

01-1394-CJ  
ELIZABETH RUSNAK -vs- THOM'S REMODELING et al

COURT OF COMMON PLEAS

FROM

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

01-1394-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>Thomas Remodeling / Thomas Daily</u>		MAG. DIST. NO. OR NAME OF D.J. <u>Pg</u>	
ADDRESS OF APPELLANT <u>P.O. Box 524</u>		CITY <u>Clarksburg</u>	STATE <u>Pg</u>
DATE OF JUDGMENT <u>7/27/01</u>		ZIP CODE <u>16625</u>	
IN THE CASE OF (Plaintiff) <u>ELIZABETH RUSHAK</u>		(Defendant) <u>Thomas Daily</u>	
CLAIM NO. CV 19 _____ LT 19 _____	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <u>Thomas Daily</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.

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

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

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon ELIZABETH RUSHAK, appellee(s), to file a complaint in this appeal

(Common Pleas No. 01-1394-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Thomas Daily  
Signature of appellant or his attorney or agent

RULE: To ELIZABETH RUSHAK, 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: August 27, 2001

William A. Shaw  
Signature of Prothonotary or Deputy

FILED

AUG 27 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) \_\_\_\_\_, ☐ 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.: **46-3-03**

DJ Name: Hon.  
**MICHAEL A. RUDELLA**

Address: **MOUNTAIN VIEW PLAZA  
P.O. BOX 210  
KYLERTOWN, PA**

Telephone: **(814) 345-6789** **16847-0000**

**THOM'S REMODELING/ THOMAS DAILY  
P.O. BOX 574  
CLAYSBURG, PA 16625**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS  
**RUSNAK, ELIZABETH  
R.R4 BOX 317A  
PHILIPSBURG, PA 16866**

VS.  
DEFENDANT: NAME and ADDRESS  
**THOM'S REMODELING/ THOMAS DAILY  
P.O. BOX 574  
CLAYSBURG, PA 16625**

Docket No.: **CV-0000145-01**  
Date Filed: **6/29/01**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

☒ Judgment was entered for: (Name) **RUSNAK, ELIZABETH**

☒ Judgment was entered against: (Name) **THOM'S REMODELING/ THOMAS DAILY**

in the amount of \$ **3,176.50** on: (Date of Judgment) **7/27/01**

☐ 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	\$ <b>3,110.00</b>
Judgment Costs	\$ <b>66.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 3,176.50</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	<b>\$ _____</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.**

**7-27-01** Date **MA Rudella**, 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

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-03**  
DJ Name: Hon. **MICHAEL A. RUDELLA**  
Address: **MOUNTAIN VIEW PLAZA**  
**P.O. BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789** **16847-0000**

**NOTICE OF JUDGMENT/TRANSCRIPT**  
**CIVIL CASE**

PLAINTIFF: **RUSNAK, ELIZABETH**  
NAME and ADDRESS  
**R.R4 BOX 317A**  
**PHILIPSBURG, PA 16866**

VS.  
DEFENDANT: **THOM'S REMODELING/ THOMAS DAILY**  
NAME and ADDRESS  
**P.O. BOX 574**  
**CLAYSBURG, PA 16625**

Docket No.: **CV-0000145-01**  
Date Filed: **6/29/01**



**THOM'S REMODELING/ THOMAS DAILY**  
**P.O. BOX 574**  
**CLAYSBURG, PA 16625**

THIS IS TO NOTIFY YOU THAT:  
Judgment:

**DEFAULT JUDGMENT PLTF**

**01-1394-00**

☒ Judgment was entered for: (Name) **RUSNAK, ELIZABETH**

☒ Judgment was entered against: (Name) **THOM'S REMODELING/ THOMAS DAILY**

in the amount of \$ **3,176.50** on: (Date of Judgment) **7/27/01**

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

☐ Damages will be assessed on: \_\_\_\_\_

☐ This case dismissed without prejudice. \_\_\_\_\_

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Total	\$ <b>3,176.50</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

Date:	Place:
Time:	<b>FILED</b> <b>SEP 05 2001</b> <b>011381am</b> <b>William A. Shaw</b>

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.

**7-27-01** Date **MA Rudella**, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.  
**8/29/01** Date **MA Rudella**, District Justice

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

ELIZABETH RUSNAK,

Plaintiff,

-vs-

THOMAS DAILY TRADING d/b/a  
THOM'S REMODELING,

Defendant.

