

01-1082-CD

J&E Plumbing vs Best Western

01

COURT OF COMMON PLEAS

CLEARFIELD  
JUDICIAL DISTRICT

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2001-1082-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 <u>Best Western</u>		MAG. DIST. NO. OR NAME OF D.J. <u>46-3-02</u>	
ADDRESS OF APPELLANT <u>RT. 879 I-80 Exit 19 Clearfield</u>		STATE <u>PA</u>	ZIP CODE <u>16830</u>
DATE OF JUDGMENT <u>06-07-01</u>	IN THE CASE OF (Plaintiff) <u>Clearfield</u>		(Defendant)
CLAIM NO. CV 19 <u>172-01</u> LT 19 _____	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>[Signature]</u>		

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.

\_\_\_\_\_  
Signature of Prothonotary or Deputy

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.

## 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 J & E plumbing & Heating Co. Inc., appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 2001-1082-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To J & E plumbing & Heating Co. Inc., appellee(s).

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: July 5, 2001

\_\_\_\_\_  
Signature of Prothonotary or Deputy

FILED

JUL 05 2001

William A. Shaw  
Prothonotaryf0  
80-  
BY  
DEPT.

COURT FILE TO BE FILED WITH PROTHONOTARY

(This proof of service MUST BE FILED WITHIN FIVE (5) DAYS AFTER filing the notice of appeal. Check applicable boxes)

**COUNTY OF**

☐ 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.

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\_\_\_\_

DE

Prohibition  
William A. Shaw

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-02**  
DJ Name: Hon.  
**RICHARD A. IRELAND**  
Address: **650 LEONARD STREET**  
**CLEARFIELD, PA**  
Telephone: **(814) 765-5335** **16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS  
**J&E PLUMBING & HEATING CO., INC.**  
**RD 1 BOX 151A**  
**CLEARFIELD, PA 16830**

VS.  
DEFENDANT: NAME and ADDRESS  
**BEST WESTERN**  
**PO BOX 286**  
**CLEARFIELD, PA 16830**

**BEST WESTERN**  
**PO BOX 286**  
**CLEARFIELD, PA 16830**

Docket No.: **CV-0000172-01**  
Date Filed: **4/11/01**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR PLAINTIFF**

☒ Judgment was entered for: (Name) **J&E PLUMBING & HEATING CO., IN**

☒ Judgment was entered against: (Name) **BEST WESTERN**

in the amount of \$ **1,029.61** on: (Date of Judgment) **6/07/01**

☐ 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><b>972.11</b></u>
Judgment Costs	\$ <u><b>57.50</b></u>
Interest on Judgment	\$ <u><b>.00</b></u>
Attorney Fees	\$ <u><b>.00</b></u>
<b>Total</b>	\$ <u><b>1,029.61</b></u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
	=====
<b>Certified Judgment Total</b>	\$ _____

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.**

**JUN 07 2001** Date **Richard Ireland**, 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**

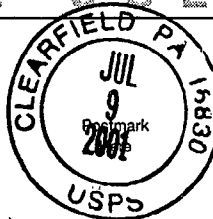
SEAL

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

OFFICIAL USE

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

\$
\$ 3.94



Sent To

J & E Plumbing & Heating, Inc

Street, Apt. No.,

or PO Box No.

RD # 1 Box 151 A

City, State, ZIP+ 4

Clearfield PA 16830

PS Form 3800, January 2001

See Reverse for Instructions

1511 7572 E252 1000 0930 1002

**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.**

COURT OF COMMON PLEAS

CLEARFIELD  
JUDICIAL DISTRICT

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2001-1082-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 <u>Best Western</u>		MAG. DIST. NO. OR NAME OF D.J. <u>416-3-02</u>	
ADDRESS OF APPELLANT <u>Rt. 879 I. 80 East 19 Clearfield</u>		CITY <u>Clearfield</u>	STATE <u>PA</u>
DATE OF JUDGMENT <u>06 07 01</u>		ZIP CODE <u>16830</u>	
IN THE CASE OF (Plaintiff)		(Defendant)	
CLAIM NO. <u>CV 19 172-01</u> <u>LT 19</u>		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>[Signature]</u>	

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.

Signature of Prothonotary or Deputy

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.

## 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 J & E Plumbing & Heating Co. Inc. appellee(s), to file a complaint in this appeal

(Common Pleas No. 2001-1082-CD) within twenty (20) days after service of rule or substitution of judgment of non pros.

**RULE:** To J & E Plumbing & Heating Co. Inc. 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: July 5, 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.

JUL 05 2001

Attest.

William L. Shaw  
Prothonotary

2001-1082-CD

**PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT**

(This proof of service MUST BE FILED WITHIN FIVE (5) 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. 2001-1082-CD, upon the District Justice designated therein on (date of service) 07-09-2001, ☒ by personal service ☐ by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) J.E. Plumbing & Heating Co. Inc., on 07-09-2001, ☐ 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 July 9th, 2001, ☒ by personal service ☒ by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME  
THIS 13th DAY OF JULY, 19 2001

Signature of official before whom affidavit was made

Title of official

My commission expires on \_\_\_\_\_, 19\_\_\_\_.

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

**FILED**

JUL 13 2001

William A. Shaw  
Prothonotary

NOTE: I served notice to  
District Court 46-3-02 Majster  
Richard A. IRELAND 650,  
Leeward ST. Clearfield  
PA 16830 Personally on July 9th, 2001  
And J.E. Plumbing &  
Heating Co. Inc. PO Box  
151 A Clearfield PA 16830  
by Certified Registered  
mail on  
July 09, 2001

*[Handwritten signature]*



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:	<b>46-3-02</b>
DJ Name: Hon.	<b>RICHARD A. IRELAND</b>
Address:	<b>650 LEONARD STREET CLEARFIELD, PA</b>
Telephone: (814) 765-5335	<b>16830</b>

**RICHARD A. IRELAND  
650 LEONARD STREET  
CLEARFIELD, PA 16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: **J&E PLUMBING & HEATING CO., INC.**  
RD 1 BOX 151A  
CLEARFIELD, PA 16830

VS.  
DEFENDANT: **BEST WESTERN**  
PO BOX 286  
CLEARFIELD, PA 16830

Docket No.: **CV-0000172-01**  
Date Filed: **4/11/01**



**THIS IS TO NOTIFY YOU THAT:**  
Judgment:

**FOR PLAINTIFF**

**01-1082-00**

- ☒ Judgment was entered for: (Name) **J&E PLUMBING & HEATING CO., IN**
- ☒ Judgment was entered against: (Name) **BEST WESTERN**
- in the amount of \$ **1,029.61** on: (Date of Judgment) **6/07/01**

☐ Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

☐ Damages will be assessed on:

☐ This case dismissed without prejudice. **FILED**  
**JUL 11 2001**  
**11:33 AM**  
**William A. Shaw**  
**Prothonotary**

☐ 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	\$ <b>972.11</b>
Judgment Costs	\$ <b>57.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>1,029.61</b>
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.**

**JUN 07 2001** Date **Richard Ireland**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.  
**7-9-01** Date **Richard Ireland**, District Justice

My commission expires first Monday of January,

**2006**

SEAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

J & E PLUMBING & HEATING, INC., \*  
PLAINTIFF

Vs.

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
DEFENDANTS

\*  
Docket No. 2001-1082-CD  
\*  
\*  
\*  
\*

Type of Pleading:  
COMPLAINT

Filed on Behalf of:  
PLAINTIFF:  
J&E Heating & Plumbing, Inc.

Counsel of Record for  
This Party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

JUL 19 2001

William A. Shaw  
Prothonotary

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

**CIVIL DIVISION**

**J & E PLUMBING & HEATING, INC., \***  
**PLAINTIFF**

**Vs.**

**Docket No. 2001-1082-CD**

**BEST WESTERN MOTOR INN and \***  
**VICTOR PATEL, t/d/b/a BEST \***  
**WESTERN MOTOR INN, \***  
**DEFENDANTS \***

**NOTICE TO DEFEND**

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 your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claims 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**  
**One North Second Street**  
**Clearfield, PA 16830**  
**(814) 765-2641**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

J & E PLUMBING & HEATING, INC., \*  
PLAINTIFF

Vs.

