

01-1740-CD
JAMES RISHEL -vs- JOE LEWIS et al

Date: 12/27/2005

Time: 12:19 PM

Page 1 of 2

Clearfield County Court of Common Pleas

User: LBENDER

ROA Report

Case: 2001-01740-CD

Current Judge: John K. Reilly Jr.

James Rishel, Rishel Enterprises, Inc. vs. Joe Lewis

District Justice Appeal

Date		Judge
10/19/2001	Filing: District Justice Appeals Paid by: Frank G. Fina, Esquire Receipt number: 1833075 Dated: 10/19/2001 Amount: \$80.00 (Check) Notice of Appeal, Praeclipe to Enter Rule to File Complaint and Rule to File, Praeclipe: To Prothonotary Praeclipe: To Prothonotary Enter rule upon James Rishel, appellee, to file a complaint in this appeal (Common Pleas No. 01-740-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros. s/Frank G. Fina Rule: To James Rishel, appellee Copies to Attorney Fina	No Judge
10/25/2001	✓ Proof of Service of Notice of Appeal and Rule to File Complaint. Filed. no cc	No Judge
11/06/2001	✓ Transcript from District Justice Ireland. Filed.	No Judge
12/17/2001	✓ Important Notice of Default, mailed to JAMES RISHEL. by s/Frank G. Fina, Esq. no cc	No Judge
01/16/2002	✓ Complaint. Filed by s/John A. Sobel, IV, Esq. Verification s/John A. Sobel, IV, Esq. 3 cc Atty Sobel	No Judge
09/12/2002	✓ Praeclipe for Entry of Appearance on behalf of the Plaintiff, JAMES RISHEL, t/d/b/a RISHEL ENTERPRISES, INC. s/JAMES A. NADDEO, ESQ. Kindly withdraw my appearance on behalf of the Plaintiff, JAMES RISHEL, t/d/b/a RISHEL ENTERPRISES, INC., s/John A. Sobel, IV, Esquire no cc	No Judge
10/09/2002	✓ Filing: Praeclipe to Reinstate Complaint Paid by: Naddeo, James A. (attorney for Rishel, James) Receipt number: 1849729 Dated: 10/09/2002 Amount: \$7.00 (Check) no Cert. copies. Reinstate Complaint to Atty.	No Judge
	✓ Filing: Certificate of Service of Complaint sent via mail. No cc.	No Judge
10/30/2002	✓ Certificate of Service, Plaintiff's Default Notice upon JOE LEWIS t/d/b/a TOUCHSTONE. filed by s/James A. Naddeo, Esq. 1 cc Atty Pentz	No Judge
11/12/2002	✓ Preliminary Objections of Touchstone Custom Homes, Inc. and Jon M. Lewis to Plaintiff's Complaint, filed by Atty. Showalter 4 cert. to Atty.	No Judge
02/03/2003	✓ Amended Complaint. filed by s/James A. Naddeo, Esq. Verification s/James R. Rishel Certificate of Service 1 cc Atty Naddeo	John K. Reilly Jr.
09/12/2005	✓ Notice of Proposed Termination of Court Case, mailed to parties (see Original), filed.	John K. Reilly Jr.
11/08/2005	✓ Order AND NOW, this 7th day of November 2005, upon consideration of Defendant's Preliminary Objections filed in the above matter, a Rule is hereby issued upon Plaintiff to Appear and Show Cause why the requested relief should not be granted. Argument is scheduled the 21st day of November 2005 at 11:00 a.m. in courtroom No. 2. BY THE COURT: /s/ John K. Reilly Jr., S.J. 2CC attys Naddeo and Showalter.	John K. Reilly Jr.
11/16/2005	✓ Motion For Continuance, filed by s/ Graham C. Showalter, Esquire. 4 CC Atty	John K. Reilly Jr.
11/22/2005	✓ Order, NOW, this 22nd day of Nov., 2005, Motion for Continuance is granted and matter shall be continued to the 23rd day of Dec., 2005 at 9:00 a.m. in Courtroom No. 2. By The Court, /s/ John K. Reilly, Jr., Senior Judge. 4CC to Atty	John K. Reilly Jr.

Date: 12/19/2005

Time: 08:50 AM

Page 2 of 3

Clearfield County Court of Common Pleas

User: LBENDER

Civil Disposition Report

CT COMMON PLEAS,

All Case Types

From 12/12/2005 to 12/16/2005

All Judgment Types

Case	Parties	Filing date	Judgment	Disposition	Disposition Date
2005-00643-CD	Mortgage Electronic Registr Plaintiff Yusnukis, Michael Defendant	12/12/2005	Default Judgment In favor of: Plaintiff Judgment amount or comment: Defendant Michael Yusnukis deceased 11-08-05	Release/Lien	12/12/2005
2005-00937-CD	Bank of America Plaintiff Green Tree Consumer Disc Plaintiff Shirey, Dennis A. Defendant	12/12/2005	Default Judgment In favor of: Plaintiff Judgment amount or comment:	Satisfied	12/12/2005
2005-01051-CD	Brink, Kenneth W. Defendant Hockenberry, Diane Defendant Mortgage Electronic Registr Plaintiff	12/14/2005	Default Judgment In favor of: Plaintiff Judgment amount or comment: 82,924.09	Open	12/14/2005
2005-01110-CD	Discover Bank Plaintiff Sayers, Jeffrey M. Defendant	12/12/2005	Default Judgment In favor of: Plaintiff Judgment amount or comment: 16,127.26	Open	12/12/2005
2005-01194-CD	American General Consum Plaintiff Reiter, Jack A. Defendant Reiter, Wanda M. Defendant	12/13/2005	Default Judgment In favor of: Plaintiff Judgment amount or comment: \$37,804.04	Writ of Executio	12/13/2005
2005-01929-CD	Monogram Credit Card Ban Plaintiff Robertson, Brenda M. Defendant	12/12/2005	DJ Transcript Judgme In favor of: Plaintiff Judgment amount or comment: 2,098.24	Open	12/12/2005
2005-01931-CD	GE Money Bank Plaintiff Lucas, Rita I. Defendant	12/12/2005	DJ Transcript Judgme In favor of: Plaintiff Judgment amount or comment: 1,918.11	Open	12/12/2005
2005-01945-CD	Commonwealth of Pennsylv Plaintiff Lansbury Stone and Wood, Defendant	12/14/2005	Commonwealth Lien In favor of: Plaintiff Judgment amount or comment: \$938.76	Open	12/14/2005
2005-01946-CD	B-Link Communications, Inc Defendant Commonwealth of Pennsylv Plaintiff	12/14/2005	Commonwealth Lien In favor of: Plaintiff Judgment amount or comment: \$66.45	Open	12/14/2005

Date: 12/27/2005

Time: 12:19 PM

Page 2 of 2

Clearfield County Court of Common Pleas

User: LBENDER

ROA Report

Case: 2001-01740-CD

Current Judge: John K. Reilly Jr.

James Rishel, Rishel Enterprises, Inc. vs. Joe Lewis

District Justice Appeal

Date	Judge
12/27/2005	John K. Reilly Jr.
<i>up to date</i>	

✓ Order NOW, this 23rd day of December, 2005, this being the day and date set for argument into Preliminary Objections filed on behalf of Defendants in the above captioned matter; the Court, this date, having received a praecipe to withdraw said Preliminary Objections, it is the ORDER of this Court that said Objection shall be and are hereby withdrawn and Defendants directed to file responsive pleading to Plaintiff's amended complaint within twenty (20) days from date hereof. BY THE COURT: /s/ John K. Reilly Jr., SJSP. 2 CC Attys: Naddeo and Showalter.

* Praecipe To Withdraw Preliminary Objections of Touchstone Custom Homes, Inc. and Jon M. Lewis to Plaintiff's Complaint, filed by s/ Graham C. Showalter, esquire. No CC

John K. Reilly Jr.

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS	
Clearfield County JUDICIAL DISTRICT	
46th	

NOTICE OF APPEAL

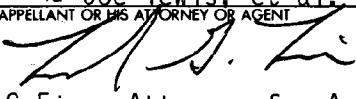
FROM
DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

01-1740-CJ

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT <u>Joe Lewis, et al.</u>		MAG. DIST. NO. OR NAME OF D.J. <u>46-3-02 Richard A. Ireland</u>	
ADDRESS OF APPELLANT 713 U.S. Highway 15		CITY <u>Lewisburg</u>	STATE <u>PA</u> ZIP CODE <u>17837</u>
DATE OF JUDGMENT <u>10/2/2001</u>	IN THE CASE OF (Plaintiff) <u>James Rishel</u>	(Defendant) <u>vs. Joe Lewis, et al.</u>	
CLAIM NO. <u>CV 19</u>	<u>0000438-01</u>	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT  <u>Frank G. Fina, Attorney for Appellant</u>	
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p> <p>If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>			

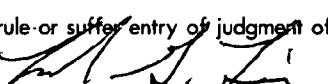
PRAECLPICE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(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).

PRAECLPICE: To Prothonotary

Enter rule upon James Rishel, appellee(s), to file a complaint in this appeal
 Name of appellee(s)

(Common Pleas No. 01-1740-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


 Signature of appellant or his attorney or agent

RULE: To James Rishel, appellee(s).
 Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: October 19, 2001


 Signature of Prothonotary or Deputy

FILED

OCT 19 2001

William A. Shaw
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

DJ Name: Hon.

RICHARD A. TREILAND
Address: **650 LEONARD STREET**
CLEARFIELD, PA

Telephone: **(814) 763-5005** 16030

JOE LEWIS
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS

RISHEL, JAMES
1229 TURNPIKE AVE.
RISHEL ENTERPRISES, INC.
CLEARFIELD, PA 16830

VS.

DEFENDANT: NAME and ADDRESS

LEWIS, JOE, ET AL.
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

Docket No.: **CV-0000438-01**
Date Filed: **9/06/01**

THIS IS TO NOTIFY YOU THAT:
Judgment:

DEFAULT JUDGMENT PLEA

Judgment was entered for: (Name) **RISHEL, JAMES**

Judgment was entered against: (Name) **LEWIS, ET AL.**

In the amount of \$ **3,975.00** on: (Date of Judgment) **10/02/01**

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 1906: _____

Levy is stayed for _____ days or generally stayed. _____

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

Amount of Judgment	\$ 3,898.00
Judgment Costs	\$ 77.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,975.00
Post Judgment Credits	\$ _____
Final Judgment Ousto	\$ _____
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.

OCT 02 2001 Date **Travis J. Lewis**, 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

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: **CIVIL CASE**
NAME AND ADDRESS

RISHEL, JAMES
1229 TURNPIKE AVE.
RISHEL ENTERPRISES, INC.
CLEARFIELD, PA 16830

DEFENDANT: JOHN J. KENNEDY

DEFENDANT: NAME AND ADDRESS
LEWIS, JOE, ET AL.
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

Docket No.: **CV-0000438-01**
Date Filed: **9/06/01**



**JOE LEWIS
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837**

THIS IS TO NOTIFY YOU THAT:

DEFAULT JUDGMENT PLAINTIFF

<input checked="" type="checkbox"/> Judgment was entered for: (Name) <u>RISHEL, JAMES</u>	<input type="checkbox"/> Judgment was entered against (Name) _____																
In the amount of \$ <u>3,975.00</u> on <u>10/02/02</u> (Date of Judgment) _____																	
<input type="checkbox"/> Defendants are jointly and severally liable. (Date & Time) _____ <input type="checkbox"/> Damages will be assessed on _____ <input type="checkbox"/> This case dismissed without prejudice. <input type="checkbox"/> Amount of Judgment Subject to Attachment/Act 5 of 1996 \$ _____ <input type="checkbox"/> Levy is stayed for _____ days or <input type="checkbox"/> generally stayed. <input type="checkbox"/> Objection to levy has been filed and hearing will be held:																	
<table border="0"> <tr> <td>Amount of Judgment</td> <td>\$ <u>3,898.00</u></td> </tr> <tr> <td>Judgment Costs</td> <td>\$ <u>77.00</u></td> </tr> <tr> <td>Interest on Judgment</td> <td>\$ <u>.00</u></td> </tr> <tr> <td>Attorney Fees</td> <td>\$ <u>.00</u></td> </tr> <tr> <td>Total</td> <td>\$ <u>3,975.00</u></td> </tr> <tr> <td>Post Judgment Credits</td> <td>\$ _____</td> </tr> <tr> <td>Post Judgment Costs</td> <td>\$ _____</td> </tr> <tr> <td colspan="2">Certified Judgment Total \$ _____</td> </tr> </table>		Amount of Judgment	\$ <u>3,898.00</u>	Judgment Costs	\$ <u>77.00</u>	Interest on Judgment	\$ <u>.00</u>	Attorney Fees	\$ <u>.00</u>	Total	\$ <u>3,975.00</u>	Post Judgment Credits	\$ _____	Post Judgment Costs	\$ _____	Certified Judgment Total \$ _____	
Amount of Judgment	\$ <u>3,898.00</u>																
Judgment Costs	\$ <u>77.00</u>																
Interest on Judgment	\$ <u>.00</u>																
Attorney Fees	\$ <u>.00</u>																
Total	\$ <u>3,975.00</u>																
Post Judgment Credits	\$ _____																
Post Judgment Costs	\$ _____																
Certified Judgment Total \$ _____																	

Amount of Judgment	\$ 3,898.00
Judgment Costs	\$ 77.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,975.00
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.

OCT 02 2001 Date Patricia A. Gislason , 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

AOPC 315-99

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

JOE LEWIS
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS

RISHEL, JAMES
1229 TURNPIKE AVE.
RISHEL ENTERPRISES, INC.
CLEARFIELD, PA 16830

VS.

DEFENDANT: NAME and ADDRESS

LEWIS, JOE, ET AL.
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

Docket No.: **CV-0000438-01**
Date Filed: **9/06/01**



THIS IS TO NOTIFY YOU THAT:

Judgment: DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) RISHEL, JAMES

Judgment was entered against: (Name) LEWIS, JOE

in the amount of \$ 3,975.00 on: (Date of Judgment) 10/02/01

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	\$ 3,898.00
Judgment Costs	\$ 77.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,975.00

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.

OCT 02 2001 Date Rosa J. Land, 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.:

46-3-02

DJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD STREET**
CLEARFIELD, PA

Telephone: **(814) 765-5335** 16830

JOE LEWIS
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **RISHEL, JAMES** NAME and ADDRESS

1229 TURNPIKE AVE.
RISHEL ENTERPRISES, INC.
CLEARFIELD, PA 16830

VS.

DEFENDANT: **LEWIS, JOE, ET AL.** NAME and ADDRESS
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

Docket No.: **CV-0000438-01**
Date Filed: **9/06/01**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

Judgment was entered for: (Name) **RISHEL, JAMES**

Judgment was entered against: (Name) **TOUCHSTONE**

in the amount of \$ **3,975.00** on: (Date of Judgment) **10/02/01**

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	\$ 3,898.00
Judgment Costs	\$ 77.00
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Total	\$ 3,975.00

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.

OCT 02 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

01-1740-CO

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 UNION ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 01-1740-CO, upon the District Justice designated therein on (date of service) 10/23/2001, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) JAMES RISHEL, on 10/23/2001 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 10/23/2001, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 23rd DAY OF October, 2001

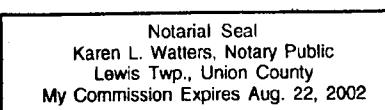


Signature of affiant

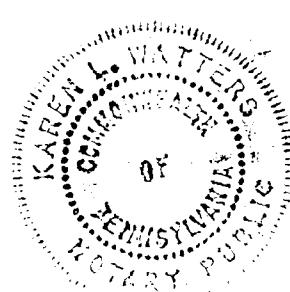

Signature of official before whom affidavit was made

Notary Public
Title of official

My commission expires on 19.



Member, Pennsylvania Association of Notaries



Notary Public
Karen L. Watters
Lewis Twp., Union County
Pennsylvania
Commission Expires Aug. 22, 2002

FILED

OCT 25 2001
11:18 AM 100C
William A. Shaw
Prothonotary

Notary Public
Karen L. Watters
Lewis Twp., Union County
Pennsylvania
Commission Expires Aug. 22, 2002

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

Clearfield County
JUDICIAL DISTRICT
46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

01-1740-CO

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT	MAG. DIST. NO. OR NAME OF D.J.		
Joe Lewis, et al.	46-3-02	Richard A. Ireland+	ZIP CODE
ADDRESS OF APPELLANT	CITY	STATE	
713 W.S. Highway 15	Lewisburg	PA	17837
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)	(Defendant)	
10/2/2001	James Rishel	vs. Joe Lewis, et al. +	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV 19 0000438-01	Frank G. Fina, Attorney for Appellant		
LT 19	If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1008B.)		
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 James Rishel+, appellee(s), to file a complaint in this appeal
Name of appellee(s)

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

Signature of appellant or his attorney or agent

RULE: To James Rishel, appellee(s).
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: October 19, 2001

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

Signature of Prothonotary or Deputy

OCT 19 2001

Attest.

William G. Fina
Prothonotary

ASST. PROTHONOTARY
ATL

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:

Mr. James Pishel
1229 Turnpike Avenue
Pishel Enterprises Inc.
Clearfield PA 16830

2. Article Number (Copy from service label)

7000 0600 0005 4236 6722

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X

Agent
 Addressee

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

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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

4236	6722
4236	6722
0025	0025
0000	0000
0600	0600
7000	0000

Postage	3 .34
Certified Fee	2 .10
Return Receipt Fee (Endorsement Required)	1 .50
Restricted Delivery Fee (Endorsement Required)	—
Total Postage & Fees	5 .94

Postmark
Here
10/23/01

Recipient's Name (Please Print Clearly) (to be completed by mailer)
Mr. James Pishel

Street, Apt. No., or P.O. Box No.
1229 Turnpike Ave., Pishel Enterprises Inc.

City, State, ZIP
Clearfield PA 16830

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:

The Honorable Richard A. Ireland
 650 Leonard Street
 Clearfield Pa 16830

2. Article Number (Copy from service label)

7000 0600 0025 4236 6739

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature

X
 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

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

4236	6739	6739
4236	6739	6739
0025	0025	0025
0025	0025	0025
0000	0000	0000
0000	0000	0000
7000	7000	7000
7000	7000	7000
Postage 5 . 34		
Certified Fee 2 . 10		
Return Receipt Fee (Endorsement Required) 1 . 50		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees \$ 3 . 94		
Recipient's Name (Please Print Clearly) (to be completed by mailer)		
The Honorable Richard A. Ireland		
Street, Apt. No.: 650 P.O. Box No.		
650 Leonard Street		
City, State, ZIP-4		
Clearfield Pa 16830		

Postmark
Here
10/23/00

PS Form 3800, February 2000

See Reverse for Instructions

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

RICHARD A. IRELAND
650 LEONARD STREET
CLEARFIELD, PA 16830

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: NAME and ADDRESS

RISHEL, JAMES
1229 TURNPIKE AVE.
RISHEL ENTERPRISES, INC.
CLEARFIELD, PA 16830

VS.

DEFENDANT: NAME and ADDRESS

LEWIS, JOE, ET AL.
713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

Docket No.: **CV-0000438-01**

Date Filed: **9/06/01**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

01-1740(C)

Judgment was entered for: (Name) **RISHEL, JAMES**

Judgment was entered against: (Name) **LEWIS, JOE**

in the amount of \$ **3,975.00** on: (Date of Judgment) **10/02/01**

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	\$ 3,898.00
Judgment Costs	\$ 77.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,975.00
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

FILED

Date:	Place:
Time:	

NOV 06 2001

01316 pm
ASW
PROTHONOTARY

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

OCT 02 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.

10-26-01 Date **Richard Ireland**, District Justice

My commission expires first Monday of January,

2006

SEAL

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**

RICHARD A. IRELAND
650 LEONARD STREET
CLEARFIELD, PA 16830

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **RISHEL, JAMES** NAME and ADDRESS

1229 TURNPIKE AVE.
RISHEL ENTERPRISES, INC.
CLEARFIELD, PA 16830

VS.

DEFENDANT: **LEWIS, JOE, ET AL.** NAME and ADDRESS

713 US HIGHWAY 155
TOUCHSTONE
LEWISBURG, PA 17837

Docket No.: **CV-0000438-01**

Date Filed: **9/06/01**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **RISHEL, JAMES**

Judgment was entered against: (Name) **TOUCHSTONE**

in the amount of \$ **3,975.00** on: (Date of Judgment) **10/02/01**

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

Damages will be assessed on: _____

Amount of Judgment	\$ 3,898.00
Judgment Costs	\$ 77.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 3,975.00

This case dismissed without prejudice.

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

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

Levy is stayed for _____ days or generally stayed.

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

Date:	Place:
Time:	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

OCT 02 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.

10-26-01 Date Richard Ireland, District Justice

JAMES RISHEL,
Plaintiff,
vs.
JOE LEWIS,
Defendant.

: IN THE COURT OF COMMON PLEAS
: 46th JUDICIAL DISTRICT OF PA
: CLEARFIELD COUNTY
: CIVIL ACTION - LAW
: NO. 01-1740
:

IMPORTANT NOTICE

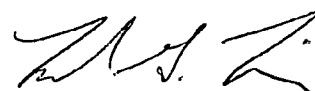
Dated: December 13, 2001

TO: JAMES RISHEL
1229 Turnpike Avenue
Rishel Enterprises, Inc.
Clearfield, Pennsylvania 16830

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 (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
Clearfield County Court House
Clearfield, PA 16830
(814) 765-2641, Ext. 5982

By: _____



Frank G. Fina, Esq.
Attorney for Defendant
I.D. #71711
Rice, Boop & Fina
106 Market Street, P.O. Box 470
Sunbury, PA 17801

FILED

DEC 17 2001

MH/101 nocc

William A. Shaw
Prothonotary



RICE, BOOP & FINA
LAWYERS
106 MARKET STREET
P. O. BOX 470
SUNBURY, PENNSYLVANIA 17801

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

JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,
Plaintiff

Vs. : No. 01-1740-CD

JOE LEWIS, et al, t/d/b/a TOUCHSTONE, :
Defendant

: COMPLAINT

: Filed on behalf of:
Plaintiff

: Counsel for this party:
John A. Sobel, IV, Esquire

: Supreme Court No. 31670

: Sobel, Collins & Knaresboro
Attorneys at Law
218 South Second Street
Clearfield, PA 16830

: (814)765-5552
FAX (814)765-6210

FILED

JAN 16 2002

Oct. 9, 2001 Document
Reinstated/Released to Sheriff/Attorney
for service.

Deputy Prothonotary

William A. Shaw
Prothonotary

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

JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,
Plaintiff

Vs. : No. 01-1740-CD

JOE LEWIS, et al, t/d/b/a TOUCHSTONE, :
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 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
Second and Market Streets
Clearfield, PA 16830
814-765-2641 Ext. 5982

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

JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,
Plaintiff

Vs. : No. 01-1740-CD

JOE LEWIS, et al, t/d/b/a TOUCHSTONE, :
Defendant

COMPLAINT

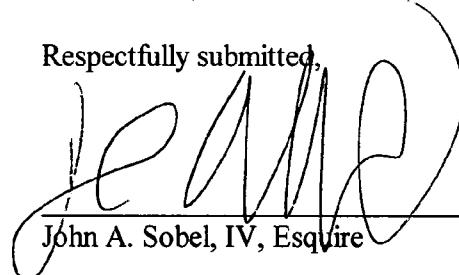
James Rishel, t/d/b/a Rishel Enterprises, Inc., Plaintiff in the above-captioned action, through their attorney, John A. Sobel, IV, Esquire, filed this Complaint and respectfully avers as follows:

1. Plaintiff is James Rishel, t/d/b/a Rishel Enterprises, Inc., a corporation operating and existing under the laws of the Commonwealth of Pennsylvania, having its principal place of business at 1229 Turnpike Avenue, Clearfield, Pennsylvania, 16830.
2. Defendant is Joe Lewis, t/d/b/a Touchstone, a Pennsylvania corporation, having its principal place of business at 713 U.S. Highway, 155, Lewisburg, Pennsylvania, 17837.
3. Plaintiff, at the request of the Defendant was employed by the Defendant to provide excavating services for a home construction project in Clearfield County in September and October of 2000.
4. The Plaintiff billed the Defendant the sum of Five Thousand Two Hundred and Thirty Dollars (\$5,230.00) for services rendered. A copy of the invoice provided to the Defendant being attached hereto to this Complaint, marked as Exhibit "A" and made a part hereof.
5. The Defendant paid the Plaintiff the sum of One Thousand Four Hundred Dollars (\$1,400.00) toward service that it provided, but it has failed to pay the remaining amounts due and owing the Plaintiff.

6. Plaintiff has demanded payment of the remaining balance from the Defendant, but the Defendant has refused to pay the same and still is refusing to pay the same by any part thereof.

WHEREFORE, Plaintiff demands judgment against the Defendant in the amount of Three Thousand Eight Hundred Thirty Dollars and 50/100 (\$3,830.50) plus interest and costs.

Respectfully submitted,

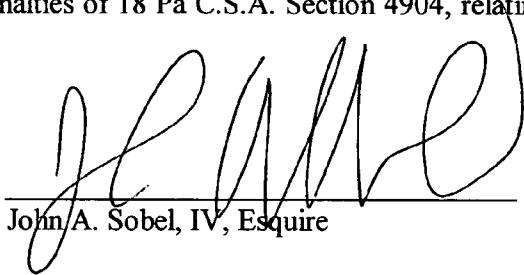


John A. Sobel, IV, Esquire

VERIFICATION

I, John A. Sobel, IV, Esquire, hereby verify that the statements made in the foregoing COMPLAINT are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are subject to the penalties of 18 Pa C.S.A. Section 4904, relating to unsworn falsification to authorities.

DATE: 1/16/01


John A. Sobel, IV, Esquire

Rishel Enterprises, Inc.
1229 Turnpike Avenue
Clearfield, PA 16830

File

Invoice

DATE	INVOICE #
10/26/00	102

BILL TO
Touchstone Joe Lewis 713 US Highway 155 Lewisburg, Pa. 17837

P.O. NO.	TERMS	PROJECT

QUANTITY	DESCRIPTION	RATE	AMOUNT
137	1B & 2B Limestone	18.50	2,534.50
8	Excavator	75.00	600.00
8	Skidd Steer	45.00	360.00
	Excavate electric lines; finish excavation on french drain; excavate footer ditch for porch and fill with stone; backfill french drain around foundation October 23, 2000		
5.5	Excavator	75.00	412.50
2.5	Pull new home onto site with crain		
2.5	Skidd Steer	45.00	112.50
2.5	Excavator	75.00	187.50
	widen roadway for new home access September 20, 2000		
9.5	Place French Drain pipe around foundation		
16	Skidd Steer	45.00	427.50
	Laborer	31.00	496.00
	Drain pipe	100.00	100.00
Thank you for your business.			



Total \$5,230.50

No. 01-1740-CD

James Rishel, t/d/b/a Rishel
Enterprises, Inc.,
Plaintiff

v.

Joe Lewis, et al, t/d/b/a Touchstone
Defendant

COMPLAINT

FILED 3rd
01/25/02

JAN 16 2002

Atty Sobel
C.P.

William A. Shaw
Prothonotary

Subel, Collins & Knareshburg
ATTORNEYS & COUNSELORS AT LAW
218 SOUTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

(814) 765-5552 (814) 765-5555

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

JAMES RISHEL, t/d/b/a *
RISHEL ENTERPRISES, INC, *
Plaintiff *
*
* vs. * No. 01 - 1740 - CD
*
*
JOE LEWIS, et al, t/d/b/a *
TOUCHSTONE, *
Defendant *
*
*
* Type of Pleading:
*
* **PRAECIPE**
*
*
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* This party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

SEP 12 2002
e/3:40 (w)
William A. Shaw
Prothonotary

No (first copy) GJ
[Signature]

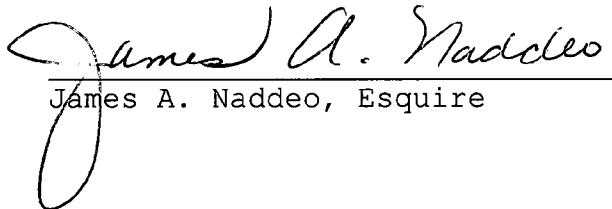
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

JAMES RISHEL, t/d/b/a *
RISHEL ENTERPRISES, INC, *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JOE LEWIS, et al, t/d/b/a *
TOUCHSTONE, *
Defendant *

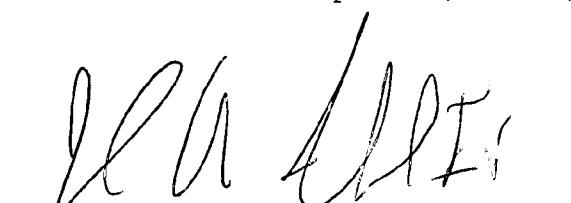
PRAECIPE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of the Plaintiff,
James Rishel, t/d/b/a Rishel Enterprises, Inc., in the above-
captioned matter.


James A. Naddeo
James A. Naddeo, Esquire

Kindly withdraw my appearance on behalf of the
Plaintiff, James Rishel, t/d/b/a Rishel Enterprises, Inc., in
the above-captioned matter.


John A. Sobel, IV, Esquire
Attorney for Plaintiff

CLEARFIELD, PENNSYLVANIA 16830
PO. BOX 552
211½ EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

— Lap over margin —

FILED

SEP 12 2002

William A. Shaw
Prothonotary

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

JAMES RISHEL, t/d/b/a
RISHEL ENTERPRISES, INC,
Plaintiff

vs.

JOE LEWIS, et al, t/d/b/a
TOUCHSTONE,
Defendant

* No. 01 - 1740 - CD

* Type of Pleading:

* **PRAECIPE TO REINSTATE
COMPLAINT**

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
* This party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

001 09 2002

0/34014

William A. Shaw PD
Prothonotary \$7.00

No C/C

REINSTATEMENT COMPLAINT
TO ATTY

CLIFFFIELD, PENNSYLVANIA 16830
PO. BOX 552
211½ EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

Lap over margin

750750100

William A. Shaw
716-543-4444

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

JAMES RISHEL, t/d/b/a
RISHEL ENTERPRISES, INC,
Plaintiff

vs.

JOE LEWIS, et al, t/d/b/a
TOUCHSTONE,
Defendant

* No. 01 - 1740 - CD

* Type of Pleading:

* **CERTIFICATE OF SERVICE**

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
* This party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

bx OCT 09 2002

0/3:40/n
William A. Shaw
P/5thnotary

no c/c

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

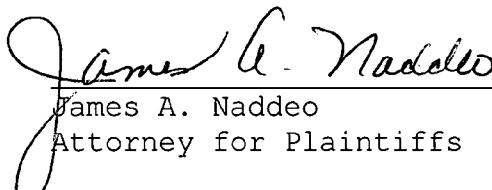
JAMES RISHEL, t/d/b/a	*
RISHEL ENTERPRISES, INC,	*
Plaintiff	*
	*
vs.	*
	No. 01 - 1740 - CD
	*
JOE LEWIS, et al, t/d/b/a	*
TOUCHSTONE,	*
Defendant	*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Plaintiff's Complaint filed in the above-captioned action was served on the following person and in the following manner on the 9th day of October, 2002:

First-Class Mail, Postage Prepaid

Joe Lewis
t/d/b/a Touchstone
713 U.S. Highway, 155
Lewisburg, PA 17837



James A. Naddeo
Attorney for Plaintiffs

CLIFFFIELD, PENNSYLVANIA 16830
P.O. BOX 552
211½ EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

— Lap over margin —

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

JAMES RISHEL, t/d/b/a *
RISHEL ENTERPRISES, INC, *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JOE LEWIS, et al, t/d/b/a *
TOUCHSTONE, *
Defendant *
*
*
* Type of Pleading:
*
* **CERTIFICATE OF SERVICE**
*
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* This party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

OCT 30 2002

William A. Shaw
Prothonotary

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

JAMES RISHEL, t/d/b/a	*
RISHEL ENTERPRISES, INC,	*
Plaintiff	*
	*
vs.	*
	No. 01 - 1740 - CD
	*
JOE LEWIS, et al, t/d/b/a	*
TOUCHSTONE,	*
Defendant	*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiff's Default Notice filed in the above-captioned action was served on the following person and in the following manner on the 30th day of October, 2002:

First-Class Mail, Postage Prepaid

Joe Lewis
t/d/b/a Touchstone
713 U.S. Highway 15S
Lewisburg, PA 17837

James A. Naddeo
James A. Naddeo
Attorney for Plaintiffs

CLIFFFIELD, PENNSYLVANIA 16830
P.O. BOX 552
21 1/2 EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

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013.43.78
1CC
JG
JUL 25 1972
Atty Bent
William A. Shaw
Prothonotary
Recd

IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY - CIVIL ACTION - LAW

NO.: 01-1740-CD

JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.

*

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Plaintiff

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vs.
JOE LEWIS, et al., t/d/b/a
TOUCHSTONE,

PRELIMINARY OBJECTIONS OF
TOUCHSTONE CUSTOM HOMES,
INC. and JON M. LEWIS TO
PLAINTIFF'S COMPLAINT

Defendant.

NOTICE TO DEFEND

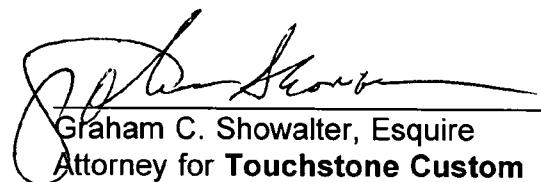
You have been sued in court. If you wish to defend against the claim set forth in the following pages, you must take action within twenty (20) days after these **Preliminary Objections** and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court 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 these **Preliminary Objections** 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
Second and Market Streets
Clearfield, Pennsylvania 16830
(814) 765-2641 Ext. 5982

FILED

NOV 12 2002
© 18.3c/49
William A. Shaw
Prothonotary
4 CANT TO ATC

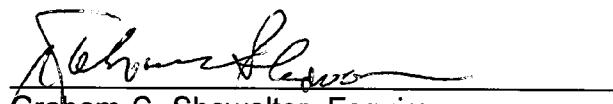


Graham C. Showalter, Esquire
Attorney for **Touchstone Custom**
Homes, Inc. and Jon M. Lewis
I.D. #07657
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837
Tele. No.: (570) 523-3237
Fax No.: (570) 524-5831

2. Pa. R.C.P. 1028(a)(3) requires that "preliminary objections may be filed by any party to any pleading [where there is] insufficient specificity in a pleading.
3. The aforementioned paragraph fails to state in any respect:
 - 3.1 Whether the alleged contract was oral or in writing, and if in writing a copy was not attached to the Complaint; and
 - 3.2 Who the parties to the contract were [there is no Joe Lewis, et al, t/d/b/a Touchstone]; and
 - 3.3 What the terms of the alleged contract were.
4. Plaintiff's Complaint fails to state with specificity who the Defendant "et al" is in the caption of the Complaint.
5. No Exhibit "A" was attached to Plaintiff's Complaint.

WHEREFORE, TOUCHSTONE CUSTOM HOMES, INC. and JON M. LEWIS, respectfully request your Honorable Court to order Plaintiff to more specifically plead the averments of Paragraph 3 and the caption of its Complaint.

Respectfully submitted,



Graham C. Showalter, Esquire
Attorney for Touchstone Custom
Homes, Inc. and Jon M. Lewis
I.D. #07657
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837
Tele. No.: (570) 523-3237
Fax No.: (570) 524-5831

CERTIFICATE OF SERVICE

I, GRAHAM C. SHOWALTER, Esquire, Counsel for **TOUCHSTONE CUSTOM HOMES, INC.** and JON M. LEWIS, hereby certify that I did cause a true and correct copy of the foregoing **PRELIMINARY OBJECTIONS OF TOUCHSTONE CUSTOM HOMES, INC. and JON M. LEWIS TO PLAINTIFF'S COMPLAINT** to be served upon the following by first class mail, addressed as follows:

Attorney for Plaintiff
JOHN A. SOBEL, IV, ESQUIRE
SOBEL, COLLINS & KNARESBORO
218 South Second Street
Clearfield, PA 16830


Graham C. Showalter, Esquire
Attorney for Touchstone Custom Homes,
Inc. and Jon M. Lewis

GRAHAM C. SHOWALTER
ATTORNEY AT LAW
36 SOUTH THIRD STREET
POST OFFICE BOX 553
LEWISBURG, PENNSYLVANIA 17837

HARRY M. SHOWALTER 1908-1949
HON. PAUL M. SHOWALTER 1936-1962

TEL: (570) 523-3237
FAX: (570) 524-5831
E-MAIL: gcs@attorneyshowalter.com

VIA FACSIMILE TO (814) 765-7649

December 23, 2005

The Honorable John K. Reilly, Jr.
Senior Judge
CLEARFIELD COUNTY COURTHOUSE
Corner of Second and Market
P.O. Box 549
Clearfield, PA 16830

RE: **James Rishel, t/d/b/a**
Rishel Enterprises, Inc.
vs. Joe Lewis, et al.,
t/d/b/a Touchstone
No. 01-1740-CD

Dear Judge:

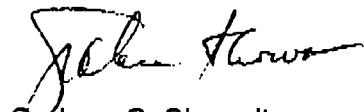
Attached please find my **PRAECIPE TO WITHDRAW PRELIMINARY OBJECTIONS OF
TOUCHSTONE CUSTOM HOMES, INC. and JON M. LEWIS TO PLAINTIFF'S COMPLAINT**.
The hearing in the matter was scheduled for today at 9:00 o'clock A.M.

I attempted to get a hold of Attorney Naddeo yesterday to review the matter, but he has been out of town for the past four days.

I will Federal Express the original Praeclipe to the Prothonotary today.

Best personal regards.

Very truly yours,



Graham C. Showalter

GCS:spw

Attachment

pc: Jon M. Lewis
James A. Naddeo, Esquire

IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY - CIVIL ACTION - LAW

NO. 01-1740-CD

JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,

Plaintiff

vs.

JOE LEWIS, et al., t/d/b/a
TOUCHSTONE,

Defendant.

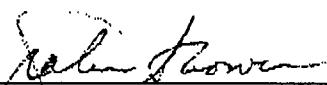
*
*
*
*
* PRAECIPE TO WITHDRAW
* PRELIMINARY OBJECTIONS
* OF TOUCHSTONE CUSTOM
* HOMES, INC. and JON M. LEWIS
* TO PLAINTIFF'S COMPLAINT
*
*
*

TO THE PROTHONOTARY:

Please withdraw the PRELIMINARY OBJECTIONS OF TOUCHSTONE
CUSTOM HOMES, INC. and JON M. LEWIS TO PLAINTIFF'S COMPLAINT filed to the
above-referenced case on November 12, 2002.

Dated:

Dec 23, 2005



Graham C. Showalter, Esquire
Attorney for Defendant
I.D. No. 07657
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837
Tele. No.: (570) 523-3237
Fax No.: (570) 524-5831

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

RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *
*
*
* Type of Pleading:
*
* **AMENDED COMPLAINT**
*
* Filed on behalf of:
* Plaintiff
*
* Counsel of Record for
* This party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

APR 03 2003

William A. Shaw
Prothonotary

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

RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

N O T I C E

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 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
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

N O T I C E

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 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
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

AMENDED COMPLAINT

AND NOW comes the Plaintiff, RISHEL ENTERPRISES, INC., by and through its attorney, James A. Naddeo, Esquire, and sets for the following:

1. Plaintiff is Rishel Enterprises, Inc., a Pennsylvania corporation, having its principal place of business located at 1229 Turnpike Avenue, Clearfield, Pennsylvania 16830.

2. Defendant Jon M. Lewis is an individual who is believed to be maintaining a business address at 713 U.S. Highway 15S, Lewisburg, Pennsylvania 17837.

3. Defendant Touchstone Homes, Inc., is a Pennsylvania corporation believed to be conducting business at 713 U.S. Highway 15S, Lewisburg, Pennsylvania 17837.

4. That prior to September/October 2000 Defendant Jon M. Lewis, individually and on behalf of the corporate Defendant Touchstone Homes, Inc., orally requested Plaintiff to provide excavating services pertinent to the construction of a

residential dwelling to be built in Clearfield County, Pennsylvania.

5. That Plaintiff orally agreed to provide the excavating services requested by Defendants at Plaintiff's usual and customary charges on a time and materials basis, which terms were orally agreed to by Defendants.

6. That Plaintiff provided time, equipment and materials at its usual and customary charges to complete the excavating requested by Defendants as described in the invoice attached hereto as Exhibit "A".

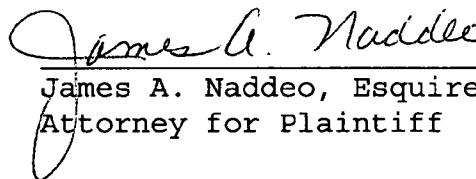
7. That upon completion of the work requested by Defendants, Plaintiff submitted a bill for time, equipment and materials based upon its usual and customary charges as had been orally agreed to between the parties, the total value of which services was \$5,230.50 as appears from the invoice attached hereto as Exhibit "A" and incorporated herein by reference.

8. That Defendants paid to Plaintiff the sum of \$1,400.00, which amount has been credited by Plaintiff toward the total amount owed to it by Defendants.

9. That there remains a balance due to Plaintiff from Defendants of \$3,830.50 for which Plaintiff has made demand but Defendants have refused to pay.

WHEREFORE, Plaintiff demands judgment against Defendants in the amount of \$3,830.50 with interest from October 26, 2000.

Respectfully submitted,



James A. Naddeo, Esquire
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

ss.

COUNTY OF CLEARFIELD

)

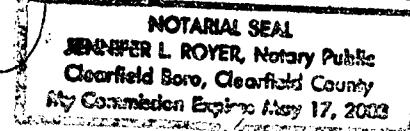
Before me, the undersigned officer, personally appeared James R. Rishel who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Amended Complaint are true and correct to the best of his knowledge, information and belief.

James R. Rishel

James R. Rishel

SWORN and SUBSCRIBED before me this 25th day of November, 2002.

Jennifer L. Royer



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

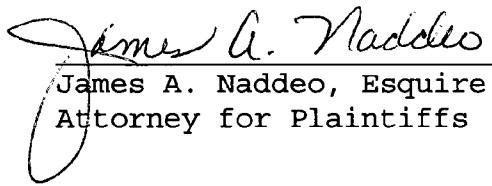
RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Amended Complaint filed in the above-captioned action was served on the following person and in the following manner on the 3rd day of February, 2003:

First-Class Mail, Postage Prepaid

Graham C. Showalter, Esquire
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837



James A. Naddeo, Esquire
Attorney for Plaintiffs

Rishel Enterprises, Inc.

1229 Turnpike Avenue
Clearfield, PA 16830

File

Invoice

DATE	INVOICE #
10/26/00	102

BILL TO
Touchstone Joe Lewis 713 US Highway 155 Lewisburg, Pa. 17837

P.O. NO.	TERMS	PROJECT

QUANTITY	DESCRIPTION	RATE	AMOUNT
137	1B & 2B Limestone	18.50	2,534.50
8	Excavator	75.00	600.00
8	Skidd Steer	45.00	360.00
	Excavate electric lines; finish excavation on french drain; excavate footer ditch for porch and fill with stone; backfill french drain around foundation		
	October 23, 2000		
5.5	Excavator	75.00	412.50
	Pull new home onto site with crane		
2.5	Skidd Steer	45.00	112.50
2.5	Excavator	75.00	187.50
	widen roadway for new home access		
	September 20, 2000		
	Place French Drain pipe around foundation		
9.5	Skidd Steer	45.00	427.50
16	Laborer	31.00	496.00
	Drain pipe	100.00	100.00
Thank you for your business.		Total	\$5,230.50

EXHIBIT "A"

CLIFFFIELD, PENNSYLVANIA 16830
PO. BOX 552
211 1/2 EAST LOCUST STREET
ATTORNEY AT LAW
JAMES A. NADDEO

— Lap over margin —

5/3/11-
LCC
FBI
Attn: Naddeo



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA



COPY

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

DAVID S. MEHOLICK
COURT ADMINISTRATOR

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

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-1740-CD
James Rishel vs. Joe Lewis

Dear James A. Naddeo, Esq.:

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

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

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

By the Court,

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

FILED

SEP 12 2005

William A. Shaw
Prothonotary/Clerk of Courts



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

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

DAVID S. MEHOLICK
COURT ADMINISTRATOR

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

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-1740-CD
James Rishel vs. Joe Lewis

Dear Frank G. Fina, Esq.:

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

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

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

By the Court,

David S. Meholic
Court Administrator



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

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

DAVID S. MEHOLICK
COURT ADMINISTRATOR

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

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

Notice of Proposed Termination of Court Case

SEPTEMBER 12, 2005

RE: 01-1740-CD
James Rishel vs. Joe Lewis

Dear Graham C. Showalter:

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

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

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

By the Court,

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

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

JAMES RISHEL

:

vs.

: No. 01-1740-CD

JOE LEWIS

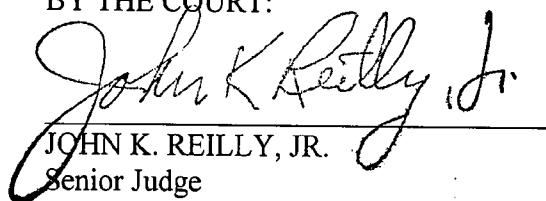
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ORDER

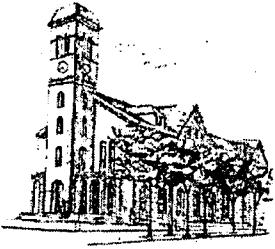
AND NOW, this 7th day of November, 2005, upon consideration of Defendant's Preliminary Objections filed in the above matter, a Rule is hereby issued upon Plaintiff to Appear and Show Cause why the requested relief should not be granted. Argument is scheduled the 21st day of November, 2005, at 11:00 A.M. in Courtroom No. 2, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:



JOHN K. REILLY, JR.
Senior Judge

FILED 200 Attns
of 9:54 AM Nadded
NOV 08 2005 Showalter

Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

Date: September 19, 2005

Over the past several weeks, it has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions:

CA

IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY BRANCH - CIVIL DIVISION - LAW

NO. 01-1740-CD

JAMES RISHEL, t/d/b/a
Rishel Enterprises, Inc.,

Plaintiff,

vs.

MOTION FOR CONTINUANCE

JOE LEWIS, et al.,
t/d/b/a TOUCHSTONE,

Defendant/Petitioner.

ORDER

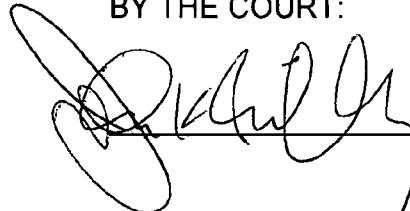
AND NOW, this 22 day of November, 2005, upon
consideration of the attached **MOTION FOR CONTINUANCE** requesting a continuance:

X the motion is denied.

the motion is granted and the above-captioned matter shall be continued
to the 23rd day of December, 2005, at 9:00
o'clock A.M., in Courtroom No. 2 of the Clearfield County
Courthouse, Clearfield, Pennsylvania.

The moving party shall promptly notify all interested parties of this ORDER.

BY THE COURT:


FILED

F:\...\NEWCONTI.UNA\TOUCHSTONE-ORD.wpd

NOV 22 2005
0 3:40 PM
William A. Shaw
Prothonotary/Clerk of Courts
4 CENTS TO ATT

IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY - CIVIL DIVISION - LAW

NO. 01-1740-CD

**JAMES RISHEL, t/d/b/a
Rishel Enterprises, Inc.,**

Plaintiff,

vs.

**JOE LEWIS, et al.,
t/d/b/a TOUCHSTONE,**

Defendant/Petitioner.

*
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MOTION FOR CONTINUANCE

TO THE HONORABLE JOHN K. REILLY, JR., SENIOR JUDGE OF THE SAID COURT:

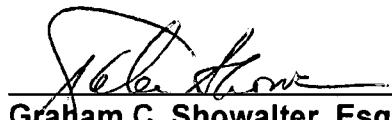
Defendant/Petitioner, JOE LEWIS, et al., t/d/b/a TOUCHSTONE, by and through his Attorney, GRAHAM C. SHOWALTER, ESQUIRE, respectfully files his MOTION FOR CONTINUANCE alleging as follows:

1. The above captioned matter was scheduled for Argument on Monday, November 21, 2005, at 11:00 o'clock A.M. in Courtroom No. 2, Clearfield County Courthouse, Clearfield, Pennsylvania by ORDERED entered by your Honorable Court on November 7, 2005, a copy of which notice is attached and annexed hereto, made a part hereof and marked as **EXHIBIT 1**.

4
FILED
m 11:30 AM Atty
NOV 16 2005
cc
⑧

2. The opposing party is **James A. Naddeo, Esquire**, Attorney for Plaintiff.
3. The proceeding has not been previously continued.
4. A continuance is requested for the following reason:
 - 4.1 Counsel for **Defendant** has a previously scheduled Plea in the matter of Commonwealth of Pennsylvania vs. John Robert Earl Tilghman in Lancaster County, Pennsylvania on the same day commencing at 1:30 o'clock P.M., a copy of the letter from Christine Wilson, Assistant District Attorney, is attached and annexed hereto, made a part hereof and marked as **EXHIBIT 2**.
5. X The opposing party, **James A. Naddeo, Esquire**, Attorney for Plaintiff, was unavailable to obtain his concurrence to this request.
6. I hereby certify that if a continuance is granted I will serve a copy of the Order granting the continuance on all parties forthwith and that I will notify all witnesses who would be appearing at my request.
7. I specifically request a continuance to the next term of court.

Respectfully submitted,



Graham C. Showalter, Esquire
Petitioner and Counsel for Defendant
I.D. No. 07657
36 South Third Street
Post Office Box 553
Lewisburg, PA 17837
Tele. No.: (570) 523-3237
Fax No.: (570) 524-5831

VERIFICATION

I, GRAHAM C. SHOWALTER, Esquire, Counsel for Defendant, JOE LEWIS, et al., t/d/b/a TOUCHSTONE, have read the foregoing **MOTION FOR CONTINUANCE** and do swear or affirm that the facts set forth in the foregoing are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.



Graham C. Showalter, Esquire
Petitioner and Counsel for Defendant

CERTIFICATE OF SERVICE

I, GRAHAM C. SHOWALTER, Esquire, Attorney for Defendant, JOE LEWIS, et al., t/d/b/a TOUCHSTONE, hereby certify that I did cause a true and correct copy of the foregoing **MOTION FOR CONTINUANCE**, to be served upon the following by sending a copy of the said Motion to Attorney for Plaintiff by United States First Class Mail, postage prepaid as follows:

Attorney for Plaintiff
James A. Naddeo, Esquire
Post Office No. 552
Clearfield, PA 16830



Graham C. Showalter, Esquire
Petitioner and Counsel for Defendant

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

JAMES RISHEL

vs.

JOE LEWIS

: No. 01-1740-CD

:

:

ORDER

AND NOW, this 7th day of November, 2005, upon consideration of Defendant's Preliminary Objections filed in the above matter, a Rule is hereby issued upon Plaintiff to Appear and Show Cause why the requested relief should not be granted. Argument is scheduled the 21st day of November, 2005, at 11:00 A.M. in Courtroom No. 2, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

/s/ JOHN K. REILLY, JR.

JOHN K. REILLY, JR.
Senior Judge

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

NOV 08 2005

Attest.

William L. Reilly
Prothonotary/
Clerk of Courts

EXHIBIT 2

OFFICE OF THE
DISTRICT ATTORNEY OF LANCASTER COUNTY
DOMESTIC VIOLENCE UNIT

Donald R. Totaro
District Attorney

Susan E. Ellison
Christine Wilson
Assistant District Attorney



Courthouse
50 North Duke Street
P.O. Box 83480
Lancaster, PA 17608-3480
PHONE: (717) 391-7589
FAX: (717) 391-7546

November 1st, 2005

Graham C. Showalter, Esquire
36 South Third Street
Po Box 533
Lewisburg, PA 17837

Re: John Tilghman, Case No. 3513CR2005

Dear Mr. Showalter:

Please be advise that your client, Mr. John Tilghman is schedule to plea guilty on Monday, November 21st, 2005 at 1:30p.m. in the Court of Common Pleas, Lancaster County, 50 North Duke Street, Lancaster, PA.

If you have any questions or concerns regarding the scheduling of Mr. Tilghman's guilty plea, please feel free to call the District Attorney's Office at 717 391-7589.

Sincerely,

Christine Wilson,
Assistant District Attorney

CW/mw

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

JAMES RISHEL, t/d/b/a
RISHEL ENTERPRISES, INC.

-vs-

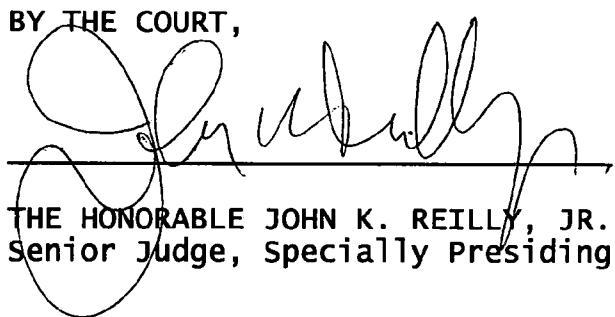
No. 01-1740-CD

JOE LEWIS, et al., t/d/b/a
TOUCHTONE

O R D E R

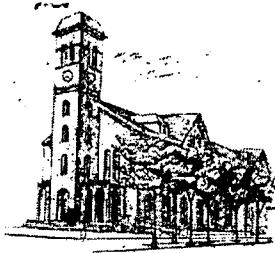
NOW, this 23rd day of December, 2005, this being the day and date set for argument into Preliminary Objections filed on behalf of the Defendants in the above captioned matter; the Court, this date, having received a praecipe to withdraw said Preliminary Objections, it is the ORDER of this Court that said Objections shall be and are hereby withdrawn and Defendants directed to file responsive pleadings to Plaintiff's amended complaint within twenty (20) days from date hereof.

BY THE COURT,


THE HONORABLE JOHN K. REILLY, JR.
Senior Judge, Specially Presiding

FILED
0105740
DEC 27 2005
JUN
Atty's: Nadeau
Shawalter

William A. Shaw
Prothonotary/Clerk of Courts



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 12/27/05

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions:

IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY - CIVIL ACTION - LAW

NO. 01-1740-CD

JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,

Plaintiff

*

*

*

vs.

JOE LEWIS, et al., t/d/b/a
TOUCHSTONE,

PRAEPIPE TO WITHDRAW
PRELIMINARY OBJECTIONS
OF TOUCHSTONE CUSTOM
HOMES, INC. and JON M. LEWIS
TO PLAINTIFF'S COMPLAINT

Defendant.

*

*

*

TO THE PROTHONOTARY:

Please withdraw the PRELIMINARY OBJECTIONS OF TOUCHSTONE
CUSTOM HOMES, INC. and JON M. LEWIS TO PLAINTIFF'S COMPLAINT filed to the
above-referenced case on November 12, 2002.

Dated: Dec 23, 2005



Graham C. Showalter, Esquire
Attorney for Defendant
I.D. No. 07657
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837
Tele. No.: (570) 523-3237
Fax No.: (570) 524-5831

PRAEPIPE\WITHDRAW\TOUCHSTONE.wpd

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cc
DEC 27 2005
EX

William A. Shaw
Prothonotary Clerk of Courts

**IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY - CIVIL ACTION - LAW
NO.: 01-1740-CD**

**JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,**

*

2

2

*

- * DEFENDANTS' ANSWER AND
- * NEW MATTER TO PLAINTIFF'S
- * AMENDED COMPLAINT

*

2

1

2

2

Plaintiff

vs.

**JON M. LEWIS, individually,
and TOUCHSTONE HOMES, INC.,
a Pennsylvania Corporation,**

2

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claim set forth in the following pages, you must take action within twenty (20) days after this **New Matter** 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 **New Matter** 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.

PROTHONOTARY
CLEARFIELD COUNTY COURTHOUSE
Corner of Second and Market
P.O. Box 549
Clearfield, PA 16830
(814) 765-2641, x 1330

Dated: January 12, 2006

John Stava

Graham C. Showalter,

Attorney for De

I.D. No. 07657

36 South Third Street

Post Office Box 553

Lewisburg, PA 17837

Tele. No.: (570) 523-3237

FILED No
MAY 16 2006 cc
JAN 13 2006 CIO
S. J. Shaw
Clerk of Courts

IN THE COURT OF COMMON PLEAS, 46TH JUDICIAL DISTRICT
CLEARFIELD COUNTY - CIVIL ACTION - LAW

NO.: 01-1740-CD

**JAMES RISHEL, t/d/b/a RISHEL
ENTERPRISES, INC.,**

*

*

*

*

* DEFENDANTS' ANSWER AND
* NEW MATTER TO PLAINTIFF'S
* AMENDED COMPLAINT

*

*

*

*

*

*

*

Plaintiff

vs.

**JON M. LEWIS, individually,
and TOUCHSTONE HOMES, INC.,
a Pennsylvania Corporation,**

Defendants.

*

TO THE HONORABLE JOHN K. REILLY, JR., SENIOR JUDGE, SPECIALLY
PRESIDING:

Defendants, JON M. LEWIS, individually, and TOUCHSTONE HOMES, INC. (sic)

[TOUCHSTONE CUSTOM HOMES, INC.], a Pennsylvania Corporation, by and through

their attorney, GRAHAM C. SHOWALTER, Esquire, respectfully file their **ANSWER AND**

NEW MATTER TO PLAINTIFF'S AMENDED COMPLAINT, alleging as follows:

1. Admitted.
2. Admitted and denied in part. It is admitted that JON M. LEWIS is an individual.

It is denied that he maintains a business address at 713 U.S. Highway 15S, Lewisburg, Pennsylvania, 17837, rather Mr. Lewis's former business, **TOUCHSTONE CUSTOM HOMES, INC.** is in bankruptcy as more specifically set forth in Defendants' **NEW MATTER**.

3. Denied. It is denied that Defendant, **TOUCHSTONE HOMES, INC.** is a Pennsylvania Corporation conducting business at 713 U.S. Highway 15S, Lewisburg, Pennsylvania, 17837. **TOUCHSTONE CUSTOM HOMES, INC.** is a Pennsylvania Corporation which formally did business at 713 U.S. Highway 15S, Lewisburg, Pennsylvania, 17837, but the same is now in bankruptcy as more specially set forth in Defendants' **NEW MATTER.**

4. Denied. It is denied that prior to September/October, 2000 Defendant, **JON M. LEWIS, individually** and on behalf of the Corporate Defendant, **TOUCHSTONE HOMES, INC.**, orally requested Plaintiff to provide excavating services pertinent to the construction of a residential dwelling to be built in Clearfield County, Pennsylvania.

Defendant, **JON M. LEWIS**, is President of **TOUCHSTONE CUSTOM HOMES, INC.** which is in bankruptcy as more specifically set forth in Defendants' **NEW MATTER.**

Defendant, **JON M. LEWIS** at no time individually requested Plaintiff to provide any excavating services pertinent to the construction of a residential dwelling to be built in Clearfield County, Pennsylvania.

At all times herein, **JON M. LEWIS** acted as President of **TOUCHSTONE CUSTOM HOMES, INC.** and never individually.

5. Admitted and denied in part. It is admitted that Plaintiff orally agreed to provide excavating services. It is denied that Defendants requested these services since **JON M.**

LEWIS never individually requested the services and **TOUCHSTONE HOMES, INC.** is not a legal entity. It is further denied that Defendants herein orally agreed to any terms provided by Plaintiff since Defendant, **JON M. LEWIS**, individually never orally agreed to be individually responsible for the excavating services and Defendant, **TOUCHSTONE HOMES, INC.** is not a legal entity.

6. Admitted and denied in part. It is admitted that Plaintiff provided time, equipment and materials at its usual and customary charges to complete the excavating. It is denied that the Defendants, **JON M. LEWIS**, individually and **TOUCHSTONE HOMES, INC.** requested the excavating for the reasons set forth herein.

7. Admitted and denied in part. It is denied that Defendants, **JON M. LEWIS**, individually and **TOUCHSTONE HOMES, INC.** requested the said work. It is admitted that Plaintiff, submitted a bill for time, equipment and materials in the amount of \$5,230.50 as it appears from the invoice attached to Plaintiff's Amended Complaint as Exhibit "A".

8. Admitted and denied in part. It is denied that Defendants paid Plaintiff the sum of \$1,400.00, rather **TOUCHSTONE CUSTOM HOMES, INC.** paid Plaintiff the sum of \$1,400.00. It is admitted that Plaintiff credited that amount to the value of his services.

9. Admitted and denied in part. It is denied that Defendants owe Plaintiff \$3,830.50 since Defendant, **JON M. LEWIS**, individually never contracted individually and Defendant, **TOUCHSTONE HOMES, INC.** is not a legal entity. To the extent that **TOUCHSTONE CUSTOM HOMES, INC.** is obligated to Plaintiff in this matter, their Petition

For Bankruptcy, as set forth in Defendants' **NEW MATTER**, stays this matter and their subsequent discharge in Bankruptcy acts as a bar to Plaintiff's cause of action on the debt.

WHEREFORE, Defendants, **JON M. LEWIS**, individually and **TOUCHSTONE HOMES, INC.** pray your Honorable Court to deny Plaintiff's Amended Complaint.

NEW MATTER

10. Paragraphs 1 through 9, inclusive, are incorporated herein by reference and made a part hereof.

11. Plaintiff's Amended Complaint seeks recovery from Defendant, **TOUCHSTONE HOMES, INC.** in the amount of \$3,830.50 on the debt or obligation set forth in Plaintiff's Amended Complaint.

12. Defendant, **TOUCHSTONE HOMES, INC.** is not a legal entity. **TOUCHSTONE CUSTOM HOMES, INC.** is a legal entity which filed for Chapter 7 Bankruptcy in the United States Bankruptcy Court for the Middle District of Pennsylvania to Case #: 1-05-05609 on August 24, 2005. Plaintiff's claim herein was included in the **AMENDMENT TO DEBTOR'S VOLUNTARY PETITION TO ADD TO SCHEDULE** on or about December 16, 2005 with notice thereof given to counsel for Plaintiff by letter dated December 15, 2005, a copy of which letter and **AMENDMENT TO DEBTOR'S**

VOLUNTARY PETITION TO ADD TO SCHEDULE are attached and annexed hereto, made a part hereof and marked as **EXHIBIT 1**. The inclusion of **TOUCHSTONE CUSTOM HOMES, INC.** in the said bankruptcy filing acts as a stay of all legal proceedings against **TOUCHSTONE CUSTOM HOMES, INC.** which will eventually culminate in a discharge in bankruptcy which will act as a bar to Plaintiff's cause of action on the debt.

WHEREFORE, Defendant, **TOUCHSTONE HOMES, INC.**, (sic) [**TOUCHSTONE CUSTOM HOMES, INC.**], a **Pennsylvania Corporation**, requests your Honorable Court to stay the proceedings against it until it's discharge in bankruptcy and then to bar Plaintiff's cause of action on the debt.

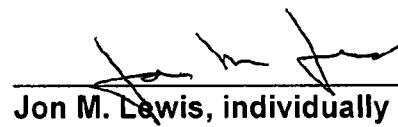
Respectfully submitted.



Graham C. Showalter, Esquire
Attorney for Defendant
I.D. No. 07657
36 South Third Street
Post Office Box 553
Lewisburg, PA 17837
Tele. No.: (717) 523-3237
Fax No.: (717) 524-5831

VERIFICATION

I, JON M. LEWIS, individually and JON M. LEWIS, President of TOUCHSTONE CUSTOM HOMES, INC., Defendants, have read the foregoing DEFENDANTS' ANSWER AND NEW MATTER TO PLAINTIFF'S AMENDED COMPLAINT and do hereby swear or affirm that the facts set forth in the foregoing are true and correct to the best of my knowledge, information and belief. I understand false statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.



Jon M. Lewis, individually

TOUCHSTONE CUSTOM HOMES, INC.

By: 
Jon M. Lewis, President

CERTIFICATE OF SERVICE

I, **GRAHAM C. SHOWALTER, Esquire**, Counsel for Defendants, **JON M. LEWIS**, individually and **TOUCHSTONE CUSTOM HOMES, INC.**, hereby certify that a true and correct copy of the foregoing **ANSWER AND NEW MATTER TO PLAINTIFF'S AMENDED COMPLAINT** was served upon the following by U.S. First Class Mail, postage prepaid:

Attorney for Plaintiff
JAMES A. NADDEO, Esquire
207 East Market Street
P.O. Box 552
Clearfield, PA 16830


Graham C. Showalter, Esquire
Attorney for Defendant
36 South Third Street
Lewisburg, PA 17837-1908
Tele. No.: (717) 523-3237
Fax No.: (717) 524-5831
I.D. No.: 07657

COPY

**LAW OFFICE
OF
DANIEL J. RHEAM**

533 North Derr Drive
Lewisburg, Pennsylvania 17837

Telephone: (570) 524-2344 Fax: (570) 524-0944

E-mail: rheamv@dejazzd.com

December 15, 2005

James A. Naddeo, Esquire
211-1/2 Locust Street
Clearfield, PA 16830

Re: Touchstone Custom Homes, Inc.
Case #: 1-05-05609
CD: 2001-1740 – Clearfield County

Dear Attorney Naddeo:

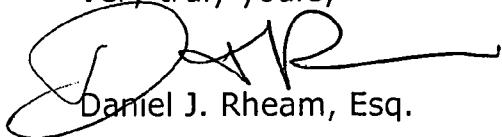
I represent the above corporation which filed a Chapter 7 Bankruptcy on August 24, 2005 at Case #: 1-05-05609. This is potentially an Asset Case. The status of the case can be checked on PACER and by contacting the Trustee.

I added your clients' case to Schedule F to cover any claim your clients may have against the corporation. See enclosures.

I am not familiar with any contractors named Joe Lewis or a Fictitious name of Touchstone. My client is Touchstone Custom Homes, Inc. The President of the corporation was Jon M. Lewis.

An Automatic Stay is in effect as to suits against Touchstone Custom Homes, Inc.

Very truly yours,



Daniel J. Rheam, Esq.

DJR/mm

Enclosures:

2 page Petition

Amendment Schedule F

341 Notice

c.c. Graham C. Showalter, Esq.

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
TOUCHSTONE CUSTOM HOMES, INC. : CASE #: 1-05-05609
Debtor. : CHAPTER 7

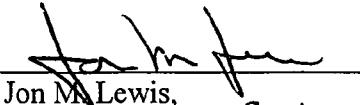
**AMENDMENT TO DEBTOR'S VOLUNTARY PETITION
TO ADD TO SCHEDULE**

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Creditor's name and complete mailing address including zip code	Amount of Claim
Date claim was incurred and consideration for If claim is subject to setoff, so state.	
<hr/>	
ADD:	
Account No.: JAMES RISHEL 1229 Turnpike Avenue Clearfield, PA 16830	Amount of Claim \$3,830.50
Consideration of claim: services Claim is: Unliquidated	
RISHEL ENTERPRISES, INC. 1229 Turnpike Avenue Clearfield, PA 16830	Amount of Claim \$3,830.50
Consideration of claim: services Claim is: Unliquidated	
JOHN A. SOBEL, IV., Esq. 218 South Second Street Clearfield, PA 16830	
JAMES A. NADDEO, Esq. 211-1/2 E Locust Street Clearfield, PA 16830	

I, JON M. LEWIS, President, Touchstone Custom Homes, Inc., Petitioner, declares under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on December 16, 2005



Jon M. Lewis,
President Touchstone Custom Homes, Inc.

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

RISHEL ENTERPRISES, INC.,
Plaintiff

vs.

JON M. LEWIS, individually,
and TOUCHSTONE HOMES, INC.,
a Pennsylvania Corporation,
Defendant

No. 01 - 1740 - CD

Type of Pleading:

CERTIFICATE OF READINESS

Filed on behalf of:
Plaintiff

Counsel of Record for
This party:

James A. Naddeo, Esq.
Pa I.D. 06820

207 E. Market Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED 1cc Atty Naddeo

1/3/38/01
JAN 16 2006 Atty pd. 20.00

W. A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

01-1740-CD		DATE PRESENTED
CASE NUMBER	TYPE TRIAL REQUESTED	ESTIMATED TRIAL TIME
Date Complaint Filed: 1/16/02	() Jury (X) Arbitration	1/2 Days
James Rishel, t/d/b/a Rishel Enterprises, Inc.		

PLAINTIFF(S)

Jon M. Lewis, individually ()

DEFENDANT(S)

and TOUCHSTONE HOMES, INC. ()

ADDITIONAL DEFENDANT(S)

Check Block if
a Minor is a
Party to the
Case

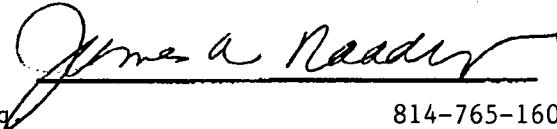
a Pennsylvania Corporation ()

JURY DEMAND FILED BY: DATE JURY DEMAND FILED:

AMOUNT AT ISSUE	CONSOLIDATION	DATE CONSOLIDATION ORDERED
not more than \$3,830.50	() yes () no	

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel.



James A. Naddeo, Esq. 814-765-1601

FOR THE PLAINTIFF	TELEPHONE NUMBER
-------------------	------------------

Graham C. Showalter, Esq. 570-523-3237

FOR THE DEFENDANT	TELEPHONE NUMBER
-------------------	------------------

FOR ADDITIONAL DEFENDANT	TELEPHONE NUMBER
--------------------------	------------------

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

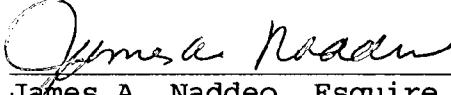
RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Certificate of Readiness filed in the above-captioned action was served on the following person and in the following manner on the 16th day of January, 2006:

First-Class Mail, Postage Prepaid

Graham C. Showalter, Esquire
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837


James A. Naddeo, Esquire
Attorney for Plaintiff

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

RISHEL ENTERPRISES, INC., *
Plaintiff *

vs. *

JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

No. 01 - 1740 - CD

Type of Pleading:

**PRAECIPE TO SETTLE
AND DISCONTINUE**

Filed on behalf of:
Plaintiff

Counsel of Record for
This party:

James A. Naddeo, Esq.
Pa I.D. 06820

207 E. Market Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

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WMA Naddeo
William A. Shaw
Prothonotary/Clerk of Courts
Copy to
CJA

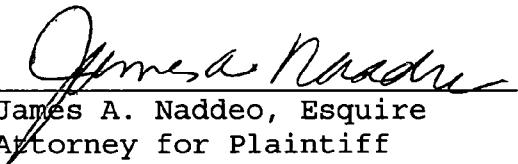
IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA
CIVIL DIVISION

RISHEL ENTERPRISES, INC., *
Plaintiff, *
*
v. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant. *

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Please mark the above-captioned case settled and discontinued.


James A. Naddeo, Esquire
Attorney for Plaintiff

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

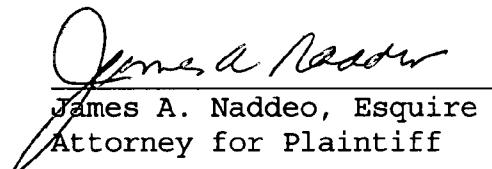
RISHEL ENTERPRISES, INC., *
Plaintiff *
*
vs. * No. 01 - 1740 - CD
*
JON M. LEWIS, individually, *
and TOUCHSTONE HOMES, INC., *
a Pennsylvania Corporation, *
Defendant *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Praeclipe to Settle and Discontinue filed in the above-captioned action was served on the following person and in the following manner on the 9th day of March, 2006:

First-Class Mail, Postage Prepaid

Graham C. Showalter, Esquire
36 South Third Street
P.O. Box 553
Lewisburg, PA 17837



James A. Naddeo, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CCP

James Rishel
Rishel Enterprises, Inc.

Vs. No. 2001-01740-CD
Joe Lewis, individually and
Touchstone Homes, Inc.

CERTIFICATE OF DISCONTINUATION

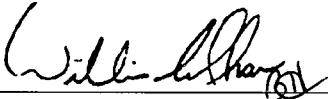
Commonwealth of PA
County of Clearfield

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 March 9, 2006, marked:

Settled and Discontinued

Record costs in the sum of \$107.00 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 9th day of March A.D. 2006.



William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. BROWN, : CIVIL DIVISION
PLAINTIFF/PETITIONER :
VS. : No. 03-1375-CD
MARK FOREMAN, :
DEFENDANT/RESPONDENT : CERTIFICATE OF SERVICE/RE:
: ORDER OF COURT DATED 02/27/06
: :
: FILED ON BEHALF OF:
: PLAINTIFF/PETITIONER/NANCY J.
: BROWN
: :
: COUNSEL OF RECORD FOR THIS PARTY:
: WINIFRED H. JONES-WENGER, ESQ.
: ID #23751
: 333 LAUREL STREET/P.O. BOX 469
: PHILIPSBURG, PA 16866
: (814) 342-4330
: :
: COUNSEL OF RECORD FOR DEFENDANT/
: RESPONDENT:
: JOHN R. CARFLEY, ESQUIRE
: ID #17621
: 222 PRESQUE ISLE STREET/P.O. BOX 249
: PHILIPSBURG, PA 16866
: (814) 342-5581

FILED NO
M 10, 1864 CC
MAR 09 2006
WAM

William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. BROWN, :
Plaintiff/Petitioner :
VS. : No. 03-1375-CD
MARK FOREMAN, :
Defendant/Respondent :

CERTIFICATE OF SERVICE

I, Winifred H. Jones-Wenger, the undersigned, certify that I did serve a copy of the Order of Court dated 02/27/06, concerning the above-captioned case, on John R. Carfley, Esquire, Attorney of Record for Defendant/Respondent, at his place of business at 222 Presqueisle Street, P.O. Box 249, Philipsburg, Pennsylvania 16866 and on Mark Foreman, Defendant/Respondent, at his residence mailing address of 1624 West Hannah Street, Houtzdale, Pennsylvania, 16651 by depositing same with the U.S. Postal Service on February 27, 2006, for delivery by U.S. mail, first class, postage prepaid.


WINIFRED H. JONES-WENGER
Attorney for Plaintiff/Petitioner

Dated: March 8, 2006