:

:

:

:

:

:

:

:

:

No. 2001 - 1394 - CD

Pleading : COMPLAINT

Filed on Behalf of PLAINTIFF

Counsel for this Party:

John R. Carfley, Esq.

P.O. Box 249

Philipsburg, PA 16866

(814) 342-5581

**FILED**

SEP 20 2001

William A. Shaw  
Prothonotary

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

ELIZABETH RUSNAK, :  
Plaintiff, :  
-vs- : No. 2001 - 1394 - CD  
THOMAS DAILY TRADING d/b/a :  
THOM'S REMODELING, :  
Defendant. :

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your 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 claimed in the complaint or for any other claims 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 FIND ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR  
COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 Extension 5982

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

ELIZABETH RUSNAK, :  
Plaintiff, :  
-vs- : No. 2001 - 1394 - CD  
THOMAS DAILY TRADING d/b/a :  
THOM'S REMODELING, :  
Defendant. :

COMPLAINT

AND NOW COMES, the Plaintiff, ELIZABETH RUSNAK, who by and through their attorney John R. Carfley, Esquire, sets forth the following claim against the Defendant, THOMAS DAILY TRADING d/b/a THOM'S REMODELING, and as support for said claims sets forth the following factual averments:

1. Plaintiff Elizabeth Rusnak is an adult individual currently residing at RR4 Box 317A, Philipsburg, Pennsylvania, 16866.

2. Defendant is Thomas Daily an adult individual and owner of Thomas Daily Trading d/b/a Thom's Remodeling, said business being located at P.O Box 574, Claysburg, Pennsylvania, 16625.

3. Plaintiff is the owner of certain real estate situate at RD SR 2035, Morris Township, Clearfield County, Pennsylvania, identified as Assessment Map # 124-Q10-234 and more fully described in Records Book Volume 1931, Page 263 as recorded on May 5<sup>th</sup>, 1998 in the Office of the Clearfield County Recorder of Deeds.

4. On or about November 15, 2000, Plaintiff entered into a written contract whereby Defendant would receive payment in the amount of \$3,110.00 in exchange for the installation of new floor underlayment and carpet strips as more fully outlined in the written contract. A true and correct copy of the aforementioned contract is attached hereto as Exhibit "A".

5. Beginning on December 17, 2000, and continuing through December 23, 2000, Defendant presented himself at the premises and completed certain work for which he was fully compensated as per the terms set forth in the written contract attached as Exhibit "A".

6. On or about January 15, 2001, Plaintiff began to notice defects in the installation of the flooring. Closer inspection subsequent to that date revealed that while the Plaintiff was charged with new underlayment in the installation, none was used with the new floor covering being installed directly over the old.



7. It is further believed and therefore averred that the original carpet strips were used and re-used on the project as well as the Defendant failing to use nails to secure the installation and numerous other defects pertaining to the project's installation.

8. Defendant was paid the full amount of the contract price, namely three thousand one hundred ten dollars (\$3,110.00), as evidenced by check #0147 drawn on the account of Plaintiff at County National Bank. A true and correct copy is attached hereto as Exhibit "B".

9. Plaintiff has fulfilled all of the provisions of the agreement to be performed on her part.

10. Defendant has not fulfilled the provisions of the agreement to be performed on his part, in that the work has been completed in a poor, improper, and unworkmanlike manner, which were expressly or by necessary implication required to be done under the terms of the contract.

11. As a result of the unworkmanlike manner in which Defendant installed the flooring, Plaintiff has been damaged in the amount of \$3,436.00 as is evidenced by the estimate for repairs submitted by L&S Quality Construction located at P.O. Box 1133, Milesburg, PA 16853. A true and correct copy of said estimate for repairs is attached hereto as Exhibit "C".

12. Plaintiff has attempted on numerous occasions to contact the Defendant to repair and/or replace the flooring consistent with the terms of the written contract referenced herein, however, Defendant refuses and continues to refuse to make any corrections.

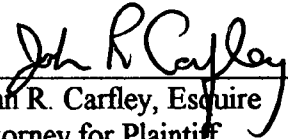
13. Although demand has been made, Defendant refuses and continues to refuse to pay all or any part of the said damages.

14. On or about June 29<sup>th</sup>, 2001, Plaintiff instituted suit by filing a civil complaint against Defendant in Magisterial District 46-3-03, seeking reimbursement of the contract price.

15. On July 27<sup>th</sup>, 2001, the District Justice Michael A. Rudella entered judgment in favor of Plaintiff in the amount of \$3,176.50.

