

01-1726-CD
W.R. MURDOCK & SONS, INC. -vs- REICHDRIIL, INC.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

W. R. MURDOCK & SONS, INC.
Plaintiff(s)

vs.

REICHDRILL, INC.

Defendant(s)

CIVIL DIVISION

No. 01-1726-CO

COMPLAINT

FILED ON BEHALF OF
Plaintiff(s)

COUNSEL OF RECORD OF
THIS PARTY:

NICHOLAS D. KRAWEC, ESQUIRE
PA I.D. #38527
JON A. MCKECHNIE, ESQUIRE
PA I.D. #36268
Bernstein Law Firm, P.C.
Firm #718
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

DIRECT DIAL: (412) 456-8114

BERNSTEIN FILE NO. C0006842

FILED

OCT 17 2001

William A. Shaw
Prothonotary

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

W. R. MURDOCK & SONS, INC.
Plaintiff

vs.

Civil Action No.

REICHDRILL, INC.
Defendant

NOTICE AND COMPLAINT

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 upon you, 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 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.

Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

COMPLAINT

1. Plaintiff is a corporation having offices in Fayetteville, WV.
2. Defendant is a corporation having its offices and place of business at P.O. Box 361, Intersection of Route 53 & Route 322, Philipsburg, Clearfield County, Pennsylvania 16866.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant certain Goods, Wares, and Merchandise, as is more specifically shown by Plaintiff's invoices, copies of which are attached hereto, marked Exhibit "1" collectively, and made a part hereof.
4. Defendant received and accepted the aforementioned goods, wares and merchandise.
5. The prices charged by Plaintiff were the fair, reasonable, and market prices that prevailed at the times of the transactions.
6. The prices charged by Plaintiff were the prices that Defendant agreed to pay.

7. Plaintiff avers that the balance due amounts to \$2,095.09, as is more specifically shown by Plaintiff's Statement, a true and correct copy of which is attached hereto, marked Exhibit "2", and made a part hereof.

8. Plaintiff avers that the agreement between the parties provides for service charges at the rate of 1 1/2% per month.

9. Plaintiff avers that service charges amount to \$282.87 to August 30, 2001.

10. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and refused to pay the aforesaid balance, service charges, or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment against Defendant in the amount of \$2,377.96, with continuing service charges thereon at the rate of 1 1/2% per month and costs.

BERNSTEIN LAW FIRM, P.C.

BY: 

Attorney for Plaintiff(s)

1133 Penn Avenue

Pittsburgh, PA 15222

BERNSTEIN FILE NO. C0006842

(412) 456-8100

INVOICE

W. R. MURDOCK & SONS, INC.

ROUTE 3, BOX 68A • FAYETTEVILLE, WEST VIRGINIA 25840
TELEPHONE (304) 574-0600 FAX (304) 574-3982

LOCATION
ROUTE 19, LAUREL CREEK ROAD E)
FAYETTEVILLE, WEST VIRGINIA 25840

CUSTOMER P.O. NO.	ORDERED BY	CUSTOMER NO.	INVOICE NO.	INVOICE DATE	TERMS	DATE SOLD
0580	TOM	4748	329805	9/29/00	1%/10, NET 30	9/29/00
SHIPPED VIA	OUR ORDER NO.	PREPAID/COLLECT	DATE SHIPPED	SHIPPED FROM	SALESMAN	
CX	01717637		9/26/00	Fayetteville Shop	TIM	

SOLD TO
9/29/00 13:40

SHIP TO

Entered By: ss

REICHdrill, INC.
P.O. BOX 361
PHILIPSBURG, PA 16866

REICHdrill, INC.
P.O. BOX 361
PHILIPSBURG, PA 16866

QUANTITY	OUR STOCK #	YOUR PART #	UNIT PRICE	U/M	NET AMOUNT	CAS DIS
ORDERED	B.O.	SHIPPED	DESCRIPTION			
1		1	REPAIRED: 702080 HEAD MOTOR WO# 86183	.0000 EA	.00	1.
			1 SEAL & GASKET KIT	129.93		
			7 PISTONS @ 97.00	679.00		
			1 FACE PLATE	134.00		
			1 SEAL RETAINER	76.00		
1		1	MOTOR PARTS	1018.9300 EA	1,018.93	1.
1		1	LAPPED PORT PLATE	40.0000 EA	40.00	1.
1		1	LAPPED SHOE RETAINER	35.0000 EA	35.00	1.
1		1	CYLINDER PARTS	40.0000 EA	40.00	1.
1		1	TEST	45.0000 EA	45.00	1.
6		6	LABOR	45.0000 EA	270.00	1.
THANK YOU FOR YOUR BUSINESS!!!						