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN and \*  
VICTOR PATEL, t/d/b/a BEST \*  
WESTERN MOTOR INN, \*  
DEFENDANTS \*

COMPLAINT

COMES NOW, Plaintiff, J & E PLUMBING & HEATING, INC., by and through its attorney, Dwight L. Koerber, Jr., Esquire, and files the within Complaint against Defendants, BEST WESTERN MOTOR INN and VICTOR PATEL, t/d/b/a BEST WESTERN MOTOR INN,

1. Plaintiff is J & E PLUMBING & HEATING, INC., a Pennsylvania corporation, with a business address of R. D. 1, Box 151A, Clearfield, Pennsylvania 16830.

2. Defendants are VICTOR PATEL, the operator of a motel known as the BEST WESTERN MOTOR INN, located on State Route 879 on Exit 19 of Interstate 80, Clearfield, Pennsylvania. Defendant is also identified as BEST WESTERN MOTOR INN, which is believed to be a Pennsylvania Corporation having an address of State Route 879, Exit 19 of Interstate 90, Clearfield, Pennsylvania 16830. Defendants also have an address of P. O. Box 286, Clearfield, Pennsylvania 16830.

## COUNT I

3. Plaintiff is in the plumbing and heating business and provides on-site services for commercial and residential customers.

4. During the month of July 2000, Defendant called Plaintiff and requested that it come to his motel, so as to repair the air conditioning unit and ice machine that were not working at that time. Plaintiff went to Defendant's motel and proceeded to make the appropriate repairs that were necessary.

5. When Plaintiff was at the motel to make the repairs detailed in Paragraph 4 of this Complaint, Defendant asked Plaintiff to repair the hot water heaters that were not working.

6. Plaintiff proceeded to test and examine the water heaters and determined that the elements in the units were in sufficiently good condition so as to be operational, but they were not operational at that time because of a large number fuses that had been blown out and not repaired. Plaintiff then placed a order for the special fuses that were needed for the water heaters, and when they arrived, promptly installed the fuses and brought the water heaters back to working condition.

7. In addition to repairing the air conditioning unit, ice machine, and water heaters in Defendant's motel, Plaintiff also repaired the light fixtures in the dining room of Defendant's motel and replaced the dimmer switch.

8. Attached hereto as Appendices A and B is an itemization of the services and parts that Plaintiff provided to Defendant at its motel.

9. The services and parts that Plaintiff provided to Defendant were furnished and supplied in a work-like fashion, in accordance with the customary practices that Plaintiff follows.

10. Attached hereto as Appendix B is an invoice covering the services that Plaintiff provided to Defendant, totaling the sum of \$972.11. The charges set forth in Appendix B, in the amount of \$972.11, are fair and reasonable charges and represent the customary charge for services and parts furnished.

11. Plaintiff has requested that Defendant pay the invoice covering services rendered, as itemized in Appendix A and B, attached hereto, but Defendant has failed and refused to make payment.

12. As shown on the invoice attached as Appendix B, Plaintiff's contractual terms include a charge for 18% per annum interest. At the time of the filing of this Complaint, the interest that is owed \$172.98.

13. The unpaid interest and debt owed, which Defendant owes to Plaintiff, is \$1,145.09 plus interest and costs.

WHEREFORE, Plaintiff prays that judgment be entered in its favor and against Defendants, in the amount of \$1,145.09 plus costs and interest.

## COUNT II

14. Paragraphs 1-13 are incorporated by reference as though set forth in full. In this Count, Plaintiff seeks the remedies available to it under the Contractor and Subcontractor Payment Act, 73, P.S. 501 et seq.

15. In providing services to Defendant, as set forth in Count I, Plaintiff meets the definition of "contractor" within the meaning of the Contractor and Subcontractor Payment Act.

16. The services which Plaintiff provided, as set forth in Count I, were skilled services and they improved the building and/or structure which Defendant operated as BEST WESTERN MOTOR INN.

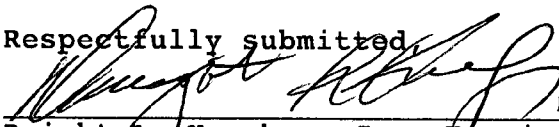
17. Plaintiff seeks reasonable attorney's fees and penalties in accordance with §512 of the Contractor and Subcontractor Payment Act. At this point, Plaintiff asserts that its legal fees are \$500.00, involving the preparation and filing and initial prosecution of this Complaint. Plaintiff reserves the right to amend its Complaint for attorney's fees, so as to include the full charges of Dwight L. Koerber, Jr., Esquire, in the event that it is necessary to further proceed with litigation.

18. Plaintiff seeks penalties in the amount of 1% per month, pursuant to the provisions of §512 of the Act. In addition, Plaintiff seeks interest, in the amount of 1% per month pursuant to

\$505(d) of the Act. These two combined represent an added charge for interest and penalties in the amount of 24% of the debt that is owed.

WHEREFORE, Plaintiff prays that judgment be entered in its favor in the amount of \$1,472.11, plus additional attorney's fees as allowed under the Contractor and Subcontractor Payment Act and interest and penalties, as provided under the Contractor and Subcontractor Payment Act, plus costs.

Respectfully submitted,



Dwight L. Koerber, Jr., Esquire  
Attorney for Plaintiff,  
J & E PLUMBING & HEATING, INC.



**VERIFICATION**

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

7/19/01

Date

James R. Catherman, Jr.

James R. Catherman, Jr., President  
J & E PLUMBING & HEATING, INC.

**APPENDIX A**

Attached hereto is an itemization of services and parts  
Plaintiff provided to Defendants.

#1 - Box 151A (Turnpike Ext.)  
CLEARFIELD, PA 16830

**(814) 765-7460**  
**FAX (814) 765-1846**

TO Best Western  
PO Box 286  
Clearfield, PA 16830

**TERMS: 1 1/2% Per Month (18% Per Annum) After 30 Days. Minimum Service Charge \$5.00**

# Job Invoice

PHONE	DATE OF ORDER
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA	
JOB NAME/NUMBER	
JOB LOCATION	
JOB PHONE	STARTING DATE

[illegible]

# Thank You

**APPENDIX B**

Attached hereto is a copy of the invoice covering services and parts Plaintiff provided to Defendants.

**(814) 765-7460**  
**FAX (814) 765-1846**

## Best Western

PO Box 286

Clearfield, PA 16830

**TERMS:** 1½% Per Month (18% Per Annum) After  
30 Days. Minimum Service Charge \$5.00

# Job Invoice

PHONE <b>765-2441</b>	DATE OF ORDER <b>7/22/00</b>
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
<input type="checkbox"/> DAY WORK	<input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA
JOB NAME/NUMBER	
JOB LOCATION	
JOB PHONE	STARTING DATE

DATE	CHARGES	AMOUNT	DESCRIPTION OF WORK
>	DIAGNOSTIC		Central A/C unit not working.
	TRAVEL		
10/22/00	LABOR	\$ 560 00	
	MATERIAL	\$ 397 74	
	TOTAL	\$ 957 74	
	Repaired A/C unit and ice machine.		
	Checked two water heaters and		
	their elements. Replaced bad fuses.		
	Repaired light fixtures in the dining		
	room and replaced the dinner switch.		
10/20/00	Service Charge	.14 37	
	BALANCE NOW DUE	\$ 972 11	

[illegible]

DATE COMPLETED

Work ordered by:

Signature

I hereby acknowledge the satisfactory completion of the above described work.

# Thank You

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

J & E PLUMBING & HEATING, INC.,  
PLAINTIFF

Vs.

