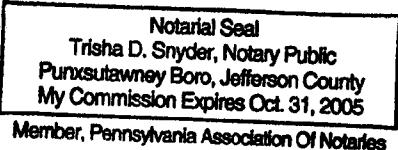


Barry L. Wingard

Sworn and subscribed to before me this
13th day of December, 2001.



Notary Public



Member, Pennsylvania Association Of Notaries

FILED

DEC 14 2001

M 13:14/11cc atty
William A. Shaw
Prothonotary

WAD



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: 01-0688-CD

Barry 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,

A handwritten signature in black ink that appears to read "David S. Meholic".

David S. Meholic
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: 01-0688-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. Meholick".

David S. Meholick
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: 01-0688-CD

Barry Wingard vs. Royal Diadem Design Center

Dear Christopher E. Mohney, Esq.:

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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: 01-0688-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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By the Court,

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David S. Meholick
Court Administrator

Court of Common Pleas of Clearfield County, Pennsylvania
Civil Division

Barry L. Wingard

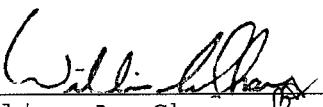
Vs.

01-0688-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