DISC IF PAID WITHIN TERMS	SUB TOTAL	FREIGHT	TAX	INVOICE TOTAL
14.49	1,448.93	107.60		1,556.53

RETURNED GOODS WILL BE ACCEPTED FOR CREDIT WITHOUT PRIOR AUTHORIZATION. CERTAIN GOODS MAY BE SUBJECT TO RESTOCKING CHARGES DEPENDING UPON CIRCUMSTANCES. IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE CALL (304) 574-0600. WE WILL BE GLAD TO HELP RESOLVE ANY QUESTIONS YOU MAY HAVE.

REMIT PAYMENTS TO:

W. R. MURDOCK & SONS, INC.
ROUTE 2, BOX 68A
FAYETTEVILLE, WEST VIRGINIA 25840

INVOICE

W. R. MURDOCK & SONS, INC.

ROUTE 3, BOX 68A • FAYETTEVILLE, WEST VIRGINIA 25840
TELEPHONE (304) 574-0600 FAX (304) 574-3982

LOCATION
ROUTE 19, LAUREL CREEK ROAD E
FAYETTEVILLE, WEST VIRGINIA 25840

CUSTOMER P.O. NO.	ORDERED BY	CUSTOMER NO.	INVOICE NO.	INVOICE DATE	TERMS	DATE SHIPPED
13890	PHONE/MARK	4748	330552	11/30/00	1%/10. NET 30	11/30/00
SHIPPED VIA	OUR ORDER NO.	PREPAID/COLLECT	DATE SHIPPED	SHIPPED FROM	SALESMAN	
UPS GROUND	01718665		11/30/00	Fayetteville Shop	ROOSTER	

SOLD TO
11/30/00 13:26

SHIP TO

Entered By: s

REICHdrill, INC.
P.O. BOX 361
PHILIPSBURG, PA 16866

REICHdrill, INC.
P.O. BOX 361
PHILIPSBURG, PA 16866

QUANTITY			OUR STOCK #	YOUR PART #	UNIT PRICE	U/M	NET AMOUNT	CAS DIS
ORDERED	B.O.F	SHIPPED						
1		1	REPAIRED: 2PS6706 FAN MOTOR WO# 87035		.0000	EA	.00	1.
			1 SEAL KIT	137.00				
1		1	MOTOR PARTS		137.0000	EA	137.00	1.
1		1	TEST		45.0000	EA	45.00	1.
1		1	LABOR		75.0000	EA	75.00	1.

DISC IF PAID WITHIN TERMS	SUB TOTAL	FREIGHT	TAX	INVOICE TOTAL
2.57	257.00	12.25		269.25

RETURNED GOODS WILL BE ACCEPTED FOR CREDIT WITHOUT PRIOR AUTHORIZATION. CERTAIN GOODS MAY BE SUBJECT TO RESTOCKING CHARGES DEPENDING UPON CIRCUMSTANCES. IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE CALL (304) 574-0600. WE WILL BE GLAD TO HELP RESOLVE ANY QUESTIONS YOU MAY HAVE.

REMIT PAYMENTS TO:

W. R. MURDOCK & SONS, INC.
ROUTE 2, BOX 68A
FAYETTEVILLE, WEST VIRGINIA 25840

INVOICE

W. R. MURDOCK & SONS, INC.

ROUTE 3, BOX 68A • FAYETTEVILLE, WEST VIRGINIA 25840
TELEPHONE (304) 574-0600 FAX (304) 574-3982

LOCATION
ROUTE 19, LAUREL CREEK ROAD EX
FAYETTEVILLE, WEST VIRGINIA 2584

CUSTOMER P.O. NO.	ORDERED BY	CUSTOMER NO.	INVOICE NO.	INVOICE DATE	TERMS	DATE SOLD
13890	PHONE/MARK	4748	330551	11/30/00	1 1/10. NET 30	11/30/00
SHIPPED VIA	OUR ORDER NO.	PREPAID/COLLECT	DATE SHIPPED	SHIPPED FROM	SALESMAN	
JPS GROUND	01718664		11/30/00	Fayetteville Shop	ROOSTER	

SOLD TO
11/30/00 13:26

SHIP TO

Entered By: sa

REICHdrill, INC.
P.O.BOX 361
PHILIPSBURG, PA 16866

REICHdrill, INC.
P.O.BOX 361
PHILIPSBURG, PA 16866

QUANTITY			OUR STOCK #	DESCRIPTION	YOUR PART #	UNIT PRICE	U/M	NET AMOUNT	CASH DIS
ORDERED	B.O.	SHIPPED							
1		1		REPAIRED: 2PS6706 FAN MOTOR WO# 87036		.0000	EA	.00	1.
				1 SEAL KIT	137.00				
1		1		MOTOR PARTS		137.0000	EA	137.00	1.
1		1		TEST		45.0000	EA	45.00	1.
1		1		LABOR		75.0000	EA	75.00	1.