BEST WESTERN MOTOR INN and  
VICTOR PATEL t/d/b/a BEST WESTERN  
MOTOR INN,  
DEFENDANTS

DOCKET NO. 2001-1082-CD

COMPLAINT

**FILED**

JUL 19 2001

7/31/3cc entry  
William A. Shaw  
Prothonotary  
*W. A. Shaw*

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY-AT-LAW

110 NORTH SECOND STREET

P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830

J&E PLUMBING & HEATING, INC.,

No. 2001- 1082 - C.D.

**Type of Case:** Civil

**Filed on Behalf of:** Defendant

Supreme Court I.D. # 39232  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield PA 16830  
814 765-4000

**William A. Shaw**  
Prothonotary

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

J&E PLUMBING & HEATING, INC.,  
Plaintiff

vs

No. 2001-1082-C.D.

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendants

ANSWER TO COMPLAINT

1. Paragraph 1 is admitted.

2. Paragraph 2 is admitted in part and denied in part. The Defendant, Victor Patel, is an employee/manager of the Best Western located on State Route 879 on Exit 19 of Interstate 80, Clearfield Pennsylvania. As to the Defendant, Best Western Motor Inn, the Defendant, Victor Patel, is not aware of any corporation by that name operating the facility known as the Best Western located on State Route 879 on Exit 19 of Interstate 80 Clearfield, Pennsylvania, owned and operated by Yodeshvar Corp.

3. Paragraph 3 is admitted.

4. Paragraph 4 is admitted in part and denied in part. The averments that Defendant Patel requested Plaintiff to come to his motel is admitted for the purpose that he is the manager but not for the purpose that he is the owner. The answer in paragraph 2 above is incorporated herein by reference as though set forth in full.



5. Paragraph 5 is admitted.

6. Paragraph 6 is admitted in part and denied in part. It is admitted that the Plaintiff tested and examined the water heaters and replaced a certain number of fuses. It is denied that the water heaters were brought back to good working condition because the Plaintiff failed to correct the leaking heater elements. The remainder of the averments are denied in that after reasonable investigation, the Defendant is without sufficient knowledge or information to form a belief as to the averment.

7. Paragraph 7 is admitted.

8. Paragraph 8 is denied. After reasonable investigation, the Defendant is without sufficient knowledge or information to form a belief as to the averment.

9. Paragraph 9 is denied. After reasonable investigation, the Defendant is without sufficient knowledge or information to form a belief as to the averment. By way of further answer, the answer set forth in paragraph 6 above is incorporated herein by reference as though set forth in full.

10. Paragraph 10 is denied. After reasonable investigation, the Defendant is without sufficient knowledge or information to form a belief as to the averment.

11. Paragraph 11 is admitted in part and denied in part. It is admitted that Plaintiff has made demand for the amount set forth in Appendix A and B, but it is denied that the amount requested is correct and the Defendant incorporates the answers set forth above.

12. Paragraph 12 is denied. Never at any time did the Defendant

agree to any interest be paid on any outstanding balance.

13. Paragraph 13 is denied. Paragraphs 1 through 12 above are incorporated herein by reference as though set forth in full.

WHEREFORE, Defendant respectfully requests Your Honorable Court to grant judgment in his favor.

**COUNT II**

14. Paragraphs 1 through 13 of this Answer are incorporated herein by reference as though set forth in full. The remaining part of the paragraph requires no response.

15. Paragraph 15 - No answer required in that the paragraph as set forth is a conclusion of law.

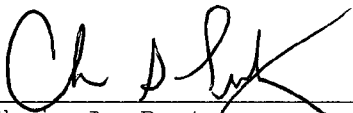
16. Paragraph 16 - No answer required in that the paragraph as set forth is a conclusion of law.

17. No response required.

18. No response required.

WHEREFORE, Defendant respectfully requests Your Honorable Court to enter judgment in his favor.


Respectfully submitted this 21 day of August, 2001.

  
Chris A. Pentz  
Attorney for Defendant

VERIFICATION

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

08-21-01  
Date

  
\_\_\_\_\_  
Victor Patel

FILED

AUG 22 2001

By *W. A. Shaw*  
013.4112001  
William A. Shaw  
Prothonotary

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

J&E PLUMBING & HEATING, INC.,  
Plaintiff

vs

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendant

No. 01 - 1082 -C.D.

Type of Case: Civil

Type of Pleading: Certificate  
of Service

Filed on Behalf of: Defendant

Counsel of Record for this Party:

CHRIS A. PENTZ, Esquire

Supreme Court I.D. # 39232  
211 ½ East Locust Street  
P. O. Box 552  
Clearfield PA 16830  
814 765-4000

**FILED**

AUG 24 2001

**William A. Shaw**  
Prothonotary

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

J&E PLUMBING & HEATING, CORP.,  
Plaintiff

vs

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendant

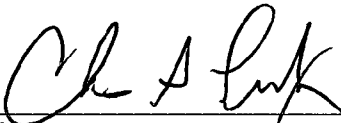
No. 2001-1082-C.D.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of  
Defendant's Answer to Complaint was personally served upon:

Dwight L. Koerber, Jr., Esquire  
Attorney for Plaintiff  
110 North Second Street  
Clearfield PA 16830

Service was made the 24 day of August, 2001.

  
Chris A. Pentz  
Attorney for Defendant

NC  
0/104581 CC  
231

William A. Shaw  
Prothonotary

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

\*

\*

Type of Pleading:  
CERTIFICATE OF SERVICE

Filed on behalf of:  
PLAINTIFF:  
J & E Plumbing & Heating, Inc.

Counsel of record for  
this party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

SEP 04 2001

William A. Shaw  
Prothonotary



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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

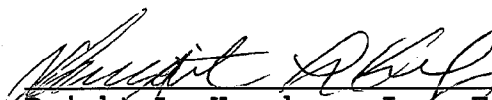
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CERTIFICATE OF SERVICE

This is to certify that on the 5th day of September, 2001, the undersigned served an original and two copies of Set I Interrogatories and Request for Production of Documents Directed to Defendants in the above captioned matter upon counsel for Plaintiff. Such documents were served via United States First Class Mail upon the following:

Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr., Esquire  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendants

CERTIFICATE OF SERVICE  
Docket No. 2001-1082-CD

FILED

SEP 04 2001

08:49 AM  
William A. Shaw  
Notary Public  
Koerber  
JES

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY-AT-LAW

110 NORTH SECOND STREET

P. O. Box 1920

CLEARFIELD, PENNSYLVANIA 16830

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*  
\*  
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\*  
\*  
\*

Docket No. 2001-1082-CD

Type of Pleading:  
MOTION TO COMPEL ANSWER TO  
SET I INTERROGATORIES AND  
REQUEST FOR PRODUCTION OF  
DOCUMENTS  
DIRECTED TO DEFENDANT

Filed on behalf of:  
PLAINTIFF:  
J & E Plumbing & Heating, Inc.

Counsel of record for  
this party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

FILED

NOV 05 2001  
01332133 cathy koerber  
William A. Shaw  
Prothonotary

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

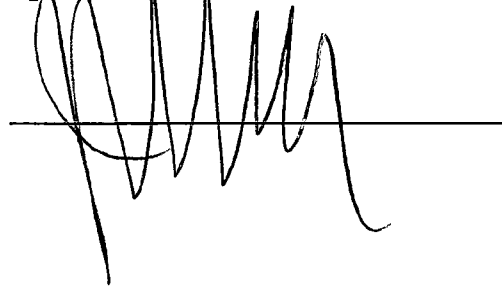
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RULE TO SHOW CAUSE

AND NOW this 7<sup>th</sup> day of November 2001, upon  
consideration of the Motion to Compel Answer to Set I  
Interrogatories and Request for Production of Documents directed to  
Defendant, it is the ORDER AND DECREE of this Court that Defendant  
SHOW CAUSE WHY the Motion to Compel should not be granted. Written  
response due on the 27 day of November, 2001.

By the Court:



**FILED**

NOV 07 2001

013:301 m  
William A. Shaw  
Prothonotary

3 Cmt to Atty



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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

\*

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MOTION TO COMPEL  
ANSWER TO SET I INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS  
DIRECTED TO DEFENDANT

COMES NOW, Plaintiff J & E Plumbing & Heating, Inc., by and through its attorney, Dwight L. Koerber, Jr., Esquire, and files the within Motion to Compel Defendant to answer Set I Interrogatories and Request for Production of Documents Directed to Defendant.

1. Movant is Plaintiff J & E Plumbing & Heating, Inc.
2. Respondents are Best Western Motor Inn and Victor Patel, t/d/b/a Best Western Motor Inn.
3. On September 5, 2001, Plaintiff served Set I Interrogatories and Request for Production of Documents Directed to Defendant. Attached hereto as Appendix A is a true and correct copy of the said document.
4. The due date for Defendant to answer Set I Interrogatories and Request for Production of Documents Directed to Defendant was October 6, 2001. When Defendant failed to meet that

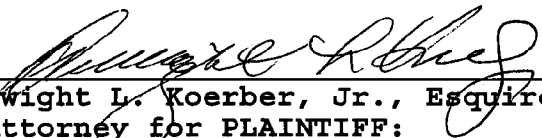
timetable, Plaintiff sent a letter to counsel requesting that Defendant respond within 15 days. Attached hereto as Appendix B is a true and correct copy of said letter.

5. Defendant has neither responded to Set I Interrogatories and Request for Production of Documents Directed to Defendant as originally served nor to the October 8, 2001 letter requesting compliance.

6. Plaintiff now files this Motion, seeking to have an Order entered compelling Defendant to fully and properly respond to Set I Interrogatories and Request for Production of Documents Directed to Defendant.

WHEREFORE, Plaintiff prays that this Motion be granted and the Defendant be ordered to answer Set I Interrogatories and Request for Production of Documents Directed to Defendant or to have sanctions entered against it.

Respectfully Submitted,

By:   
Dwight L. Koerber, Jr., Esquire  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

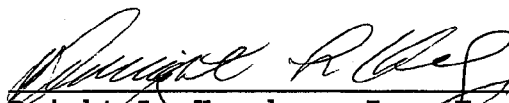
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CERTIFICATE OF SERVICE

This is to certify that on the 5th day of November, 2001,  
the undersigned served a true and correct copy of the foregoing  
Motion to Compel Answer to Set I Interrogatories and Request for  
Production of Documents Directed to Defendant in the above  
captioned matter upon counsel for Defendant. Such documents were  
served via United States First Class Mail upon the following:

Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr. Esquire  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

**APPENDIX A**

Attached hereto is a true and correct copy of Set I Interrogatories and Request for Production of Documents Directed to Defendant.



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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Docket No. 2001-1082-CD

Type of Pleading:  
SET I INTERROGATORIES AND  
REQUEST FOR PRODUCTION OF  
DOCUMENTS  
DIRECTED TO DEFENDANT

Filed on behalf of:  
PLAINTIFF:  
J & E Plumbing & Heating, Inc.

Counsel of record for  
this party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

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Docket No. 2001-1082-CD

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SET I  
INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS  
DIRECTED TO DEFENDANTS

TO: BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN  
c/o Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

PLEASE TAKE NOTICE THAT you are hereby required, pursuant to Rule 4005, 4006, and 4009 of the Pennsylvania Rules of Civil Procedure, Pa.R.C.P. 4005, 4006, 4009, to serve upon the undersigned, within thirty (30) days hereof, your answers in writing and under oath to the following interrogatories/request for production of documents. If, between the time of your answers to said interrogatories/request for production of documents and the time of trial of this case, you or anyone acting on your behalf shall learn the identity or whereabouts of any other witnesses not identified in your answers, or if you or anyone acting on your behalf obtains or becomes aware of additional requested information not supplied in your answers, you shall promptly furnish the same to the undersigned by supplemental answers. These interrogatories/request for production of documents are addressed to you as a party to this action and your answers shall be based upon the information known to you, your attorneys, or your representatives. Failure to provide the requested information and/or documents or make objections within the term specified may subject you to sanctions under Rule 4019 of the Pennsylvania Rules of Civil Procedure.

## DEFINITIONS AND INSTRUCTIONS

A. "You, your and/or Defendants" means and includes Best Western Motor Inn and Victor Patel, t/d/b/a Best Western Motor Inn, and other persons acting, having acted or purporting to act on behalf of Best Western Motor Inn and/or Victor Patel, t/d/b/a Best Western Motor Inn.

B. As used herein, the term "Plaintiff" refers to J & E Plumbing & Heating, Inc. and the term "Defendants" refers to Best Western Motor Inn and Victor Patel, t/d/b/a Best Western Motor Inn.

C. If you claim that the subject matter of a document or oral communication is privileged, you need not set forth a brief statement of the subject of this document, or the substance of the oral communication called for above. You shall, however, otherwise identify such document or oral communication and shall state each ground on which you claim that such document or oral communication is privileged.

D. Whenever you are asked to "identify" a person, the following information shall be given: (1) the name, present address, present employer and position of the person; and (2) whether the person has given any testimony by way of deposition or otherwise in any proceeding related to the present proceeding and/or whether the person has given a statement whether oral, written, or otherwise, and if so, the title and nature of any such proceeding, the date of the testimony, whether you have a copy of the transcript thereof, the name of the person to whom the statement was given, where the statement is presently located if written or otherwise transcribed, and the present location of such transcript or statement if not in your possession.

E. Whenever the term "document" is used herein, it includes (whether or not specifically called for) all printed, typewritten, handwritten, graphic or recorded matter, however produced or reproduced and however formal or informal.

F. Whenever you are asked to "identify" a document or documents, the following information should be given: (1) the identity of each person who wrote, signed, initiated, dictated or otherwise participated in the creation thereof; (2) the date of preparation; (3) its present location; (4) a description of the type of document; (5) the identity of all persons having custody or control thereof; and (7) if the document was, but is no longer, in your possession or control or your agents or representatives, describe the disposition of the document.

G. Whenever you are asked to "identify" an oral communication, the following information should be given: (1) the

identity of each person who participated in the making thereof; (2) the date of the communication; (3) the place of the communication; (4) the identity of each person present when the communication was made; (5) the identity of any document or other form of record made regarding the content of the oral communication; (6) a description of the type of document; (7) the record's present location; and (8) the identity of each person having custody or control of such record.

H. You are hereby requested to produce in accordance with Rule 4009 of the Pennsylvania Rules of Civil Procedure the below listed documents and/or items. These documents can be photocopies and forwarded without any inconvenience or hardship to the parties hereto. The below listed documents and/or items are to be forwarded to the offices of Dwight L. Koerber, Jr., Esquire, 110 North Second Street, P. O. Box 1320, Clearfield, Pa. 16830, within thirty (30) days of the date herein.

Whenever any of the aforesaid items are requested from you, they are to include not only those in your possession, custody or control, but likewise, that of your attorneys, consultants, sureties, indemnitors, adjusters and/or agents, pursuant to the Pennsylvania Rules of Civil Procedure.

This request is deemed to be continuing insofar as if any of the requested documents and/or items are secured subsequent to the date herein for the production of same, said documents and/or items are to be provided to plaintiff/defendant's counsel within thirty (30) days of the receipt of same.

1. Please set forth the name of all individuals who provided information in order to respond to this discovery request.

ANSWER:

2. With respect to your response to paragraph 2 of the Complaint, where you referenced a company named Yodeshvar Corp., please provide the following:

a. Furnish a copy of the Articles of Incorporation of that company.

b. State whether it trades and does business under the name of Best Western.

ANSWER:

c. State whether it holds a franchise with Best Western, and if so, furnish a copy of the franchising document.

ANSWER:

d. State whether you have registered under the Fictitious Name Act and if so, furnish a copy of such registration.

ANSWER:

3. Concerning Defendant Victor Patel, you state that he is employee/manager of the Best Western, when responding to paragraph 2 of the Complaint. In further clarification of that answer, please provide the following:

a. State the exact name and address of the business entity that employs Victor Patel.

ANSWER:

b. State the name of the business entity for whom Victor Patel was acting when he called Plaintiff and requested that it come to the motel for which he was manager and provide services as set forth in paragraph 4 of the Complaint.

ANSWER:

4. With respect to answer to paragraph 6 of the Complaint, where you deny that the hot water heaters were not brought back to good operating condition, state the following:

a. Specifically state what you claim was wrong with the hot water heaters.

ANSWER:

b. Did you report any further problems with the hot water heaters to Plaintiff, and if so, state when you made these reports and to whom you presented the reports.

ANSWER:

c. Did you have subsequent work performed on the hot water heaters, and if so, state the name of the person/business that performed the work, describe the work that was done, and furnish a copy of the invoice covering the services provided.

ANSWER:

d. Did you replace any of the "leaking heater elements", and if so, state when they were replaced, who replaced them, and furnish an invoice covering the cost associated with replacing them.

ANSWER:

5. Do you plan to call or present testimony from an expert witness in this case? If the answer is in the affirmative, state the name and address of the individual you plan to call as an expert witness.

ANSWER:

6. Concerning the expert witness identified in the preceding Interrogatory, state the substance of the facts and opinions to which the expert is expected to testify and present a summary of the grounds for each opinion.

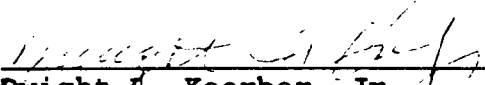
ANSWER:



7. Concerning the testimony of Victor Patel, state the substance of his testimony and set forth all facts in his testimony.

ANSWER:

Respectfully submitted,

By:   
Dwight L. Koerber, Jr.,  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

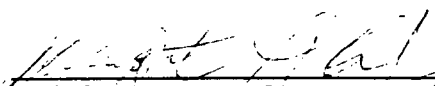
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CERTIFICATE OF SERVICE

This is to certify that on the 5th day of September 2001,  
the undersigned served an original and two copies of the foregoing  
Set I Interrogatories and Request for Production of Documents  
Directed to Defendants in the above captioned matter upon counsel  
for Defendants. Such documents were served via United States  
First Class Mail upon the following:

Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr., Esquire  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*  
\*  
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Docket No. 2001-1082-CD

Type of Pleading:  
CERTIFICATE OF SERVICE

Filed on behalf of:  
PLAINTIFF:  
J & E Plumbing & Heating, Inc.

Counsel of record for  
this party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

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

SEP 04 2001

Attest.

  
Prothonotary

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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 2001-1082-CD

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

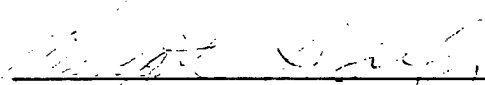
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CERTIFICATE OF SERVICE

This is to certify that on the 5th day of September, 2001, the undersigned served an original and two copies of Set I Interrogatories and Request for Production of Documents Directed to Defendants in the above captioned matter upon counsel for Plaintiff. Such documents were served via United States First Class Mail upon the following:

Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr., Esquire  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

**APPENDIX B**

Attached hereto is a true and correct copy of the October 8, 2001 letter sent to Chris A. Pentz, Esquire.

FILE COPY

**LAW OFFICES  
OF  
DWIGHT L. KOERBER, JR.**

Dwight L. Koerber, Jr.  
Cynthia B. Stewart

*Attorneys at Law*  
110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830

Telephone (814) 765-9611  
Facsimile (814) 765-9503

October 8, 2001

Chris A. Pentz, Esquire  
211½ East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

Re: J & E Plumbing & Heating, Inc. vs. Best  
Western Motor Inn and Victor Patel,  
t/d/b/a Best Western Motor Inn  
Docket No. 2001-1082-CD

Dear Chris:

The due date for filing an answer to the Interrogatories I served upon you in this case was October 6, 2001. Please respond as soon as reasonably possible, if you have not already forwarded the answer to me.

If you have a specific time that you need in order to file the response, please let me know. Otherwise, I will be marking my days for 15 days from today and will file a Motion to Compel at that time.

Very truly yours,

  
Dwight L. Koerber, Jr.

DLK/dmk

cc: Mr. James R. Catherman, Jr.

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendants

DOCKET NO. 2001-1082-CD

MOTION TO COMPEL ANSWER TO SET I  
INTERROGATORIES AND REQUEST FOR  
PRODUCTION OF DOCUMENTS DIRECTED  
TO DEFENDANT

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY - AT - LAW

110 NORTH SECOND STREET

P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830



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

J & E PLUMBING &  
HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN  
and VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

\*

\*

Docket No. 2001-1082-CD

\*

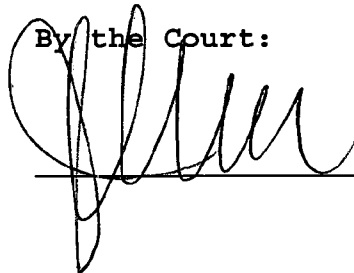
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ORDER

AND NOW this 24 day of December 2001, the Plaintiff  
having filed a Motion to Compel Answers to Interrogatories and  
Defendant having not responded in a timely fashion, it is the  
ORDER of this Court that Defendant shall fully answer the Set I  
Interrogatories and Request for Production of Documents served  
upon it by Plaintiff, doing so no later than 20 days from the  
date of this order. Failure to do meet that deadline shall  
subject defendant to sanctions under rule 4019 of the  
Pennsylvania Rules of Civil Procedure.

By the Court:



---

**FILED**

DEC 26 2001  
012:31/2ccattyKoertz  
William A. Shaw  
Prothonotary

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

J&E PLUMBING & HEATING, INC.,  
Plaintiff

vs

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendants

**No. 2001-1082-CD**

**Type of Case: Civil**

**Type of Pleading: Certificate  
of Service**

**Filed on Behalf of:**  
Defendants

**Counsel of Record for this Party:**

CHRIS A. PENTZ, Esquire

Supreme Court I.D. # 39232

211 ½ East Locust Street

P.O. Box 552

Clearfield, PA 16830

814 / 765 - 4000

**FILED**

JAN 16 2002

01337/nocc  
William A. Shaw  
Prothonotary

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

J&E PLUMBING & HEATING, INC.,  
Plaintiff

vs

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendants

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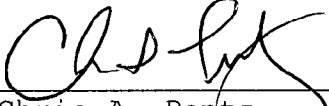
**No. 2001-1082-CD**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of  
Defendant's Answer to Set I Interrogatories and Response for  
Production of Documents was delivered in person to:

Dwight L. Koerber, Jr., Esquire  
Attorney for Plaintiff  
110 North Second Street  
Clearfield, PA 16830

Service was made the 14<sup>th</sup> day of January, 2002.

  
Chris A. Pentz,  
Attorney for Defendants

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY-AT-LAW

110 NORTH SECOND STREET

P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830

CERTIFIED COPY

CP

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

\*

\*

\*

\*

Docket No. 2001-1082-CD

Type of Pleading:  
PRAECIPE FOR  
ARBITRATION

Filed on Behalf of:  
PLAINTIFF:  
J & E Plumbing & Heating, Inc.

Counsel of Record for  
This Party:

Dwight L. Koerber, Jr.  
Pa. I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

MAR 27 2002

William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

\*

\*

-vs-

Docket No. 2001-1082-CD

\*

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

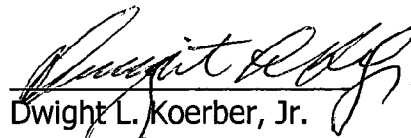
\*

**PRAECIPE FOR ARBITRATION**

To: William A. Shaw, Prothonotary

Pease list the above case for arbitration. I would estimate that  
approximately two hours will be required for completion of the entire case.

Respectfully Submitted,



Dwight L. Koerber, Jr.  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

\*

\*

-vs-

Docket No. 2001-1082-CD

\*

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

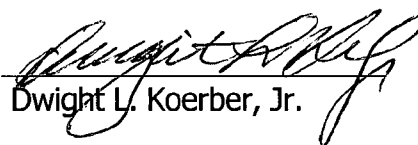
\*

\*

**CERTIFICATE OF SERVICE**

This is to certify that on the <sup>27th</sup> 26<sup>th</sup> day of March, 2002, the undersigned  
served a certified copy of the foregoing PRAECIPE FOR ARBITRATION in the above  
captioned matter upon counsel for Defendants. Such documents were served via United  
States First Class Mail upon the following:

Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr.

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-VS-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

PRAECIPE FOR ARBITRATION  
Docket No. 2001-1082-CD

**FILED**

CLERK  
MAR 27 2002  
5:00  
Aug Koerber

William A. Shaw  
Prothonotary

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY-AT-LAW  
110 NORTH SECOND STREET  
P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830





OFFICE OF COURT ADMINISTRATOR  
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

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

DAVID S. MEHOLICK  
COURT ADMINISTRATOR

PHONE: (814) 765-2641  
FAX: 1-814-765-~~8889~~ 7649

MARCY KELLEY  
DEPUTY COURT ADMINISTRATOR

May 1, 2002

Dwight L. Koerber, Jr., Esquire  
Attorney at Law  
Post Office Box 1320  
Clearfield, PA 16830

Chris A. Pentz, Esquire  
Attorney at Law  
Post Office Box 552  
Clearfield, PA 16830

RE: J & E PLUMBING & HEATING, INC.

vs.

BEST WESTERN MOTOR INN, al  
No. 01-10812-CD

Dear Counsel:

The above case is scheduled for Arbitration Hearing to be held Thursday, July 25, 2002. The following have been appointed to the Board of Arbitrators:

R. Denning Gearhart, Esquire  
Girard Kasubick, Esquire  
Blaise Ferraraccio, Esquire  
Jeffrey S. DuBois, Esquire  
David R. Thompson, Esquire

If you wish to strike an Arbitrator, you must notify the undersigned within seven (7) days from the date of this letter the name you wish stricken from the list.

You will be notified at a later date the exact time of the Arbitration Hearing.

FILED

MAY 13 2002

William A. Shaw  
Prothonotary

Very truly yours,

*Marcy Kelley*  
Marcy Kelley  
Deputy Court Administrator



OFFICE OF COURT ADMINISTRATOR  
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

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

DAVID S. MEHOLICK  
COURT ADMINISTRATOR

PHONE: (814) 765-2641  
FAX: 1-814-765-~~6989~~ 7669

MARCY KELLEY  
DEPUTY COURT ADMINISTRATOR

May 10, 2002

Dwight L. Koerber, Jr., Esquire  
Attorney at Law  
Post Office Box 1320  
Clearfield, PA 16830

Chris A. Pentz, Esquire  
Attorney at Law  
Post Office Box 552  
Clearfield, PA 16830

RE: J & E PLUMBING & HEATING, INC.

vs.

BEST WESTERN MOTOR INN, al  
No. 01-10842-CD

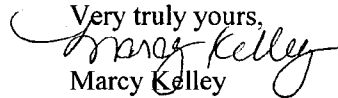
Dear Counsel:

The above case is scheduled for Arbitration Hearing to be held **Thursday, July 25, 2002 1:00 P.M.** The following have been appointed as Arbitrators:

R. Denning Gearhart, Esquire, Chairman  
Girard Kasubick, Esquire  
Blaise Ferraraccio, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. **The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators.** For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local rule of Court.

Very truly yours,

  
Marcy Kelley  
Deputy Court Administrator

cc: R. Denning Gearhart, Esquire  
Girard Kasubick, Esquire  
Blaise Ferraraccio, Esquire

FILED

019:25  
MAY 13 2002

no  
cc

  
William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Docket No. 2001-1082-CD

Type of pleading:  
MOTION TO CONTINUE  
ARBITRATION HEARING

Filed on behalf of:  
PLAINTIFF, J & E Plumbing  
& Heating, Inc.

Counsel of record for  
this party:

Cynthia B. Stewart,  
Esquire  
PA I.D. No. 82380  
Dwight L. Koerber, Jr.,  
Esquire  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

JUN 17 2002

William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

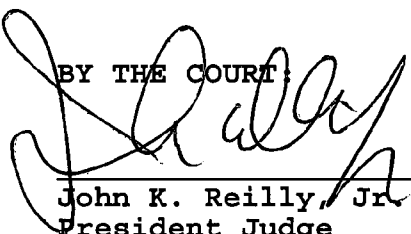
BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Docket No. 2001-1082-CD


ORDER

AND NOW, this 19 day of June, 2002, upon consideration  
of the Motion to Continue Arbitration Hearing filed on behalf of  
plaintiff, IT IS THE ORDER AND DECREE of this Court that the  
motion be granted, and that arbitration in this matter be placed  
on the next available scheduling date.

BY THE COURT:

  
John K. Reilly, Jr.,  
President Judge

**FILED**

JUN 19 2002  
01:46/7cc atty Stewart  
William A. Shaw  
Prothonotary 

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Docket No. 2001-1082-CD

MOTION TO CONTINUE ARBITRATION HEARING

COMES NOW, J & E Plumbing & Hearing, Inc., by and through its attorneys, and files the within motion seeking to have arbitration in the above matter continued. In support thereof, movant avers and shows as follows:

1. By letter dated May 10, 2002, the Office of the Court Administrator of the Court of Common Pleas of Clearfield County, Pennsylvania, scheduled arbitration to be held in this matter on the 25th day of July, 2002, at 1:00 P.M.

2. Attached hereto is a copy of the said May 10, 2002 letter.

3. Counsel for plaintiff/movant, Dwight L. Koerber, Jr., Esquire, underwent unexpected/emergency heart bypass surgery on June 4, 2002, and is presently recuperating, with severe limitations imposed upon his activities. It is expected that the

period of Attorney Koerber's recovery will take several months.

4. Attorney Koerber's Associate, Cynthia B. Stewart, Esquire, has a scheduling conflict with the date of arbitration, and in addition is unprepared to represent plaintiff in this matter, as plaintiff has dealt continuously and exclusively with Attorney Koerber.

5. Counsel for defendants/respondents, Chris A. Pentz, Esquire, has orally consented to the granting of a continuance of the arbitration hearing scheduled for July 25, 2002 at 1:00 P.M.

WHEREFORE, plaintiff/movant prays that your Honorable Court will grant a continuance in this matter, and that arbitration be placed on the next available scheduling date.

Respectfully submitted,

By: Cynthia B. Stewart  
Cynthia B. Stewart, Esquire  
DATE: 6-17-02

**CERTIFICATE OF SERVICE**

I certify that on this 17<sup>th</sup> day of June, 2002, a copy of the foregoing motion has been served by United States First Class Mail upon the following:

Chris A. Pentz, Esquire  
211½ East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

Counsel for defendants

R. Denning Gearhart, Esquire  
215 East Locust Street  
Clearfield, PA 16830

Chairman, Board of  
Arbitration

Girard Kasubick, Esquire  
LEHMAN & KASUBICK  
611 Brisbin Street  
Houtzdale, PA 16651

Arbitrator

Blaise Ferraraccio, Esquire  
FERRARACCIO & NOBLE  
301 East Pine Street  
Clearfield, PA 16830

Arbitrator

Cynthia B. Stewart  
Cynthia B. Stewart, Esquire



**APPENDIX A**

Attached hereto is a copy of the May 10, 2002 letter from the Office of the Court Administrator.



OFFICE OF COURT ADMINISTRATOR  
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

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

DAVID S. MEHOLICK  
COURT ADMINISTRATOR

PHONE: (814) 765-2641  
FAX: 1-814-765-~~8289~~ 7449

MARCY KELLEY  
DEPUTY COURT ADMINISTRATOR

May 10, 2002

Dwight L. Koerber, Jr., Esquire  
Attorney at Law  
Post Office Box 1320  
Clearfield, PA 16830

Chris A. Pentz, Esquire  
Attorney at Law  
Post Office Box 552  
Clearfield, PA 16830

RE: J & E PLUMBING & HEATING, INC.  
vs.  
BEST WESTERN MOTOR INN, al  
No. 01-10812-CD

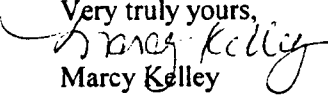
Dear Counsel:

The above case is scheduled for Arbitration Hearing to be held **Thursday, July 25, 2002 1:00 P.M.** The following have been appointed as Arbitrators:

R. Denning Gearhart, Esquire, Chairman  
Girard Kasubick, Esquire  
Blaise Ferraraccio, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. **The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators.** For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local rule of Court.

Very truly yours,

  
Marcy Kelley  
Deputy Court Administrator

cc: R. Denning Gearhart, Esquire  
Girard Kasubick, Esquire  
Blaise Ferraraccio, Esquire

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
Docket No. 2001-1082-CD

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

MOTION TO CONTINUE ARBITRATION  
HEARING

FILED

7cc

01/08/46  
JAN 17 2002

Atty Stewart

William A. Shaw  
PROUDFOOT  
LAW OFFICE

DWIGHT KOERBER, JR.

ATTORNEY-AT-LAW

110 NORTH SECOND STREET

P. O. BOX 1320

CLEARFIELD, PENNSYLVANIA 16830

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Docket No. 2001-1082-CD

Type of pleading:  
CERTIFICATE OF SERVICE

Filed on behalf of:  
PLAINTIFF, J & E  
Plumbing & Heating, Inc.

Counsel of record for  
this party:

Cynthia B. Stewart,  
Esquire  
PA I.D. No. 82380  
Dwight L. Koerber, Jr.,  
Esquire  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

JUN 24 2002

William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Docket No. 2001-1082-CD

CERTIFICATE OF SERVICE

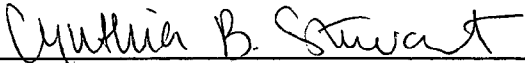
I hereby certify that on the 19th day of June, 2002, a copy of the Order of Court dated June 19, 2002, granting the Motion to Continue Arbitration Hearing, was served upon all parties of record by United States First Class Mail, as follows:

Chris A. Pentz, Esquire  
211½ East Locust Street  
P. O. Box 552  
Clearfield, PA 16830

R. Denning Gearhart, Esquire  
215 East Locust Street  
Clearfield, PA 16830

Girard Kasubick, Esquire  
LEHMAN & KASUBICK  
611 Brisbin Street  
Houtzdale, PA 16651

Blaise Ferraraccio, Esquire  
FERRARACCIO & NOBLE  
301 East Pine Street  
Clearfield, PA 16830

  
Cynthia B. Stewart, Esquire

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
Docket No. 2001-1082-CD

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a/  
BEST WESTERN MOTOR INN,  
Defendants

CERTIFICATE OF SERVICE

FILED

013:07:01  
JUN 24 2002

William A. Shaw  
Prothonotary

LAW OFFICE

DWIGHT KOERBER, JR.

ATTORNEY-AT-LAW

110 NORTH SECOND STREET

P. O. BOX 1320

CLEARFIELD, PENNSYLVANIA 16830

William A. Shaw  
Prothonotary

CLEARFIELD, PA 16830

168.00



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

J&E PLUMBING & HEATING, INC.  
Plaintiff

\*

\*

vs

\*

No. 2001-1082-C.D.

\*

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendant

\*

\*

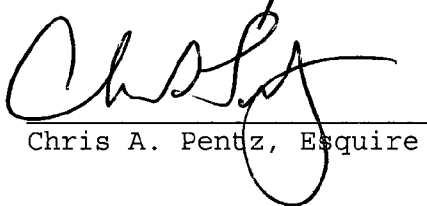
CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the  
Notice of Intent to Offer Documents has been served upon:

Dwight Koerber, Esquire  
110 North Second Street  
Clearfield PA 16830

Service was made by regular mail, postage prepaid, from the U.S.  
Post Office at Clearfield PA 16830.

Service was made the 15 day of July, 2002.

  
Chris A. Pentz, Esquire

1cc. Atty Pentz

01346041  
100 10002

100 10002



OFFICE OF COURT ADMINISTRATOR  
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK  
COURT ADMINISTRATOR

PHONE: (814) 765-2641  
FAX: 1-814-765-~~6029~~ *7649*

MARCY KELLEY  
DEPUTY COURT ADMINISTRATOR

August 6, 2002

Dwight L. Koerber, Jr., Esquire  
Attorney at Law  
Post Office Box 1320  
Clearfield, PA 16830

Chris A. Fentz, Esquire  
Attorney at Law  
Post Office Box 552  
Clearfield, PA 16830

RE: J & E PLUMBING & HEATING, INC.

- vs.

BEST WESTERN MOTOR INN, al  
No. 01-~~10812~~-CD  
1082

Dear Counsel:

The above case is scheduled for Arbitration Hearing to be held **Friday, October 25, 2002.** The following have been appointed to the Board of Arbitrators:

Richard A. Bell, Esquire  
Earle D. Lees, Jr., Esquire  
Jeffrey S. DuBois, Esquire  
David R. Thompson, Esquire  
Lee Ann Heltzel, Esquire

If you wish to strike an Arbitrator, you must notify the undersigned within seven (7) days from the date of this letter the name you wish stricken from the list.

You will be notified at a later date the exact time of the Arbitration Hearing.

Very truly yours,

*Marcy Kelley*  
Marcy Kelley

Deputy Court Administrator



OFFICE OF COURT ADMINISTRATOR  
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK  
COURT ADMINISTRATOR

PHONE: (814) 765-2641  
FAX: 1-814-765-~~6880~~ 7649

MARCY KELLEY  
DEPUTY COURT ADMINISTRATOR

August 20, 2002

Dwight L. Koerber, Jr., Esquire  
Attorney at Law  
Post Office Box 1320  
Clearfield, PA 16830

Chris A. Pentz, Esquire  
Attorney at Law  
Post Office Box 552  
Clearfield, PA 16830

RE: J & E PLUMBING & HEATING, INC.

vs.

BEST WESTERN MOTOR INN, al  
No. 01-~~1081~~12-CD  
1082

Dear Counsel:

The above case is scheduled for Arbitration Hearing to be held **Friday, October 25, 2002 at 1:30 P.M.** The following have been appointed as Arbitrators:

Richard A. Bell, Esquire, Chairman  
Earle D. Lees, Jr., Esquire  
Jeffrey S. DuBois, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. **The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators.** For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local rule of Court.

Very truly yours,

  
Marcy Kelley  
Deputy Court Administrator

cc: Richard A. Bell, Esquire  
Earle D. Lees, Jr., Esquire  
Jeffrey S. DuBois, Esquire

J&E PLUMBING & HEATING, INC., \*  
Plaintiff \*

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a BEST  
WESTERN MOTOR INN,  
Defendants

\*\*\*\*\*

\* Type of Case: Civil

\* **Type of Pleading:** Pre-Trial  
\* Memorandum/Certificate of  
\* Service

\* Filed on Behalf of:  
\* Defendants

\* Counsel of Record for this Party:  
\* CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. # 39232  
\* 211 1/2 East Locust Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* 814 / 765 - 4000

FILED

SEP 13 2002

William A. Shaw  
Prothonotary

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

J&E PLUMBING & HEATING, INC., \*  
Plaintiff \*

vs \* No. 2001-1082-CD

BEST WESTERN MOTOR INN and \*  
VICTOR PATEL, t/d/b/a BEST \*  
WESTERN MOTOR INN, \*  
Defendants \*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of  
Defendant's Pre-Trial Statement for served upon the following:


Dwight L. Koerber, Jr., Esquire  
Attorney for Plaintiff  
110 North Second Street  
Clearfield, PA 16830

Richard A. Bell, Esquire  
318 East Locust Street  
Clearfield PA 16830

Earle D. Lees, Esquire  
109 North Brady Street  
DuBois PA 15801

Jeffrey S. DuBois, Esquire  
4498 Jeffers Street  
DuBois PA 15801

Service was made the 13 day of Sept., 2002 from the U.S.  
Post Office at Clearfield PA by regular mail, postage prepaid.

  
Chris A. Pentz,  
Attorney for Defendants

FILED NO CC  
SEP 13 2002  
013:45 PM

William A. Shaw  
Prothonotary

Arb-1025-02

CHRIS A. PENTZ  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
MARINO BUILDING  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

TELEPHONE  
(814) 765-4000

FAX  
(814) 765-8142

September 12, 2002

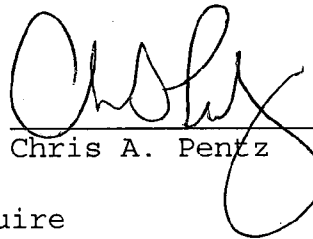
Office of Court Administrator  
230 East Market Street  
Clearfield PA 16830

In Re: J&E Plumbing & Heating v Best Western Motor Inn  
No. 2001-1082-C.D.

Dear Sir or Madam:

Enclosed is a true and correct copy of a Pre-Trial Memorandum/Certificate of Service which I have filed in reference to the above matter.

Sincerely,



Chris A. Pentz

CAP/jms

cc: Dwight L. Koerber, Jr., Esquire  
Earl D. Earles, Esquire  
Richard A. Bell, Esquire  
Jeffrey S. DuBois, Esquire  
file

RECEIVED  
SEP 13 2002  
COURT ADMINISTRATORS  
OFFICE



COURT ADMINISTRATOR'S  
OFFICE

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-vs-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

\*

\*

\*

\*

Docket No. 01-1082-CD

Type of Pleading:  
LOCAL RULE 1306 FILING

Filed on Behalf of:  
PLAINTIFF:  
J & E Plumbing & Heating, Inc.

Counsel of Record for  
This Party:

Dwight L. Koerber, Jr.  
Pa. I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

SEP 24 2002

William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

\*

\*

-vs-

Docket No. 01-1082-CD

\*

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

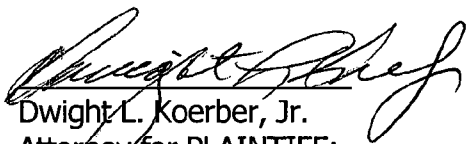
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**Local Rule 1306 Filing**

Pursuant to Local Rule 1306, Plaintiff hereby attaches the within invoices so  
as to prove the reasonableness of the services provided.

Respectfully Submitted,



Dwight L. Koerber, Jr.  
Attorney for PLAINTIFF:  
J & E Plumbing & Heating, Inc.

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

\*

\*

-vs-

Docket No. 01-1082-CD

\*

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

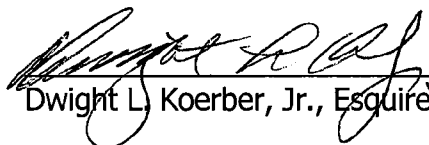
\*

\*

**Certificate of Service**

This is to certify that on the 24th day of September, 2002, the undersigned served a certified copy of the foregoing Local Rule 1306 Filing in the above captioned matter upon counsel for Defendant. Such documents were served via United States First Class Mail upon the following:

Chris A. Pentz, Esquire  
211 1/2 East Locust Street  
Marino Building  
P. O. Box 552  
Clearfield, PA 16830

  
Dwight L. Koerber, Jr., Esquire

# JOB INVOICE

TO

Clearfield, PA 16830

PHONE	DATE OF ORDER
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA	
JOB NAME/NUMBER	
JOB LOCATION	
JOB PHONE	STARTING DATE

[illegible]

# Thank You

Work ordered by \_\_\_\_\_

Signature \_\_\_\_\_  
I hereby acknowledge the satisfactory completion of the above described work.

**(814) 765-7460**  
**FAX (814) 765-1846**

Clearfield, PA 16830

# JOB INVOICE

## 13217

[illegible]

# Thank You

Work ordered by \_\_\_\_\_

Signature \_\_\_\_\_ I hereby acknowledge the satisfactory completion of the above described work.

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

-VS-

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

LOCAL RULE 1306 FILING  
Docket No. 01-1082-CD

FILED

3cc

013:37  
SEP 24 2002

Att  
J  
KES

Koerber

William A. Shaw  
Prothonotary

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY-AT-LAW

110 NORTH SECOND STREET

P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830

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

J&E PLUMBING & HEATING, INC.,

Plaintiff

vs

BEST WESTERN MOTOR INN and,  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

No. 01- 1082 -C.D.

Type of Case: Civil

Type of Pleading: Answer to Local  
Rule 1306 filing

Filed on Behalf of: Defendants

Counsel of Record for this Party:

CHRIS A. PENTZ, Esquire

Supreme Court I.D. # 39232

211 ½ East Locust Street

P. O. Box 552

Clearfield PA 16830

814 765-4000

**FILED**

OCT 04 2002

William A. Shaw  
Prothonotary



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

J&E PLUMBING & HEATING, INC.  
Plaintiff

Vs

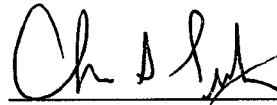
No. 01-1082-CD

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

Local Rule 1306 Filing

Pursuant to Local Rule 1306, Defendants hereby notify  
Plaintiff that they dispute the value and reasonableness of the  
charges set forth in Plaintiff's Local Rule 1306 filing.

Respectfully submitted this 3 day of Oct, 2002.



Chris A. Pentz  
Attorney for Defendants

FILED

ICC  
Atty Pentz

OCT 01 2002

*[Signature]*

William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 01-1082-CD

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

\*

\*

Type of Pleading:  
PRAECIPE TO SETTLE AND  
DISCONTINUE

Filed on behalf of:  
PLAINTIFF  
J & E Plumbing & Heating, Inc.

Counsel of record for  
this party:

Dwight L. Koerber, Jr.  
PA I.D. No. 16332

110 North Second Street  
P. O. Box 1320  
Clearfield, PA 16830  
(814) 765-9611

**FILED**

DEC 17 2002

William A. Shaw  
Prothonotary

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

J & E PLUMBING & HEATING, INC.,  
Plaintiff

\*

\*

-vs-

\*

Docket No. 01-1082-CD

BEST WESTERN MOTOR INN and  
VICTOR PATEL, t/d/b/a  
BEST WESTERN MOTOR INN,  
Defendants

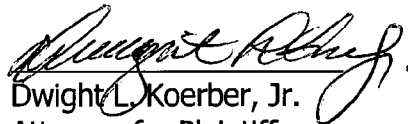
\*

\*

**PRAECIPE TO SETTLE AND DISCONTINUE**

Please mark the Docket in the above-referenced case as settled and discontinued.

Respectfully Submitted,



Dwight L. Koerber, Jr.  
Attorney for Plaintiff,  
J & E Plumbing & Heating, Inc.

CC: Chris A. Pentz, Esquire

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET NO. 01-1082-CD

J & E Plumbing & Heating, Inc.

vs.

Best Western Motor Inn and  
Victor Patel, t/d/b/a  
Best Western Motor Inn

PRAECIPE TO SETTLE AND DISCONTINUE

**FILED**

300

01/2:36:00  
DEC 17 2002

Atty Koerber

3 Disc. to Atty Koerber  
1 Disc. to C/A

William A. Shaw  
Prothonotary

*Law Office*

DWIGHT L. KOERBER, JR.

ATTORNEY - AT - LAW

110 NORTH SECOND STREET

P. O. Box 1320

CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

J & E Plumbing & Heating Co., Inc.

Vs.

No. 2001-01082-CD

Best Western Motor Inn and Victor  
Patel, t/d/b/a Best Western Motor Inn

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 December 17, 2002 marked:

Settled and Discontinued

Record costs in the sum of \$80.00 have been paid in full by Dwight L. Koerber, Jr., Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of December A.D. 2002.

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William A. Shaw, Prothonotary