16. On August 27<sup>th</sup>, 2001, Defendant filed Notice of Appeal of the judgment entered by District Justice Rudella and Plaintiff files this complaint in response pursuant to the Pennsylvania Rules of Civil Procedure.

WHEREFORE, Plaintiff demands judgment be entered against Defendant for a sum of \$3,436.00, plus costs and interest.

  
John R. Carfley, Esquire  
Attorney for Plaintiff  
ID #17621

Dated: September 18, 2001

# THOM'S REMODELING

P.O. Box 574  
Claysburg, Pa. 16625

Telephone 814-239-9560  
Fax 814-239-9570

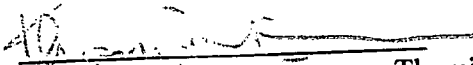
Wednesday, November 15, 2000  
Mr. and Mrs. Rusnak  
RR4  
Box 317 D  
Phillipsburg, Pa. 16866

We will remove the existing sheet goods and the underlayment moving the kitchen cabinets where necessary and the stove and refrigerator. Then install new underlayment and new sheet goods new carpet strips re install the cabinets and the stove and refrigerator. We will also do the laundry room moving all the appliances

Removal of old	260.00
New underlayment	275.00
New sheet goods	1356.00
Glue	95.00
Carpet strips	45.00
Filler for nails and seams	80.00
In - out cabinets and stove refridg	185.00
Install underlayment	355.00
Install sheet goods	500.00
Laundry room	
Remove	

**TOTAL \$ 3110.00**

*A 50% Down payment shall be required to begin the project, then 25 % when ½ has been completed, and the Balance of the contracted price, Shall be paid promptly upon completion of job. All work shall be completed in a workman like manor.*



Thom's Approval

Sign here

SPREADING QUALITY THROUGHOUT THE AREA

EXHIBIT A

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 5000.00

CNB  
COUNTY NATIONAL BANK

021 0812-15-00005 05-000.00 \$ 5000.00  
C031306278C 1-60530-2P 600

# 12/15/00 \$5,000.00#

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 150.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 1120.00 \$ 150.00  
C031306278C 1-60530-2P 600

12/22/00 \$150.00 #

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 20.00  
50.00  
25.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 0275.00 \$ 275.00  
C031306278C 1-60530-2P 600

12/22/00 \$275.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 750.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 1750.00 \$ 750.00  
C031306278C 1-60530-2P 600

# 12/22/00 \$750.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 350.00  
333.89

CNB  
COUNTY NATIONAL BANK

021 0812-29-00162 503.89 \$ 583.89  
C031306278C 1-60530-2P 600

# 12/29/00 \$583.89

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 3100.00  
1000.00

CNB  
COUNTY NATIONAL BANK

021 0812-29-00162 4100.00 \$ 4100.00  
C031306278C 1-60530-2P 600

# 12/29/00 \$4,100.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 205.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 205.00 \$ 205.00  
C031306278C 1-60530-2P 600

#135 12/12/00 \$205.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 49.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 49.00 \$ 49.00  
C031306278C 1-60530-2P 600

#139 12/08/00 \$49.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 30.63

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 30.63 \$ 30.63  
C031306278C 1-60530-2P 600

#140 12/14/00 \$30.63

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 170.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 170.00 \$ 170.00  
C031306278C 1-60530-2P 600

#141 12/15/00 \$170.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 281.14

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 281.14 \$ 281.14  
C031306278C 1-60530-2P 600

#142 12/11/00 \$281.14

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 200.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 200.00 \$ 200.00  
C031306278C 1-60530-2P 600

#143 12/11/00 \$200.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 5000.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 5000.00 \$ 5000.00  
C031306278C 1-60530-2P 600

#144 12/19/00 \$5,000.00#

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 390.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 390.00 \$ 390.00  
C031306278C 1-60530-2P 600

#145 1/04/01 \$390.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 3110.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 3110.00 \$ 3110.00  
C031306278C 1-60530-2P 600

#147 12/27/00 \$3,110.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 37.59

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 37.59 \$ 37.59  
C031306278C 1-60530-2P 600

#148 12/29/00 \$37.59

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 75.00

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 75.00 \$ 75.00  
C031306278C 1-60530-2P 600

#149 12/26/00 \$75.00

ELIZABETH M. RUSIAK  
PA # BOX 317-D  
PHILADELPHIA, PA 19104-0317

CASH 34.84

CNB  
COUNTY NATIONAL BANK

021 0812-22-00071 34.84 \$ 34.84  
C031306278C 1-60530-2P 600

#150 1/02/01 \$34.84



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

ELIZABETH RUSNAK  
Plaintiff

:

vs.

:

No. 2001-1394-CD

THOMAS DAILY t/d/b/a  
THOM'S REMODELING,  
Defendant

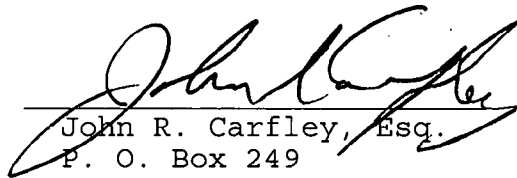
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:

CERTIFICATE OF SERVICE

I hereby verify that a true and correct copy of the Complaint  
filed in the above matter was served upon the following party at  
the following address on October 5, 2001, by certified mail,  
postage prepaid.

Thomas Daily  
t/d/b/a THOM'S REMODELING  
P. O. Box 574  
Claysburg, Pa., 16625

  
John R. Carfley, Esq.  
P. O. Box 249  
Philipsburg, Pa., 16866  
Attorney for Plaintiff

Dated: October 17, 2001

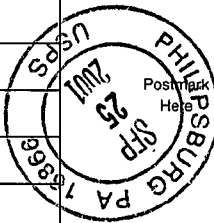
**FILED**  
OCT 24 2001

William A. Shaw  
Prothonotary

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

7000 0600 0028 5262 3928

Postage	\$ 57
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.17



Recipient's Name (Please Print Clearly) (to be completed by mailer)  
**Thomas Daily t/a Thoms Remdeling**  
Street, Apt. No., or PO Box No.  
**P. O. Box 574**  
City, State, ZIP+4  
**Claysburg Pa 16625**

PS Form 3800, February 2000

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

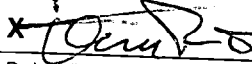
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Thomas Daily  
Thom's Remodeling  
P. O. Box 574  
Claysburg, Pa. 16625**

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) **Thom Daily** B. Date of Delivery **10-5-01**

C. Signature  ☐ Agent  
☐ Addressee

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 0600 0028 5262 3928

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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

ELIZABETH RUSNAK  
Plaintiff

:

vs.

:

No. 2001-1394-CD

THOMAS DAILY t/d/b/a  
THOM'S REMODELING,  
Defendant

:

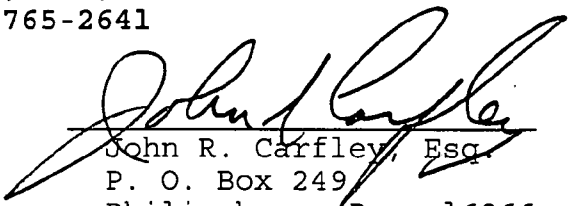
:

TO: Thomas Daily t/d/b/a  
Thom's Remodeling  
P. O. Box 574  
Claysburg, Pa., 16625

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR'S OFFICE  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA., 16830  
(814) 765-2641

  
John R. Carfley, Esq.  
P. O. Box 249  
Philipsburg, Pa., 16866  
Attorney for Plaintiff

Dated: October 29 2001

**FILED**

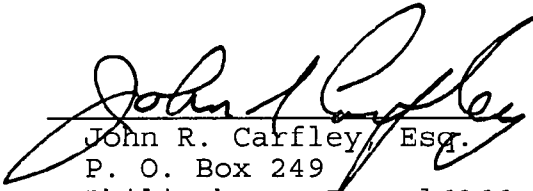
OCT 30 2001

Shaw  
Notary

CERTIFICATE OF SERVICE

I hereby verify that a true and correct copy of the within document was served upon the following party at the following address on October 29, 2001, by ordinary mail, first class, postage prepaid.

Thomas Daily  
t/d/b/a THOM'S REMODELING  
P. O. Box 574  
Claysburg, Pa., 16625



John R. Carfley, Esq.  
P. O. Box 249  
Philipsburg, Pa., 16866  
Attorney for Plaintiff



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

ELIZABETH RUSNAK  
Plaintiff

vs. : No. 2001-1394-CD

THOMAS DAILY t/d/b/a  
THOM'S REMODELING,  
Defendant

TO: Thomas Daily t/d/b/a  
Thom's Remodeling  
P. O. Box 574  
Claysburg, Pa., 16625

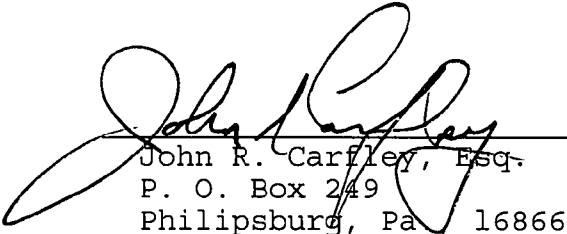
PRAECIPE FOR ENTRY OF JUDGMENT BY DEFAULT

TO THE PROTHONOTARY:

Please enter judgment of default in favor of the plaintiff, Elizabeth Rusnak, and against the defendant, Thomas Daily t/d/b/a Thom's Remodeling, for failure to plead to the complaint in this action within the required time. The complaint contains a notice to defend within twenty days from the date of service thereof. Defendant was served with the complaint on October 5, 2001, and his answer was due to be filed on October 25, 2001.

Attached as Exhibit "A" is a copy of plaintiff's written Notice of Intention to File Praecipe for Entry of Default Judgment which I certify was mailed by regular mail to the defendant at his last known address on October 29, 2001, which is at least ten days prior to the filing of this Praecipe.

Please assess damages in the amount of \$3,436.00, being the amount demanded in the complaint together with interest thereon and costs of this proceeding.

  
John R. Carfley, Esq.  
P. O. Box 249  
Philipsburg, Pa. 16866  
Attorney for Plaintiff

Dated: November 16, 2001

**FILED**

NOV 21 2001  
01/12/02  
William A. Shaw PP  
Prothonotary 20-  
NOTICE TO DEFT.

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

ELIZABETH RUSNAK  
Plaintiff

:

vs.

:

No. 2001-1394-CD

THOMAS DAILY t/d/b/a  
THOM'S REMODELING,  
Defendant

:

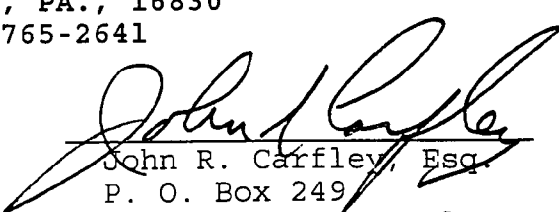
:

TO: Thomas Daily t/d/b/a  
Thom's Remodeling  
P. O. Box 574  
Claysburg, Pa., 16625

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR'S OFFICE  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA., 16830  
(814) 765-2641

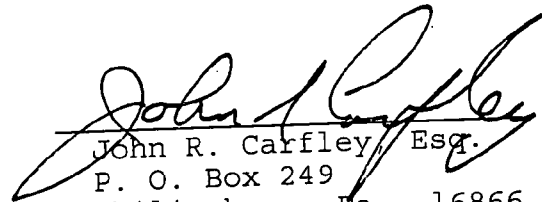
  
John R. Carfley, Esq.  
P. O. Box 249  
Philipsburg, Pa., 16866  
Attorney for Plaintiff

Dated: October 29 2001

CERTIFICATE OF SERVICE

I hereby verify that a true and correct copy of the within document was served upon the following party at the following address on October 29, 2001, by ordinary mail, first class, postage prepaid.

Thomas Daily  
t/d/b/a THOM'S REMODELING  
P. O. Box 574  
Claysburg, Pa., 16625

  
John R. Carfley, Esq.  
P. O. Box 249  
Philipsburg, Pa., 16866  
Attorney for Plaintiff

NOTICE OF ENTRY OF DEFAULT JUDGMENT

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PA.

TO: Thomas Daily t/d/b/a  
Thom's Remodeling  
P. O. Box 574  
Claysburg, Pa., 16625

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

ELIZABETH RUSNAK  
Plaintiff

:

vs.

:

No. 2001-1394-CD

THOMAS DAILY t/d/b/a  
THOM'S REMODELING,  
Defendant

:

:

NOTICE

Pursuant to Pa. R.C.P. 236, you are hereby notified that a  
JUDGMENT BY DEFAULT has been entered against you in the above  
proceeding.

DAMAGES ARE ASSESSED AS FOLLOWS:

Judgment-----	\$3,436.00
Interest @ 6% -----	34.00
Costs -----	<u>80.00</u>
TOTAL -----	\$3,550.00

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Prothonotary

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

Elizabeth Rusnak  
Plaintiff(s)

No.: 2001-01394-CD

Real Debt: \$3436.00

Atty's Comm:

Vs.

Costs: \$80.00

Int. From: @6%

Thom's Remodeling  
Thomas Daily  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 21, 2001

Expires: November 21, 2006

Certified from the record this November 21, 2001

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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.

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Plaintiff/Attorney