DISC IF PAID WITHIN TERMS	SUB TOTAL	FREIGHT	TAX	INVOICE TOTAL
2.57	257.00	12.29		269.29

RETURNED GOODS WILL BE ACCEPTED FOR CREDIT WITHOUT PRIOR AUTHORIZATION. CERTAIN GOODS MAY BE SUBJECT TO RESTOCKING CHARGES DEPENDING UPON CIRCUMSTANCES. IF YOU HAVE ANY QUESTIONS ABOUT THIS INVOICE CALL (304) 574-0600. WE WILL BE GLAD TO HELP RESOLVE ANY QUESTIONS YOU MAY HAVE.

REMIT PAYMENTS TO:

W. R. MURDOCK & SONS, INC.
ROUTE 2, BOX 68A
FAYETTEVILLE, WEST VIRGINIA 25840

STATEMENT

W. R. MURDOCK & SONS, INC.
 ROUTE 3 BOX 68A • FAYETTEVILLE, WEST VIRGINIA 25840
 TELEPHONE (304) 574-0600
 FAX (304) 574-3982

LOCATION
 ROUTE 19, LAUREL CREEK ROAD EAST
 FAYETTEVILLE, WEST VIRGINIA 25840

REICHdrill, INC.
 P.O. BOX 361
 PHILIPSBURG, PA 16866

814-342-5500
 fax 814-342-1135

MAY 22 2001

2043

CUSTOMER NO.	STATEMENT DATE	PAGE NO.
4748	03/31/01	1
ALL ACCOUNTS OVER 60 DAYS SUBJECT TO C.O.D.		

DATE	INVOICE NUMBER	CUSTOMER P.O. NUMBER	OPEN ITEMS				DELIVERY
			CURRENT	31 - 60 DAYS	61 - 90 DAYS	OVER 90 DAYS	
9/29/00	329805	20580	Head Motor			1556.53	INV 01717637
11/30/00	330551	13890	Fan Motor			269.28	INV 01718664
11/30/00	330552	13890	Fan Motor			269.28	INV 01718665

YOUR LAST PAYMENT WAS MADE 9/21/00 AND YOUR ACCOUNT IS OVER 180 DAYS.
 MY PHONE CALL TO RICKI ON 3/21 AND AGAIN ON 3/28 HAVE NOT BEEN RETURNED BY
 EITHER RICKI OR DREW THEREFORE WE HAVE NO CHOICE BUT TO TURN THIS OVER TO
 A COLLECTION AGENT.

- owner -

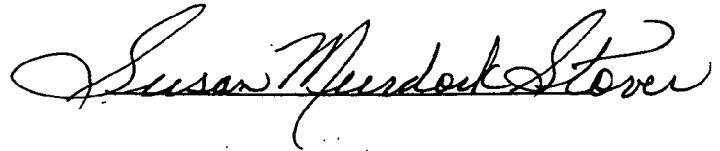
4/9 Rooster talked to Ricki, gave 2 weeks (4/23) They said plant was shut down, hoped
 to start up soon.
 4/23 Susan left message for Ricki. They said she was down to parttime.
 4/26 Susan called Back, plant not up yet. Controller fired. Partial paymt. in 2 wks (4/9)
 5/2 Susan wrote on statement Pymt by 5/9 or turned over to Financial Recovery.

EXHIBIT...2

THE OVERDUE PORTION OF YOUR ACCOUNT IS:			\$2,095.09				ACCOUNT BALANCE
ACCOUNT ANALYSIS	LAST PAYMENT DATE	CURRENT	31 - 60 DAYS	61 - 90 DAYS	OVER 90 DAYS		
	09/21/00				2095.09		2095.09

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he/she is Treasurer of W.R. Mundak & Sonoché Plaintiff herein, that he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing complaint are true and correct to the best of his/her knowledge, information and belief.



(SIGN IN BLUE INK)

FILED

OCT 17 2001
Krawiec
Pd \$80.00
1 cc to Sheriff

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11657

W.R. MURDOCK & SONS, INC.

01-1726-CD

VS.

REICHDRILL, INC.

COMPLAINT

SHERIFF RETURNS

NOW OCTOBER 29, 2001 AT 10:07 AM DST SERVED THE WITHIN COMPLAINT
ON REICHDRILL, INC., DEFENDANT AT EMPLOYMENT, PO BOX 361, RT. 53 &
322, PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
LORRIE SANKEY, PIC A TRUE AND ATTESTED COPY OF THE ORIGINAL
COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

Return Costs

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

FILED

NOV 02 2001

019:51am
William A. Shaw
Prothonotary

Sworn to Before Me This

2nd Day Of November 2001

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

So Answers,

Chester A. Hawkins
by Marilyn Harris
Chester A. Hawkins
Sheriff

November 28, 2001

Page 4

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

W. R. MURDOCK & SONS, INC

01-1726-CD

Plaintiff(s)

No. 2001-2207

vs.

PRAECIPE FOR DEFAULT JUDGMENT

REICHDRILL, INC.

Defendant(s)

FILED ON BEHALF OF
Plaintiff(s)

COUNSEL OF RECORD OF
THIS PARTY:

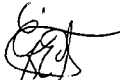
NICHOLAS D. KRAWEC, ESQUIRE
PA I.D. #38527
JON A. MCKECHNIE, ESQUIRE
PA I.D. #36268
Bernstein Law Firm, P.C.
Firm #718
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

DIRECT DIAL: (412) 456-8114

FILED

DEC 06 2001

11/10:53 am.
William A. Shaw atty at law
Prothonotary
Notice sent to def
Statement sent to atty
no cc



BERNSTEIN FILE NO. C0006842

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

W. R. MURDOCK & SONS, INC

Plaintiff

vs.

REICHDRILL, INC.

Defendant

Civil Action No. ^{01-1726-CD}~~2001-2207~~

PRAECIPE FOR JUDGMENT

To the Prothonotary:

Kindly enter Judgment against the defendant above named and in favor of the Plaintiff, in the default of an Answer, in the amount of \$2,470.95, plus continuing interest at the rate of 1 1/2% per month on the declining balance computed as follows:

Amount claimed in Complaint	\$2,377.96
Interest from 8-30-01 to 11-28-01 on \$2,095.09	\$ 92.99
TOTAL	\$2,470.95

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

BERNSTEIN LAW FIRM, P.C.

By: 

Attorney for Plaintiff

1133 Penn Avenue

Pittsburgh, PA 15222

(412) 456-8100

Plaintiff: c/o Bernstein Law Firm, P.C., 1133 Penn Avenue,
Pittsburgh, PA 15222

Defendant: P.O. Box 361, Intersection of Route 53, & Route 322 Philipsburg, PA 16866

• IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
W. R. MURDOCK & SONS, INC

Plaintiff

vs.

Civil Action No. ^{01-1726-CD}
~~2001-2207~~

REICHDRILL, INC.

Defendant

IMPORTANT NOTICE

TO: REICHDRILL, INC.
P.O. Box 361
Intersection of Route 53 & Route 322
Philipsburg, PA 16866

Date of Notice: 11/20/01

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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:

LAWYER REFERRAL SERVICE
PA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA

BERNSTEIN LAW FIRM, P.C.

BY: /s/Nicholas D. Krawec, Esq.
Attorney for Plaintiff
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

COPY

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

W. R. MURDOCK & SONS, INC
Plaintiff

01-1726-CO

vs.
REICHDRILL, INC.
Defendant

Civil Action No. 2001-2207

NOTICE OF JUDGMENT OR ORDER

TO: () Plaintiff
(xx) Defendant
() Garnishee

You are hereby notified that the
following Order or Judgment was
entered against you on 12-06-01.

(xx) Assumpsit Judgment in the amount
of \$2,470.95 plus costs.

() Trespass Judgment in the amount
of \$_____ plus costs.

REICHDRILL, INC.
P.O. Box 361
Intersection of Route 53 & Route 322
Philipsburg, PA 16866

() If not satisfied within sixty (60)
days, your motor vehicle operator's
license and/or registration will
be suspended by the Department of
Transportation, Bureau of Traffic
Safety, Harrisburg, PA.

(xx) Entry of Judgment of
() Court Order
() Non-Pros
() Confession
() Default
() Verdict
() Arbitration
Award

Prothonotary

By: _____
PROTHONOTARY (OR DEPUTY)

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

W. R. Murdock & Sons, Inc.
Plaintiff(s)

No.: 2001-01726-CD

Real Debt: \$2,470.95

Atty's Comm:

Vs.

Costs: \$

Int. From:

Reichdrill, Inc.
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: December 5, 2001

Expires: December 5, 2006

Certified from the record this 5th day of December, 2001

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney