

02-735-CD
SALLY HUBLER et ux -vs- STARION PRODUCTS CORPORATION

Date: 08/22/2002

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 11:06 AM

ROA Report

Page 1 of 1

Case: 2002-00735-CD

Current Judge: John K. Reilly Jr.

Sally Hubler, Kevin Hubler vs. Starion Products Corporation

Civil Other

Date		Judge
05/09/2002	✓ Filing: Praeclipe for Writ of Summons Paid by: Kurzweg, Matthew Esq. Receipt number: 1842290 Dated: 05/09/2002 Amount: \$80.00 (Check) One Writ of Summons issued to Attorney	No Judge
05/17/2002	✓ Proof of Service, Writ of Summons upon Defendant, STARION PRODUCTS CORP. filed by s/Matthew L. Kruzweg, Esq. Cert of Svc no cc	No Judge
05/30/2002	✓ Complaint In Civil Action. Filed by s/Matthew L. Kurzweg, Esq. Verification s/Sally Hubler s/Kevin Hubler Certificate of Service no cc	No Judge
06/14/2002	✓ Answer. Filed by s/Werner R. Stutz no cc	No Judge
06/24/2002	✓ Certificate of Service, Plaintiffs' Ten Day Notice upon Defendant Starion Products Corporation. Filed by s/Matthew L. Kurzweg, Esq no cc	No Judge
07/05/2002	✓ Filing: Praeclipe to Enter Default Judgment Paid by: Kurzweg, Matthew L. Esq (attorney for Hubler, Kevin) Receipt number: 1845009 Dated: 07/05/2002 Amount: \$20.00 (Check) Judgment is entered against Defendant. Amount to be determined at trial. Notice to Defendant	No Judge
07/19/2002	✓ Praeclipe For Jury Trial. Filed by s/Matthew L. Kurzweg, Esq. Certificate of Service 1 cc Atty Kruzweg Copy CA	No Judge

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

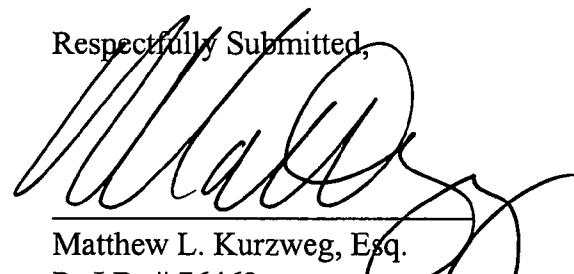
SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
Plaintiffs,) No. 02-735-CO
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
Defendant.)

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Kindly issue a Writ of Summons in the above captioned matter.

Respectfully Submitted,


Matthew L. Kurzweg, Esq.
Pa.I.D. # 76462
Attorney for Plaintiffs Sally Hubler and
Kevin Hubler

The Fort Pitt Commons Building, Suite 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219
(412) 281-2211

FILED

MAY 09 2002

William A. Shaw
Prothonotary

FILED

1 Writ of Summons
MAY 09 2002
Atty J
Atty pd .80.00

William A. Shaw
Prothonotary

COPY

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

**Sally Hubler and
Kevin Hubler, wife and husband**

Vs.

NO.: 2002-00735-CD

**Starion Products Corporation, a
foreign corporation**

TO: STARION PRODUCTS CORPORATION

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 05/09/2002

**William A. Shaw
Prothonotary**

**Issuing Attorney: Matthew L. Kurzweg, Esq.
The Fort Pitt Commons Bldg., Ste. 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219
(412) 281-2211**

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

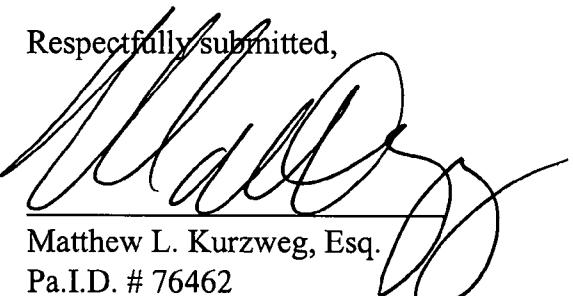
SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
Plaintiffs,) No. 02-735-CD
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
Defendant.)

PROOF OF SERVICE
UPON DEFENDANT STARION PRODUCTS CORPORATION

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

AND NOW come Plaintiffs, Sally Hubler and Kevin Hubler, wife and husband, by and through their counsel, Matthew L. Kurzweg, Esquire, and file the enclosed Proof of Service by Certified Mail.

Respectfully submitted,


Matthew L. Kurzweg, Esq.
Pa.I.D. # 76462
Attorney for Plaintiffs Sally Hubler and
Kevin Hubler

FILED
MAY 17 2002
m 11:42 AMCC
William A. Shaw
Prothonotary

The Fort Pitt Commons Building, Suite 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219

(412) 281-2211

MATTHEW L. KURZWEG
A T T O R N E Y A T L A W
The Fort Pitt Commons Building, Suite 400
445 Fort Pitt Boulevard
Pittsburgh, Pennsylvania 15219
(412) 281-2211 Fax (412) 281-9421

May 10, 2002

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Re: Sally Hubler and Kevin Hubler v. Starion Products Corporation
CCP Clearfield County, PA, Docket No. 2002-735-CD

To Whom it May Concern:

Enclosed please find the Writ of Summons issued in the above-captioned civil action. This case involves personal injuries Sally Hubler sustained on March 8, 2001 while operating machinery manufactured by Starion Products Corporation. Kindly direct this correspondence and its enclosures to your attorney and/or insurance carrier.

Thank you for your attention to this matter.

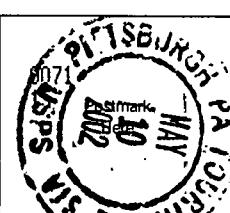
Sincerely,

Matthew L. Kurzweg, Esq.

MLK;brb
enclosures

PROOF OF SERVICE BY CERTIFIED MAIL

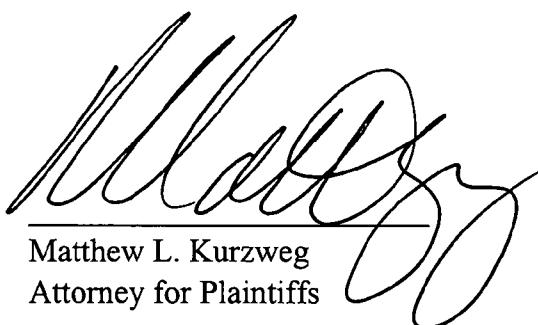
SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <i>Karen Waterman</i></p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Karen Waterman</u> C. Date of Delivery <u>5/3/02</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>1. Article Addressed to: STARION PRODUCTS CORPORATION RT. 22, RUBIN HILL INDUST. PARK 25 JON BARRETT ROAD PATTERSON, NY 12563 </p> <p>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. </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>2. Article Number : <u>7080 1670 0000 5130 9496</u> (Transfer from service label)</p>	

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
PATTERSON NY 12563	
Postage	\$ 0.34
Certified Fee	\$ 2.10
Return Receipt Fee (Endorsement Required)	\$ 1.50
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 3.94
 Recipient's Name (Please Print Clearly) (to be completed by mailer)	
STARION PRODUCTS CORPORATION Street, Apt. No., M/F PO Box No. DT 220 BORINHILL INDUS. PARK, 25 Jan Bond City, State, ZIP+4 PATTERSON, NY 12563	

CERTIFICATE OF SERVICE

I, Matthew L. Kurzweg, Esq., counsel for Plaintiffs, hereby certify that I have served a true and correct copy of Plaintiffs' Proof of Service upon Defendant Starion Products Corporation , at the address below, via first class mail, postage pre-paid, this 15th day of May, 2002:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563



Matthew L. Kurzweg
Attorney for Plaintiffs

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
)
Plaintiffs,) No. 02-735-CD
)
v.)
)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
)
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:**

FILED

MAY 30 2002
M 11.40/ncc
William A. Shaw
Prothonotary

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641 Ext. 50-51

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

SALLY HUBLER and KEVIN HUBLER,
wife and husband,)
Plaintiffs,) No. 02-735-CD
v.)
STARION PRODUCTS CORPORATION,
a foreign corporation,)
Defendant.)

COMPLAINT IN CIVIL ACTION

AND NOW come Plaintiffs Sally Hubler and Kevin Hubler, wife and husband, by and through their attorney, Matthew L. Kurzweg, Esq., and claim damages of Defendant. In support thereof, Plaintiffs aver as follows:

1. Plaintiffs Sally Hubler and Kevin Hubler are adult individuals, wife and husband, currently residing at 18 West Webber Avenue, DuBois, Clearfield County, Pennsylvania, 15801.
2. Defendant Starion Products Corporation is a foreign corporation with its headquarters and principal place of business located at Rt. 22, Robin Hill Industrial Park, 25 Jon Barrett Road, Patterson, New York, 12563 (hereinafter "Starion").
3. Defendant Starion regularly conducts business in Clearfield County, Pennsylvania.
4. At all times relevant hereto, Defendant Starion was acting by and through its respective agents, employees, and servants, all of which were acting within the course and scope of their respective agency, employment, and/or servitude.

5. On March 8, 2001, while working in the course and scope of her employment at Elcam, Inc., 10 Industrial Drive, DuBois, Clearfield County, Pennsylvania, Plaintiff Sally Hubler was operating certain machinery known as the "Automatic Dial Feed System T-270," with primary components consisting of, "Rotary Index Table TAR-270," and "Modular Unit PRN-1000," and bearing serial number S-7913 (hereinafter collectively "Rotary Table Press").

6. The aforesaid Rotary Table Press was researched, designed, manufactured, assembled, distributed, delivered, transported, and/or sold by Defendant Starion.

7. On the aforesaid date, at the aforesaid location, while operating the Rotary Table Press, Plaintiff Sally's left index finger was severely crushed and/or partially traumatically amputated by the Rotary Table Press.

Count I – Strict Liability

Sally Hubler v. Starion Products Corporation

8. Plaintiffs hereby incorporate by reference paragraphs 1 through 7 of this Complaint as though fully set forth hereunder in their entirety.

9. At all times relevant hereto, Defendant Starion was engaged in the business of researching, designing, manufacturing, selling, transportation, distribution, assembly, delivery, and/or inspection of rotary table presses generally and specifically the aforesaid Rotary Table Press.

10. At all times relevant hereto, Defendant Starion conducted business in Clearfield County, Pennsylvania, and caused the Rotary Table Press to be placed into the stream of commerce and delivered in Pennsylvania.

11. At the time of the original design, manufacture, sale, transportation, distribution, assembly, delivery, and/or last inspection of the Rotary Table Press, Defendant Starion knew or had reason to know that the Rotary Table Press would be used by Plaintiff Sally Hubler and/or others similarly situated as the ultimate user or operator.

12. The Rotary Table Press was used by Plaintiff Sally Hubler in the same or substantially same condition in which it was designed, manufactured, sold, transported, distributed, assembled, delivered, and/or last inspected by Defendant Starion.

13. The Rotary Table Press was designed, manufactured, sold, transported, distributed, assembled, and/or delivered by Defendant Starion in a defective or unreasonably dangerous condition and/or lacking those features necessary to make it safe, including but not limited to a guard or guards around or near the "pinch point" of the Rotary Table Press to protect the user or operator from injury.

14. As a direct and proximate result of Defendant Starion's design, manufacture, sale, transportation, distribution, assembly, and/ or delivery of the Rotary Table Press in a defective or unreasonably dangerous condition and/or lacking those features necessary to make it safe, Plaintiff Sally Hubler was injured and sustained damages, for which Defendant Starion is strictly liable, as follows:

- a) In selling, leasing, transporting, distributing, assembling, delivering, and/or inspecting the Rotary Table Press, when said Rotary Table Press was defective and unreasonably dangerous for its intended and foreseeable use;
- b) In representing the Rotary Table Press to be safe for its intended and foreseeable use;
- c) In that the Rotary Table Press was not equipped with safety features, or features necessary to make it safe for its foreseeable and intended purpose;

- d) In that the Rotary Table Press was not equipped with safety features, or features necessary to make it safe for its foreseeable and intended purpose, when said safety features were inexpensive, cost effective, and easy to install and/or incorporate;
- e) In that the Rotary Table Press was inherently dangerous and safety engineering alternatives were not used to eliminate or reduce those dangers; and
- f) In that no adequate description or warning was given to Plaintiff Sally Hubler, and/or others similarly situated, of the risks and hazards associated with the Rotary Table Press and how to avoid injury while using same.

15. As a direct result of the defective and unreasonably dangerous condition of the Rotary Table Press designed, manufactured, sold, transported, distributed, assembled, delivered, and/or last inspected by Defendant Starion, Plaintiff Sally Hubler suffered severe, serious, and permanent injuries and permanent disfigurement; including but not limited to the following:

- a) A severely crushed and partially amputated left index finger, requiring at least two subsequent surgeries and further amputations;
- b) permanent disfigurement, scarring, and loss of her left index finger;
- c) back and neck strain, sprain and other injury; and
- d) other serious and permanent injuries.

16. As a direct and proximate result of the aforementioned injuries, scarring, and disfigurement suffered by the Plaintiff, she has suffered the following damages:

- a) Plaintiff has suffered and will suffer great pain, suffering, inconvenience, humiliation, mental anguish, and loss of enjoyment of life's pleasures;
- b) Plaintiff has suffered lost wages and a diminished earning capacity;
- c) Plaintiff has been and will be required to expend large sums of money for surgical and medical attention, medical supplies, surgical appliances, and medicines; and
- d) Plaintiff's general health, bodily function, and strength have been permanently impaired.

WHEREFORE, Plaintiff Sally Hubler demands judgment in her favor and against Defendant Starion Products Corporation in an amount in excess of the limits for compulsory arbitration in the Court of Common Pleas of Clearfield County, Pennsylvania, plus costs of suit. JURY TRIAL DEMANDED.

Count II – Negligence

Sally Hubler v. Starion Products Corporation

17. Plaintiffs hereby incorporate by reference paragraphs 1 through 16 of this Complaint as though fully set forth hereunder in their entirety.

18. Plaintiff's injuries and damages, as set forth below, were due to the negligence, carelessness, and recklessness of Defendant Starion, generally, and in the following particulars:

- a) In that Defendant designed, manufactured, sold, transported, distributed, assembled, marketed, and/or delivered said Rotary Table Press in an unsafe and/or defective condition;
- b) In that the Rotary Table Press was not equipped with safety features, or features necessary to make it safe for its foreseeable and intended purpose, including but not limited to a guard or guards around or near the pinch point of the Rotary Table Press to protect the user or operator from injury;
- c) In that the Rotary Table Press was not equipped with safety features, or features necessary to make it safe for its foreseeable and intended purpose, when said safety features were inexpensive, cost effective, and easy to install and/or incorporate;
- d) In failing to provide an alternative design to the Rotary Table Press which would eliminate and/or substantially reduce the likelihood of injury to Plaintiff and/or others similarly situated;
- e) In failing to properly or adequately repair, recall, and/or refit said Rotary Table Press upon receiving notice of the defective condition of the Rotary Table Press and/or other similar rotary table presses generally, and/or after receiving prior complaints involving the Rotary Table Press and/or other rotary table presses generally;

- f) In placing the Rotary Table Press in to the stream of commerce in a defective or unsafe condition, when Defendant knew, or should have known, that the Rotary Table Press existed in an unsafe, unsuitable and defective condition;
- g) In failing to properly and/or adequately warn the intended and foreseeable product users and consumers of the defective condition of the Rotary Table Press and/or the risk of injury from using same;
- h) In failing to properly test and/or inspect the component parts of the Rotary Table Press prior to their sale, assembly, and/or distribution; and
- i) In failing to provide adequate and/or proper training and/or instructions for the use of the Rotary Table Press;
- j) In failing to provide adequate and/or proper customer and user support, instruction, advice, assistance, and/or other information concerning the use and operation of the Rotary Table Press following the sale, assembly and/or distribution of the Rotary Table Press;
- k) In failing to properly repair, modify, replace, and/or remove unsafe and defective components of the Rotary Table Press;
- l) In failing to exercise reasonable care to inspect and remedy the defective and/or unsafe condition of the Rotary Table Press; and
- m) In otherwise failing to use due care in the design, research, manufacture, sale, marketing, distribution, assembly, delivery, maintenance and/or inspection of said Rotary Table Press.

19. As a direct and proximate result of the negligence, carelessness, and recklessness of

Defendant Starion, Plaintiff Sally Hubler sustained injuries, disfigurement, and other damages as set forth in paragraphs 15 and 16, which are incorporated hereunder by reference as though fully set forth at length.

WHEREFORE, Plaintiff Sally Hubler demands judgment in her favor and against Defendant Starion in an amount in excess of the limits for compulsory arbitration in the Court of Common Pleas of Clearfield County, Pennsylvania, plus costs of suit. JURY TRIAL DEMANDED.

Count III – Breach of Warranty

Sally Hubler v. Starion Products Corporation

20. Plaintiffs hereby incorporate by reference paragraphs 1 through 19 of this Complaint as though fully set forth hereunder in their entirety.

21. Defendant Starion expressly and impliedly warranted that the Rotary Table Press was safe; of merchantable quality; and fit for the purpose for which it was intended and/or a use or purpose that was reasonably foreseeable.

22. Defendant Starion knew of the intended particular purpose and use of the Rotary Table Press, and the consumers, users, and operators of the Rotary Table Press relied on Defendant Starion's expertise to provide a safe and effective Rotary Table Press.

23. For the reasons fully set forth above, the Rotary Table Press was not as warranted and unsafe; not fit for the ordinary purposes for which it was used and/or intended to be used; nor fit for the particular purpose which Plaintiff Sally Hubler used the Rotary Table Press.

24. As a direct result of Defendant Starion's breach of express and/or implied warranties, the warranty of merchantability; and the warranty of fitness for a particular purpose, Plaintiff Sally Hubler sustained injuries, disfigurement, and other damages as set forth in paragraphs 15 and 16, which are incorporated hereunder by reference as though fully set forth at length.

WHEREFORE, Plaintiff Sally Hubler demands judgment in her favor and against Defendant Starion Products Corporation in an amount in excess of limits for compulsory arbitration in the Court of Common Pleas of Clearfield County, Pennsylvania, plus costs of suit. **JURY TRIAL DEMANDED.**

Count IV – Loss of Consortium

Sally Hubler v. Starion Products Corporation

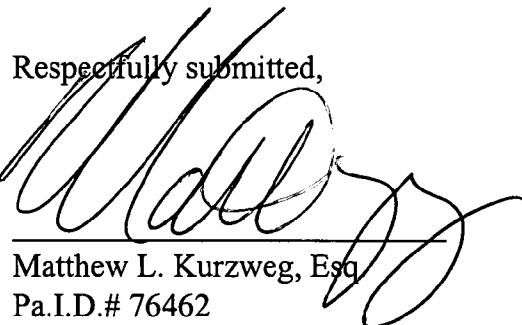
25. Plaintiffs hereby incorporate by reference paragraphs 1 through 24 of this Complaint as though fully set forth hereunder in their entirety.

26 As a direct and proximate result of the injuries and disfigurement sustained by his wife, Plaintiff Kevin Hubler has been damaged as follows:

- a) Plaintiff has been and will continue to be compelled to expend large sums of money for medical care, physical therapy, supplies, appliances, and medicine;
- b) Plaintiff has been and will be deprived of his wife's aid, comfort, assistance, companionship, and consortium.

WHEREFORE, Plaintiff Kevin Hubler demands judgment in his favor and against Defendant Starion Products Corporation in an amount in excess of the limits for compulsory arbitration in the Court of Common Pleas of Clearfield County, Pennsylvania, plus costs of suit. JURY TRIAL DEMANDED.

Respectfully submitted,


Matthew L. Kurzweg, Esq.
Pa.I.D.# 76462

Attorney for Plaintiffs Sally and Kevin Hubler

Fort Pitt Commons, Suite 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219
(412) 281-2211

VERIFICATION

The language of the foregoing Complaint in Civil Action is that of counsel and not necessarily my own; however, I have read the foregoing document and the factual information contained therein is true and correct to the best of my personal knowledge, except as to any averments specifically stated to be "on information and belief." To the extent that the factual averments of this documents are stated to be "on information and belief," the averments are true and correct to the best of my information and belief. To the extent that the content of the foregoing document is that of counsel, I have relied upon counsel in making this Verification and said content is true and correct to the best of my information and belief.

I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

May 24th 02
Date

5-24-02
Date

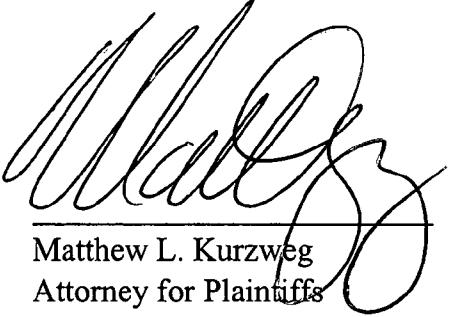
Sally Hubler
Sally Hubler

Kevin Hubler
Kevin Hubler

CERTIFICATE OF SERVICE

I, Matthew L. Kurzweg, Esq., counsel for Plaintiffs, hereby certify that I have served a true and correct copy of the foregoing Notice to Defend and Complaint in Civil Action upon Defendant Starion Products Corporation, at the address below, via first class mail, postage pre-paid, this 28th day of May, 2002:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563


Matthew L. Kurzweg
Attorney for Plaintiffs

Answer/see per Cr

STARION
PRODUCTS CORPORATION
FILED

Court Administrator
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830

June 12, 2002

JUN 14 2002
m/22/2002 no cc
William A. Shaw *ESQ*
Prothonotary

Certified Mail-
Return Receipt Requested

Re: Sally Hubler and Kevin Hubler v. Starion Products Corporation
CCP Clearfield County, PA, No. 02-735-CD

Dear Sir:

Reference is made to the Plaintiffs' Notice to Defend and Complaint in Civil Action submitted by letter of 5-28-2002 by Matthew L. Kurzweg, Esq. to the *Clearfield County Prothonotary*.

We herewith reject in its entirety the Plaintiffs' claim for compensation relating to "personal injuries ... sustained ... while operating machinery manufactured by Starion Products Corporation".

Please note that this suit and claim is without *actual* merits and foundation. We consider it to be a frivolous attempt to extort money and reflects a typical *shakedown*.

In our letter dated May 13, 2002 to Matthew L. Kurzweg, Esq., we explained to the Plaintiffs' attorney the pertinent facts relating to this alleged claim, per enclosed photocopy. We also had submitted to him the page *Work Safety - Point of Operation Safeguards* (1992) that is part of the *Service Information* of all *Operating Instructions and Parts Manuals* supplied with Starion equipment. We also included the sheet *Work Safety Advisory - March 1995* that was furnished to all users of record of index tables, air presses and dial feed systems supplied by Starion, providing *updated* information on *worker safety*. The Plaintiffs' Lawyer, Matthew L. Kurzweg, Esq. chose simply to ignore our response with the facts of law (O.S.H.A.) and elected to file a lawsuit instead.

The fact is that STARION supplied "**automation components**" *only* that are strictly *untooled*. In other words, no locating fixtures or parts holding devices were supplied by Starion with our equipment and **none of these items supplied by Starion were "enabled and ready for production" or could possibly have caused any "harm or injury to an operator"**. Simply have the plaintiffs, their attorney or **any expert** look at the enclosed photograph of the system supplied by Starion and let them explain how these items caused the alleged "injury". This would physically be absolutely impossible; **there are no pinch points**. Our operating instructions supplied with these items provided specific and detailed information to the customer/ user/operators on the **required** point-of-operation safeguards and the necessity to protect any possible pinch points to ensure operator safety, if any tooling is added or any changes are subsequently made by the user, operator or any third parties.

Contrary to the Plaintiffs' false statement, the untooled system supplied by Starion was indeed equipped with "dual hand safety controls for cycle activation with no repeat, no tie-down feature", as required by O.S.H.A. These standard industry type "dual hand safety" controls force the operator to use *both hands* for cycle activation or so that both hands and all fingers are away from any "pinch points". This safety feature can only be bypassed if the employer/user/operator deliberately made unauthorized *changes* to the electrical controls of the system. This change would qualify as a "machine modification" that will immediately and on its own exclude and hold harmless the component supplier from any further liability (O.S.H.A. case law). In addition, if any injury occurred to the operator's finger, as it is alleged in this claim, it is because the employer failed to install the necessary point-of-operation safeguards, as mandated by O.S.H.A. regulations.

Further, the employer/user evidently failed to set up and utilize his machine in accordance with the "Operating Instructions" contained in the operating manual. Still further, we specifically pointed out to the equipment buyer/user and so as to comply with O.S.H.A. regulations and ANSI Standard B 154.1-1974, that the **employer/user** is responsible for providing point-of-operation safety.

Evidently, for the actual use of this equipment and for any type of production with it, the employer, **after** receipt of the equipment at his plant, *added a press punch or tool (not supplied by Starion)* on the press ram to meet his work requirements and, further, he also *added* one or more locating fixtures/fixture tooling (**not supplied by Starion**) to utilize the system. Starion provided to the buyer/user clear and extensive instructions how to utilize the furnished components, as evidenced by the page *Work Safety - Point of Operation Safeguards* included in the *Service Information / Operating Instructions* supplied with the equipment and also in the *Work Safety Advisory - March, 1995* which was provided to the employer, again, per attached photocopies.

Since Starion supplied *automation components* only that were strictly *untooled / not finished / not ready for production* and that **could not possibly have caused any harm or injury** by themselves to the operator, there is no need for *product liability insurance*. Accordingly, we had and have no reason or cause to contract any *product liability insurance*. Therefore, **there is no insurance policy to tap or any insurance carrier to contact for an alleged "claim"**. Further, it is likely that any medical expenses allegedly incurred by the injured operator were fully covered by the employer's standard *Workers' Compensation Insurance Policy*.

Due to the poor economic conditions we have experienced over the past (1-2) years, the *financial liabilities* have lately overshadowed the *assets* of *Starion Products Corporation*. For this reason, **we are not in a position to defend this law suit in Clearfield County** by hiring lawyers, experts, O.S.H.A. testimony, medical personnel, etc. to testify in Pennsylvania. Except for the value of some inventory items, there are no other measurable assets available at Starion Products Corporation to adequately fund and defend such litigation.

Therefore, we would respectively ask the Hon. Trial Judge attending to this matter to accept these informal, written arguments in lieu of a personal appearance in the county court by a legal representative of Starion. Once this action is scheduled for a court date, we would ask the Hon. Judge with this specific **motion to dismiss the Plaintiffs' claim in its entirety**.

To summarize, Starion supplied "untooled" equipment that, when delivered to the end user/employer in Pennsylvania, was *not complete or ready for production in any way or form*. It appears that the employer subsequently *added* a press punch and locating fixtures to the Starion components that may have created a pinch point. The *addition* of any tooling items, or any changes in the electrical circuitry, also constitute a *modification* of the equipment. Singarily and combined, any such actions will exclude Starion from any further liability and it will clearly put the burden of point-of-operation safeguards and product safety on the **employer/user**, as indicated in the pertinent O.S.H.A. regulations and ANSI Standard B154.1-1974. That is the federal law and it should be applied accordingly to this case.

Thank you for your consideration in this matter.

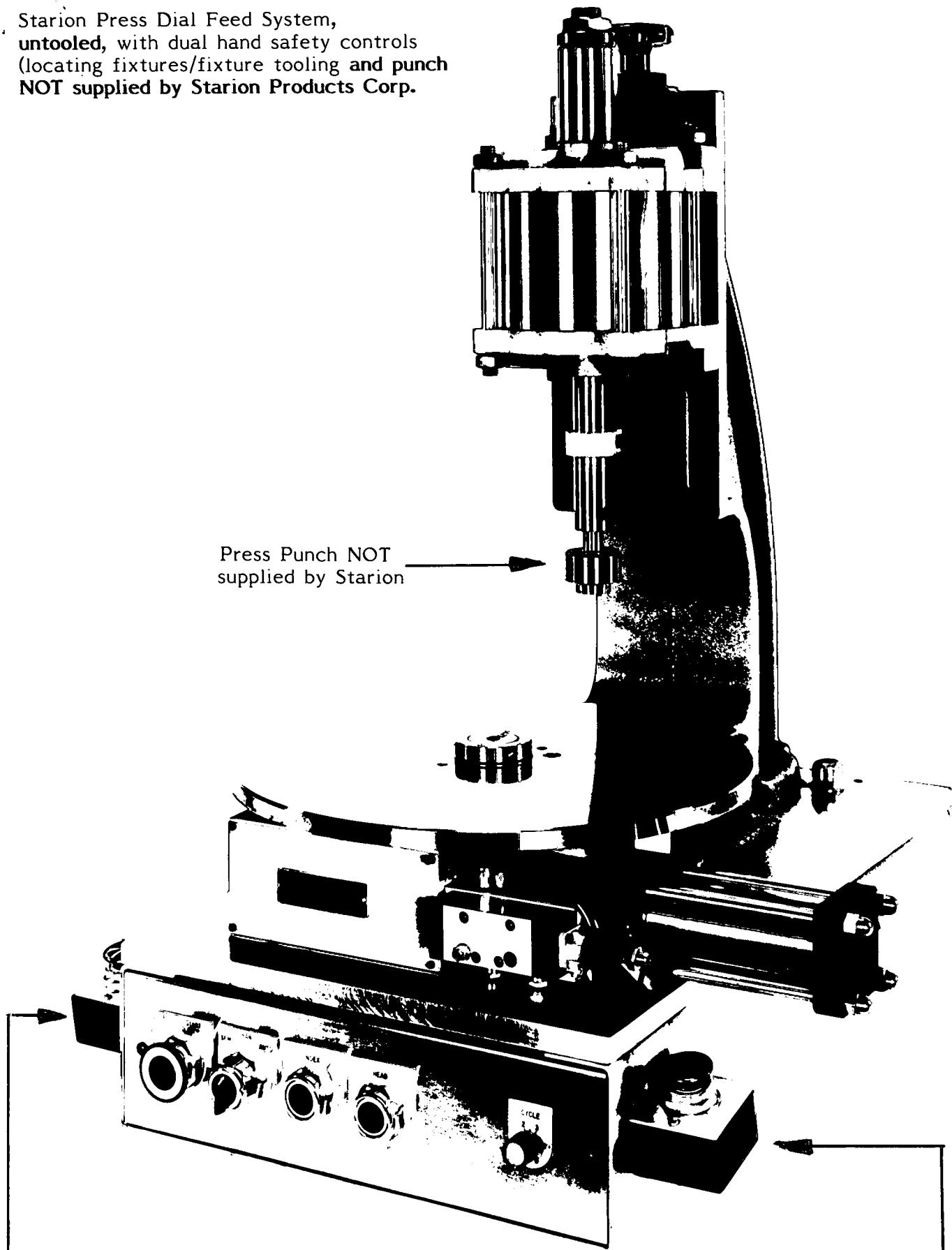
Copy to:
Clearfield County Prothonotary
P.O. Box 549
Clearfield, PA 16830

Sincerely,
STARION PRODUCTS CORPORATION



Werner R. Stutz - Vice President

Starion Press Dial Feed System,
untooled, with dual hand safety controls
(locating fixtures/fixture tooling and punch
NOT supplied by Starion Products Corp.



Dual Hand Safety Controls supplied for
no repeat/no tie down cycle activation

STARION
PRODUCTS CORPORATION

MATTHEW L. KURZWEG, ESQ.
The Fort Pitt Commons Building - Ste. 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219

May 13, 2002

Certified Mail/Return Receipt

Re: Your File Sally Hubler and Kevin Hubler v. Starion Products Corporation
CCP Clearfield County, PA, Docket No. 2002-735-CD

Dear Sir:

Reference is made to your letter of May 10, 2002, along with a Writ of Summons.

We herewith reject any alleged claim for compensation pertaining to "personal injuries ... sustained ... while operating machinery manufactured by Starion Products Corporation".

For the record, we are enclosing the lead page *Work Safety - Point of Operation Safeguards* (1992) that is included in the section *Service Information* of all *Operating Instructions and Parts Manuals* supplied with Starion equipment.

Further, we are attaching the *Work Safety Advisory - March 1995* that was mailed to all users of record of index tables, air presses and dial feed systems supplied by Starion, providing *updated* information on *worker safety*.

STARION supplies automatic dial feed systems, air presses and index tables as "automation components" that are strictly *untooled*. In other words, no locating fixtures or parts holding devices are supplied by Starion with our equipment and **none** of these items supplied by Starion are "enabled and ready for production" or could possibly cause "harm or injury to any operator". For this reason, our operating instructions provide specific and detailed information to the customer/user on the **required** point-of-operation safeguards and the necessity to protect any possible pinch points to ensure operator safety.

As we specifically point out to all equipment buyers and so as to comply with O.S.H.A. regulations and ANSI Standard B 154.1-1974, the **employer/user** is responsible for providing point-of-operation safety.

Sincerely,
STARION PRODUCTS CORPORATION



Werner R. Stutz - Vice President

Attachments:

- Service Information:
- Point of Operation Safeguards*
- Work Safety Advisory - March 1995

STARION

PRODUCTS CORPORATION
ROUTE 22, ROBIN HILL INDUSTRIAL PARK
PATTERSON, NEW YORK 12563
914-878-4411 / Fax: 914-878-4838

SERVICE INFORMATION

Operating Instructions and Parts Manual

OPERATION OF AIR PRESSES, DIAL FEED SYSTEMS AND AUTOMATIC ROTARY INDEX TABLES

WORK SAFETY - POINT OF OPERATION SAFEGUARDS

Due to the diverse nature of various punching, staking, coining, riveting, marking, forming, sizing, pressing, trimming, stamping, embossing and assembly applications, point-of-operation safety equipment cannot be standardized on STARION presses and press systems. In accordance with O.S.H.A. regulations and ANSI Machine Safety Standards, *the employer/user is responsible for providing point-of-operation safety.*

For safe operation, STARION presses and systems are supplied with dual hand safety controls for no-repeat/no tie down operation for use with twin push buttons or activators. The stroke length on presses must be set at 1/4" or less to avoid creating a pinch-point, whenever the operator uses his hands to load the parts directly under the press ram/die/tool.

In certain instances, whenever it is not practical or feasible to use a 2-hand operation, a presence sensing device or finger protection device must be added to the press, usually providing a loop probe around the press tool. If there is any obstruction between the press tool and piece part/locating fixture (the operator's fingers, for example) the press cannot cycle. These devices are available from many vendor sources.

The use of foot controls on machinery lacking effective point-of-operation safeguards can cause serious injury to the operator. Foot controls should only be used where "point-of-operation" and "pinch-point" guarding devices have been properly installed and are utilized so that it is impossible for the operator's hands or fingers to remain within the point-of-operation during the machine cycle. *It is the responsibility of the user to determine the suitability of a foot control (in conjunction with a presence sensing device) for the user's intended use and to determine that the foot control chosen by the user and wiring up and installation of same will comply with all Federal, State and Local safety regulations.*

Compliance with the following portion of the ANSI Machine Safety Standard B11.1 will in many instances correct the possible unsafe condition or eliminate potential hazards: *The employer shall furnish and enforce the use of hand feeding tools, when necessary, with manual feeding methods, to avoid requiring the operator to place his hands or fingers within the point-of-operation.* STARION offers standard slide fixtures and indexing systems to facilitate parts loading away from the point-of-operation for use in conjunction with dual hand safety controls. STARION presses and systems may also be equipped with infrared light curtains, guards (to safeguard possible pinch-points) and safety gates. Such devices must generally be designed and built to suit the particular requirements and may diminish and/or interfere with machine productivity. Names of typical vendor sources are available.

With automatic rotary index tables or on press dial feed systems, safety gates must be installed to safeguard and eliminate pinch points between the fixtures mounted on the dial plate and any (press) tooling or other moving machine parts. If the Buyer/User procures or operates an untooled press dial feed system, it is the responsibility of the employer/user/tooling source for eliminating pinch-points and to provide point-of-operation safeguards.

With regard to machine and point-of-operation guarding, also refer to the Occupation Safety and Health Administrations' General Industry Standards, Part 1910, Title 29 of the Code of Federal Regulations, Subpart O, Sections 1910.211 and 1910.212.

DEFINITIONS:

POINT-OF-OPERATION - The point or area of the machine or equipment where the work piece or material is actually positioned and work is being performed during any process such as punching, staking, stamping, pressing, forming, riveting, assembling, etc...

PINCH-POINT - Any point at which it is possible for a portion of the body to be caught and injured between moving machine or work piece parts.

WORK SAFETY ADVISORY - March 1995

The Main Purpose is Worker Safety

Heightened awareness and concern for worker safety has been, and is, the compelling reason for upgrade and enhancement of the industrial working environment.

Worker safety is an issue of major concern to manufacturers worldwide. OSHA guidelines, ANSI standards, emerging UL standards, and the recently adopted European Machinery Safety Directive are evidence of the emphasis being given to employee safety in the work place.

OSHA Guidelines... and... Requirements

OSHA 1910.212 "General Requirements for all Machines":

"One or more methods of machine guarding shall be provided to protect the operator and other employees from hazard... The guarding device shall be in conformity with any appropriate Standards thereof..."

OSHA 1910.5 "Applicability of Standards":

"Any Standard shall apply according to its terms to any employment and place of employment in any industry even though particular Standards are prescribed for the industry..."

OSHA 1910.212 (3) ii:

"...in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle."

OSHA 1910.6 "Incorporation by Reference":

"The Standards of agencies of the U.S. Government, and organizations which are not agencies of the U.S. Government which are incorporated by reference in this part, have the same force and effect as other Standards in this part..."

OSHA

OSHA, in their booklet #3067, titled Concepts and Techniques of Machine Safeguarding is both specific and all inclusive.

Chapter 1. "Basics of Machine Safeguarding."

"A good rule to remember is: any machine part, function, or process which may cause injury must be safeguarded."

Chapter 5. "The Utilization of Industry Consensus Standards."

"The OSHA standard specifically requires that at the point of operation, 'the guarding device shall be in conformity with any appropriate standards, therefore, or in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.' Applicable standards include any similar OSHA standard or any OSHA adopted industry consensus standard(s) which provide for the safety of the operator during the operating cycle. However, any specific industry consensus standard, such as an ANSI standard for the particular machine or equipment, should be used for guidance relative to the accepted procedures for safeguarding workers and operators from the recognized hazards of the equipment."

OSHA: On Single Fault Failure

1910, 211(62) "Safety System"

"...such that a single failure or single operating error will not cause injury to personnel due to point of operation hazards."

ANSI: On Single Component Failure

ANSI/B11.20-1991-6.13.

E6.13: Control Component Failure protection (control reliability)

"The control system shall be designed, constructed, and installed such that a single control component failure within the system does not prevent stopping action from taking place but will prevent successive system cycles until the failure has been corrected.

This requirement only applies to those components whose failure can result in a hazardous condition."

OSHA: On Guarding

1910.213 (11)

The point of operation of machines whose operation exposes an employee to injury, shall be guarded. The guarding device shall be in conformity with any appropriate standards therefore, or, in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.

American National Standard B11.19-1990

ANSI 4.1.1.4 "The employer shall ensure that barrier guards are installed, maintained, and operated so as to protect against unauthorized adjustment or circumvention by the operator or others."

ANSI 4.1.1.2.2 "(1) All interlocked devices used in conjunction with barrier guards shall be of such quality and design that normal operation will not render them inoperative."

ANSI 4.2.1.2.5 "Movable barrier devices shall prevent the initiation of the machine tool due to a single component failure of the device." Additionally, "they

shall not be easily bypassed by the operator or other unauthorized personnel."

ANSI B11.19 February 1990 1.3.2 existing safeguarding. Within 48 months of the approval date of this standard, all safeguarding, as referenced by the other B11 machine tool safety standards, installed in the United States on machine tools shall be modified by the employer to the extent required to bring them into conformity with the requirements of this standard." OEM's and new machines were to comply by February 1991.

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

OFFICIAL USE	
Postage	\$ 2.10
Certified Fee	1.50
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.94

Postmark
Here

1005 0941 6000 0152 1002

Sent To **Matthew L. Kurzweg, Esq.**
Street, Apt. No., or PO Box No. **445 Fort Pitt Blvd.**
City, State, ZIP+4 **The Fort Pitt Bldg.-Ste. 400
Pittsburgh, PA 15219**

PS Form 3800, January 2001
See Reverse for Instructions

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
Plaintiffs,) No. 02-735-CD
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
Defendant.)

To: Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

Date of Notice: June 21, 2002

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

COURT ADMINISTRATOR
Clearfield County Courthouse

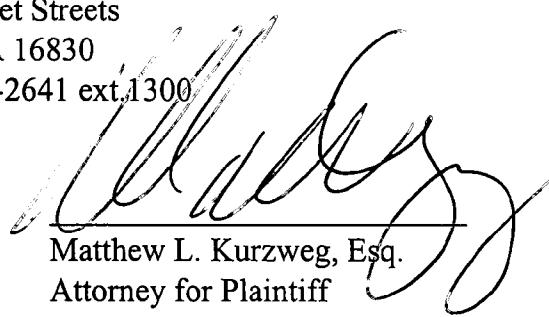
Second & Market Streets
Clearfield, PA 16830

Telephone: (814)765-2641 ext. 1300

FILED

JUN 24 2002
M 10:07 1n0cc

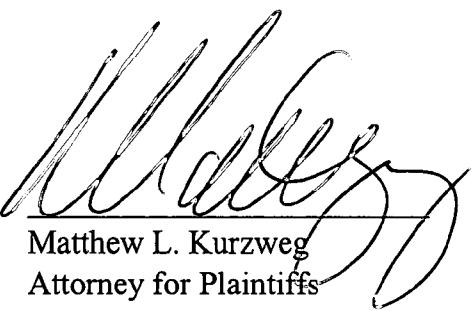
William A. Shaw
Prothonotary


Matthew L. Kurzweg, Esq.
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, Matthew L. Kurzweg, Esq., counsel for Plaintiffs, hereby certify that I have served a true and correct copy of Plaintiffs' Ten Day Notice upon Defendant Starion Products Corporation , at the address below, via first class mail, postage pre-paid, this 21st day of June, 2002:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563



Matthew L. Kurzweg
Attorney for Plaintiffs

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
)
Plaintiffs,) No. 02-735-CD
)
v.)
)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
)
Defendant.)

**PRAECIPE TO ENTER JUDGMENT BY DEFAULT
AGAINST DEFENDANT STARION PRODUCTS CORPORATION.**

TO: Clearfield County Prothonotary

Kindly enter a judgment by default against Defendant Starion Products Corporation, for failure to file a responsive pleading within ten (10) days of service of the Ten Day Notice.

This Judgment is in an amount to be determined at trial.

Please find the attached Notice of Praeclipe to Enter Judgment by Default, and certification of counsel.

FILED

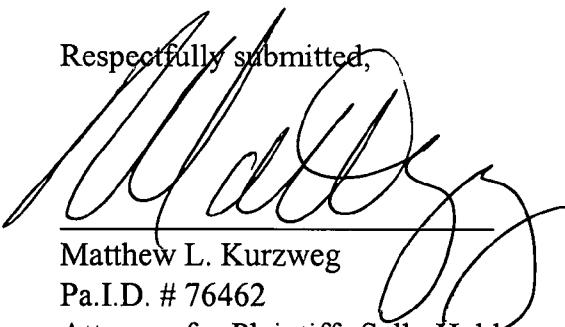
JUL 05 2002

7/12/02
William A. Shaw
Prothonotary, Notice

BS

*to
des
Att'y pd. 20.00*

Respectfully submitted,


Matthew L. Kurzweg
Pa.I.D. # 76462
Attorney for Plaintiffs Sally Hubler and
Kevin Hubler

The Fort Pitt Commons Building, Suite 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219
(412) 281-2211

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
)
Plaintiffs,) No. 02-735-CD
)
v.)
)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
)
Defendant.)

CERTIFICATION OF COUNSEL

I Matthew L. Kurzweg, Esquire, hereby certify that I have served the attached Notice of Praecept to Enter Judgment by Default upon Defendant Starion Products Corporation, via first class mail, postage pre-paid, on June 21, 2002, at the following address:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

Respectfully submitted,

Matthew L. Kurzweg, Esquire
Attorney for Plaintiffs

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
Plaintiffs,) No. 02-735-CD
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
Defendant.)

To: Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

Date of Notice: June 21, 2002

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

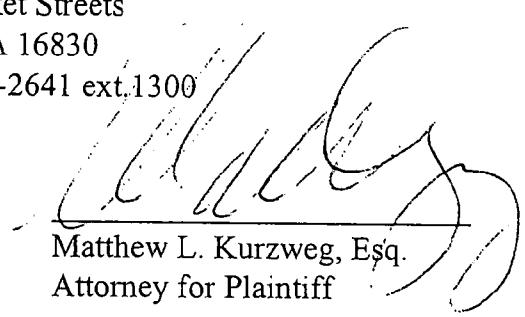
COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
Telephone: (814)765-2641 ext.1300

FILED

JUN 24 2002

10:67

William A. Shaw
Prothonotary


Matthew L. Kurzweg, Esq.
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, Matthew L. Kurzweg, Esq., counsel for Plaintiffs, hereby certify that I have served a true and correct copy of Plaintiffs' Praeclipe to Enter Judgment by Default Against Defendant Starion Products Corporation upon Defendant Starion Products Corporation , at the address below, via first class mail, postage pre-paid, this 3rd day of July, 2002:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

Matthew L. Kurzweg
Attorney for Plaintiffs

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

SALLY HUBLER and KEVIN HUBLER,
wife and husband,

Plaintiffs,

No. 02-735-CD

V.

STARION PRODUCTS CORPORATION,
a foreign corporation.

Defendant.

NOTICE OF ORDER, DECREE OR JUDGMENT

To: Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
65 Jon Barrett Road
Patterson, NY 12563

You are hereby notified that Judgment by Default has been entered against you on July 5,

_____, 2002. The Judgment is in an amount to be determined at trial, plus costs.

William A. Shaw, Prothonotary of Clearfield County

By

If you have any questions concerning the above, please contact:

Attorney filing for Plaintiffs: Matthew L. Kurzweg, Esquire
Fort Pitt Commons Building
445 Fort Pitt Boulevard
Suite 400
Pittsburgh, PA 15219
(412) 281-2211

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

Sally Hubler
Kevin Hubler
Plaintiff(s)

No.: 2002-00735-CD

Real Debt: \$Default Judgment

Atty's Comm:

Vs.

Costs: \$

Int. From:

Starion Products Corporation
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 05, 2002

Expires: July 5, 2007

Certified from the record this July 05, 2002

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
Plaintiffs,) No. 02-735-CD
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
Defendant.)

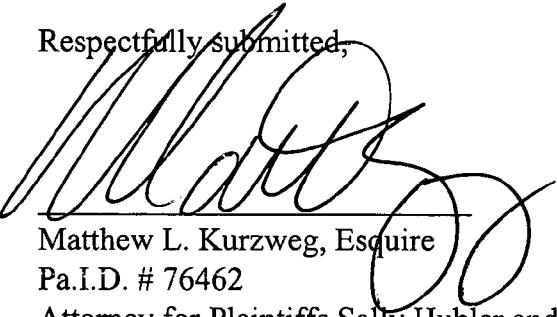
PRAECIPE FOR JURY TRIAL

TO: Clearfield County Prothonotary

Kindly list the above-captioned matter for jury trial. Trial will be for the sole purpose of liquidating the judgment by default entered July 5, 2002.

Please find the attached certification of counsel.

Respectfully submitted,


Matthew L. Kurzweg, Esquire
Pa.I.D. # 76462

Attorney for Plaintiffs Sally Hubler and
Kevin Hubler

FILED

JUL 19 2002

M10411/icc atty Kurzweg
William A. Shaw
Prothonotary *copy CA* *g*
RE

The Fort Pitt Commons Building, Suite 400
445 Fort Pitt Boulevard
Pittsburgh, PA 15219
(412) 281-2211

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

SALLY HUBLER and KEVIN HUBLER,
wife and husband,)
Plaintiffs,) No. 02-735-CD
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation.)
Defendant.)

CERTIFICATION OF COUNSEL

I, Matthew L. Kurzweg, Esquire, counsel for Plaintiffs Sally Hubler and Kevin Hubler, hereby certify that:

1. There are no motions outstanding, discovery has been completed, and this case is ready for trial for the sole purpose of liquidating the judgment by default entered July 5, 2002;
2. This case is to be heard by a jury;
3. Notice of the foregoing Praeclipe for Trial and certification of counsel has been given to Defendant Starion Products Corporation, at the following address:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

~~Respectfully submitted,~~

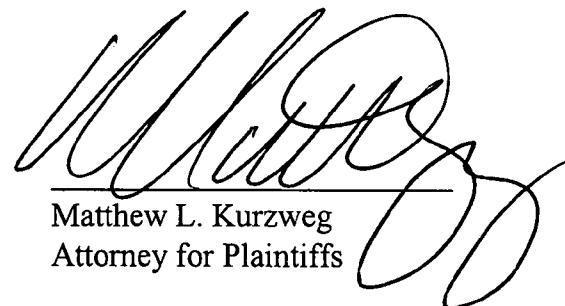
Matthew L. Kurzweg, Esquire
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I, Matthew L. Kurzweg, Esq., counsel for Plaintiffs, hereby certify that I have served a true and correct copy of Plaintiffs' Praeclipe for Jury Trial upon Defendant Starion Products Corporation, at the address below, via first class mail, postage pre-paid, this 17th day of July, 2002:

Starion Products Corporation
Rt. 22, Robin Hill Industrial Park
25 Jon Barrett Road
Patterson, NY 12563

Matthew L. Kurzweg
Attorney for Plaintiffs



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

SALLY HUBLER and KEVIN HUBLER, :

wife and husband :

-VS- : No. 02 - 735 - CD

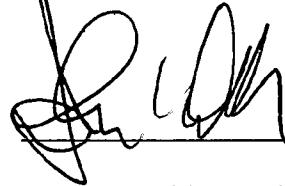
STARION PRODUCTS CORPORATION, :

a foreign corporation :

PRE-TRIAL ORDER

NOW, this 26th day of August, 2002, this being the day and date set for pre-trial conference in the above-captioned matter, Defendant having failed to appear either in person or by counsel, Plaintiffs already having taken default judgment and the only issue remaining is the amount of damages to be awarded, it is the ORDER of this Court that trial on said issue shall be scheduled for Wednesday, November 6, 2002, commencing at 10:00 a.m. before the Court sitting without a jury.

By the Court,



President Judge

FILED

AUG 27 2002

William A. Shaw
Prothonotary

FILED

By CC mail #7099 34100 0010 7886 5560
Fatheson, NY 12563-3165
Rensselaer Industrial Park, R-3A
25 Tom Barrett Road
ICC Warmer E. Shultz, VP Strategic Prod. Corp
01/10/2002 8A AUG 27 2002
ICC Allis Mettawee Lumber Corp
William A. Shaw
Protohontary
Rensselaer Industrial Park, R-3A
25 Tom Barrett Road
ICC Warmer E. Shultz, VP Strategic Prod. Corp
01/10/2002 8A AUG 27 2002
ICC Allis Mettawee Lumber Corp

At Person, NY 12563-3165
RE-33
Rensselaer Industrial Park
25 Tom Barrett Road
Shanon Products Corp.
UICC (Crossed out)
Warmer E. Shultz

Carbonated copy to
Send a carbonated mail

02-735-CD

Order of Aug. 26, 2002,
filed in Aug. 27, 2002.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ 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.		<p>A. Received by (Please Print Clearly) <input type="text"/> B. Date of Delivery <input type="text" value="8 30-02"/></p> <p>C. Signature <input checked="" type="text"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Werner R. Stutz Starion Products Corp. 25 Jon Barrett Road Robin Hill Industrial Pk., Rt 22 Patterson, NY 12563-2165		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.	
2. Article Number (Copy from service label): 7099 3400 0016 7880 5560		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0452

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
Werner R. Stutz, V.P. Starion Products	
2002-735-CD Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Recipient's Name (Please Print Clearly) (to be completed by mailer) Starion Products Corp. 25 Jon Barrett Rd., Robin Hill Park Patterson, NY 12563-2165	

PS Form 3800, February 2000

See Reverse for Instructions

FILED
m/10:50 AM
SEP 03 2002

William A. Shaw
Prothonotary

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

F I L E D

NOV 15 2002

SALLY HUBLER and KEVIN HUBLER, :
wife and husband :
: :
-vs- :
: :
STARION PRODUCTS CORPORATION, :
a foreign corporation :
:

William A. Shaw
Prothonotary

No. 02 - 735 - CD

OPINION AND ORDER

On March 28, 2001, Plaintiff Sally Hubler's left index finger became entangled in a rotary table press, a product of Defendant Starion Products Corporation. As a result, Plaintiff underwent two corrective surgeries, ultimately resulting in the amputation of the first two joints of said index finger. Based thereon, she filed a Complaint to the above caption against said Defendant seeking damages on her own behalf and has been joined by her husband who seeks damages for loss of consortium.

Unfortunately, the Defendant has not been represented by counsel throughout the entire proceeding and on July 5, 2002, default judgment was entered in favor of the Plaintiff and against the Defendant on Plaintiff's praecipe. The matter came before this Court on November 6, 2002, to determine the amount of damages to be awarded to Plaintiff and against the Defendant. Again, the Defendant was not represented by counsel nor did he appear in person at said trial.

At that time, Plaintiff presented testimony and exhibits indicating expenses for medical bills in the amount of \$14,476.04 and lost wages in the amount of \$1,575.57 for a total of \$16,051.61 representing her liquidated damages. In addition thereto, this Court awards to her for the pain and suffering, disfigurement, embarrassment and humiliation, and loss of the enjoyment of life that she has undergone and will undergo in the future the amount of \$40,000

for a total award to the Plaintiff, Sally Hubler in the amount of \$56,051.61. This Court makes no award to the Plaintiff Kevin Hubler for loss of consortium.

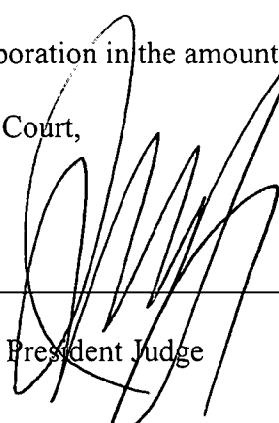
WHEREFORE, the Court enters the following:

ORDER

NOW, this 14th day of November, 2002, following hearing to determine the amount of damages to be awarded to Plaintiff above-named in the above-captioned matter, it is the ORDER of this Court that judgment shall be and is hereby entered in favor of Plaintiff Sally Hubler and against Defendant Starion Products Corporation in the amount of \$56,051.61.

By the Court,

President Judge



William A. Shaw
Prothonotary

REC'D. M.J. Lessard
NOV 15 2002

019153742 REC'D. - address in full on cover
REC'D. M.J. Lessard
FILED

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

SALLY HUBLER and KEVIN HUBLER,
wife and husband,
Plaintiffs
v.
STARION PRODUCTS CORPORATION,
a foreign corporation,
Defendant
)

)
)

) No. 02 - 735 - CD
)

) **PRAECIPE TO ENTER APPEARANCE**
)

) Filed on behalf of Plaintiffs
)

) Counsel of Record for this
)

) Party:
)

) John G. Achille, Esquire
)

) PA Supreme Court ID# 28431
)

) ACHILLE, ELLERMAYER & FRENCH
)

) Attorneys at Law
)

) 379 Main Street
)

) Brookville, PA 15825-1221
)

) (814) 849-6701
)

)
)

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FILED

AUG 21 2003

William A. Shaw
Prothonotary/Clerk of Courts

SALLY HUBLER and KEVIN HUBLER,
wife and husband,
Plaintiffs
v.
STARION PRODUCTS CORPORATION,
a foreign corporation,
Defendant

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY, PENNSYLVANIA
)
) No. 02 - 735 - CD
)
)
)
)
)
)
)

PRAECIPE TO ENTER APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance for the Plaintiffs in the
above-captioned action.

Respectfully submitted,

Date: 8-20-03


John G. Achille, Esquire
For Plaintiffs

pc: Matthew L. Kurzweg, Esquire
Richard Salzman, Esquire
STARION PRODUCTS CORPORATION

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

SALLY HUBLER and KEVIN HUBLER,)
wife and husband,)
Plaintiffs) No. 02 - 735 - CD
v.)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
Defendant)
) NOTICE OF SERVICE OF
) INTERROGATORIES AND REQUEST
) FOR PRODUCTION OF DOCUMENTS
) PROPOUNDED TO DEFENDANT FOR
) THE PURPOSE OF DISCOVERY OF
) ASSETS OF THE DEFENDANT
) PURSUANT TO RULE 3117 OF THE
) PENNSYLVANIA RULES OF CIVIL
) PROCEDURE
)
) Filed on behalf of Plaintiffs
)
) Counsel of Record for this
) Party:
)
) John G. Achille, Esquire
) PA Supreme Court ID# 28431
) ACHILLE, ELLERMAYER & FRENCH
) Attorneys at Law
) 379 Main Street
) Brookville, PA 15825-1221
) (814) 849-6701

FILED

AUG 21 2003

William A. Shaw
Prothonotary/Clerk of Courts

SALLY HUBLER and KEVIN HUBLER, wife and husband,)	COURT OF COMMON PLEAS OF
)	CLEARFIELD COUNTY,
)	PENNSYLVANIA
Plaintiffs)	
v.)	No. 02 - 735 - CD
)	
STARION PRODUCTS CORPORATION, a foreign corporation,)	
)	
Defendant)	

**NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS PROPOUNDED TO DEFENDANT FOR
THE PURPOSE OF DISCOVERY OF ASSETS OF THE DEFENDANT
PURSUANT TO RULE 3117 OF THE PENNSYLVANIA
RULES OF CIVIL PROCEDURE**

I certify on the date set forth below a true and correct copy of Interrogatories and Request for Production of Documents Propounded to Defendant for the Purpose of Discovery of Assets was served on the following via First Class U.S. Mail:

Matthew L. Kurzweg, Esquire
The Fort Pitt Commons Bldg., Suite 400
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

Richard Salzman, Esquire
SALZMAN AND SALZMAN, LLP
26 Court Street
Brooklyn, NY 11242

David E. Rundquist, Jr., Esquire
Brant & Associates
Waterdam Commons
161 Waterdam Road, Suite 250
McMurray, PA 15317

Date: 8-20-03


John G. Achille, Esquire
For Plaintiffs
PA Supreme Court ID #28431

ACHILLE, ELLERMAYER & FRENCH
Attorneys at Law
379 Main Street
Brookville, PA 15825-1221
(814) 849-6701

SEP 15 2003

William A. Shaw
Prothonotary

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

FILED

SEP 15 2003

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William A. Shaw
Prothonotary

SALLY HUBLER and KEVIN HUBLER,) COURT OF COMMON PLEAS OF
wife and husband,) CLEARFIELD COUNTY,
) PENNSYLVANIA
Plaintiffs)
v.) No. 02 - 735 - CD
)
STARION PRODUCTS CORPORATION,)
a foreign corporation,)
)
Defendant)

NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS PROPOUNDED TO DEFENDANT FOR
THE PURPOSE OF DISCOVERY OF ASSETS OF THE DEFENDANT
PURSUANT TO RULE 3117 OF THE PENNSYLVANIA
RULES OF CIVIL PROCEDURE

I certify on the date set forth below a true and correct copy of Interrogatories and Request for Production of Documents Propounded to Defendant for the Purpose of Discovery of Assets was served on the following via First Class U.S. Mail:

Werner R. Stutz, Vice-President
Starion Products Corporation
25 Jon Barrett Road
Robin Hill Industrial Park
Patterson, NY 12563-2165

Date: 9-12-03


John G. Achille, Esquire
For Plaintiffs
PA Supreme Court ID #28431

ACHILLE, ELLERMAYER & FRENCH
Attorneys at Law
379 Main Street
Brookville, PA 15825-1221
(814) 849-6701

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

SALLY HUBLER and KEVIN HUBLER,) CIVIL ACTION - LAW
wife and husband,)
Plaintiffs,) No. 02 - 735 - CD
)
v.)
STARION PRODUCTS)
CORPORATION,)
a foreign corporation,)
Defendant.)

FILED
013:49 AM 15 SEP 2006 Amy Achille
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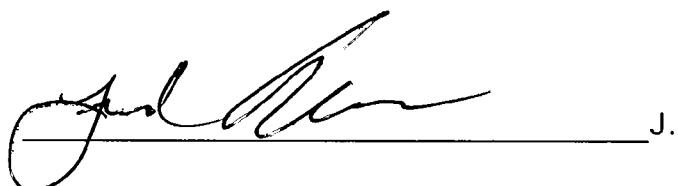
William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW this 14 day of September, 2006, upon consideration
of the foregoing Motion to Compel,

IT IS HEREBY ORDERED, DIRECTED AND DECREED that the Defendant Starion
Products Corporation, shall have thirty (30) days from the date of this order to answer
Plaintiff's Interrogatories and Request for Production of Documents which are
necessary to satisfy part or all of any judgment entered in this action or to suffer such
sanctions as the Court shall impose.

BY THE COURT



J.

FILED

SEP 15 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 9/15/06

You are responsible for serving all appropriate parties.

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

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

DA

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

SALLY HUBLER and KEVIN HUBLER,) CIVIL ACTION - LAW
wife and husband,)
Plaintiffs,) No. 02 - 735 CD
)
v.)
STARION PRODUCTS)
CORPORATION,)
a foreign corporation,)
Defendant..)

FILED

SEP 13 2006
m/11:15/2006
William A. Shaw
Prothonotary/Clerk of Courts
No 4/2006

MOTION TO COMPEL DISCOVERY

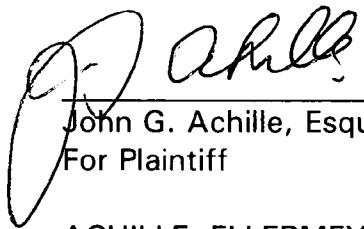
COMES NOW the Plaintiffs, Sally Hubler and Kevin Hubler, wife and husband, by and through their undersigned attorneys, and files the following Motion to Compel Discovery:

1. Plaintiff obtained a Judgement against the Defendants in the above captioned matter on August 27, 2002..
2. Three years ago, on August 21, 2003, Plaintiff's counsel forwarded to Defendant Starion Products Corporation, Plaintiff's Interrogatories and Request for Production of Documents Propounded to Defendant Starion Products Corporation.
3. Over thirty (30) days have passed since Defendant Starion Products Corporation was served with this discovery and, to date, Defendant has failed to respond to this discovery request.

4. Plaintiff is entitled to an order compelling Defendant Starion Products Corporation to answer Plaintiff's Interrogatories and Request for Production of Documents which are necessary to satisfy part or all of any judgment entered in this action.

WHEREFORE, Plaintiff requests that this Court compel Defendant Starion Products Corporation to answer Plaintiff's Interrogatories and Request for Production of Documents within thirty (30) days or to suffer such sanctions as the Court shall impose.

Date: September 11, 2006



John G. Achille, Esquire
For Plaintiff

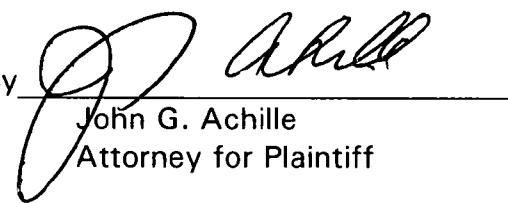
ACHILLE, ELLERMEYER & FRENCH
Attorneys at Law
379 Main Street
Brookville, PA 15825-1221
(814) 849-6701

CERTIFICATE OF SERVICE

I hereby certify that on the 12 day of September, 2006, Plaintiffs, Sally Hubler and Kevin Hubler, served the foregoing Motion to Compel Discovery on the above-named Defendant Starion Products Corporation by serving a copy of the same by first class mail, postage prepaid, addressed as follows:

Werner R. Stutz, Vice President
Starion Products Corporation
25 Jon Barrett Road
Robin Hill Industrial Park
Route 22
Patterson, NY 12563-2165

By



John G. Achille
Attorney for Plaintiff

Called
9-18-
abs. Diane
No arg. needed per
Diane. R7W

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

SALLY HUBLER and KEVIN HUBLER,) CIVIL ACTION - LAW
wife and husband,)
Plaintiffs,) No. 02 - 735 CD
v.)
) Type of Pleading:
STARION PRODUCTS) REVISED PRAECIPE FOR ARGUMENT
CORPORATION,)
a foreign corporation,) Filed on behalf of Plaintiff
Defendant.)
) Counsel of Record for this Party:
)
) John G. Achille, Esquire
) Pa. I.D. # 28431
)
) ACHILLE, ELLERMEYER & FRENCH
) Attorneys at Law
) 379 Main Street
) Brookville, PA 15825-1221
) (814) 849-6701

FILED NO CC
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William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

SALLY HUBLER and KEVIN HUBLER,) CIVIL ACTION - LAW
wife and husband,)
) No. 02 - 735 CD
Plaintiffs,)
)
)
v.)
)
)
STARION PRODUCTS)
CORPORATION,)
a foreign corporation,)
)
Defendant..)

PRAECIPE FOR ARGUMENT

TO THE PROTHONOTARY:

Kindly submit this matter to the Court for Argument only.

1. The matter to be submitted for argument is a Motion to Compel Discovery.
2. Oral argument is not required.
3. This is a discovery matter.
4. I certify that notice has been given to all counsel of record and to all unrepresented parties of record of the filing of this Praecipe.

Dated: September 13, 2006



John G. Achille
ACHILLE, ELLERMEYER & FRENCH
Attorneys at Law
379 Main Street
Brookville, PA 15825-1221
(814) 849-6701

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 2006, Plaintiffs, Sally Hubler and Kevin Hubler, served the foregoing Praeclipe for Argument on the following by serving a copy of the same by first class mail, postage prepaid, addressed as follows:

Werner R. Stutz, Vice President
Starion Products Corporation
25 Jon Barrett Road
Robin Hill Industrial Park
Route 22
Patterson, NY 12563-2165

By 
John G. Achille
Attorney for Plaintiff

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

SALLY HUBLER and KEVIN HUBLER,
wife and husband.

Plaintiffs,

1

STARION PRODUCTS CORPORATION,
a foreign corporation,
Defendant

) CIVIL ACTION - LAW
)
) No. 02 - 735 - CD
)
) Type of Pleading:
) **REVISED MOTION TO COMPEL**
) **DISCOVERY**
)
) Filed on behalf of Plaintiff
)
) Counsel of Record for this Party:
)
) John G. Achille, Esquire
) Pa. I.D. # 28431
)
) ACHILLE, ELLERMEYER & FRENCH
) Attorneys at Law
) 379 Main Street
) Brookville, PA 15825-1221
(814) 849-6701

FILED
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William A. Shaw
Prothonotary/Clerk of Courts

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

SALLY HUBLER and KEVIN HUBLER,) CIVIL ACTION - LAW
wife and husband,)
) No. 02 - 735 - CD
Plaintiffs,)
)
v.)
)
STARION PRODUCTS)
CORPORATION,)
a foreign corporation,)
Defendant.)

ORDER

AND NOW this _____ day of _____, 2006, upon consideration
of the foregoing Motion to Compel,

IT IS HEREBY ORDERED, DIRECTED AND DECREED that the Defendant Starion
Products Corporation, shall have thirty (30) days from the date of this order to answer
Plaintiff's Interrogatories and Request for Production of Documents which are
necessary to satisfy part or all of any judgment entered in this action or to suffer such
sanctions as the Court shall impose.

BY THE COURT

J.

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

SALLY HUBLER and KEVIN HUBLER,) CIVIL ACTION - LAW
wife and husband,)
) No. 02 - 735 CD
Plaintiffs,)
)
v.)
)
STARION PRODUCTS)
CORPORATION,)
a foreign corporation,)
Defendant..)

MOTION TO COMPEL DISCOVERY

COMES NOW the Plaintiffs, Sally Hubler and Kevin Hubler, wife and husband, by and through their undersigned attorneys, and files the following Motion to Compel Discovery:

1. Plaintiff obtained a Judgement against the Defendants in the above captioned matter on August 27, 2002..
2. Three years ago, on August 21, 2003, Plaintiff's counsel forwarded to Defendant Starion Products Corporation, Plaintiff's Interrogatories and Request for Production of Documents Propounded to Defendant Starion Products Corporation.
3. Over thirty (30) days have passed since Defendant Starion Products Corporation was served with this discovery and, to date, Defendant has failed to answer discovery request, a copy of which is enclosed.

4. Plaintiff is entitled to an order compelling Defendant Starion Products Corporation to answer Plaintiff's Interrogatories and Request for Production of Documents which are necessary to satisfy part or all of any judgment entered in this action.

WHEREFORE, Plaintiff requests that this Court compel Defendant Starion Products Corporation to answer Plaintiff's Interrogatories and Request for Production of Documents within thirty (30) days or to suffer such sanctions as the Court shall impose.

Date: September 13, 2006



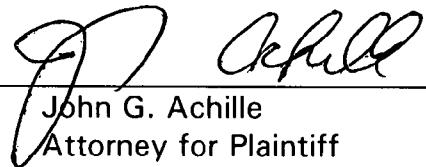
John G. Achille, Esquire
For Plaintiff

ACHILLE, ELLERMEYER & FRENCH
Attorneys at Law
379 Main Street
Brookville, PA 15825-1221
(814) 849-6701

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 2006, Plaintiffs, Sally Hubler and Kevin Hubler, served the foregoing Motion to Compel Discovery on the above-named Defendant Starion Products Corporation by serving a copy of the same by first class mail, postage prepaid, addressed as follows:

Werner R. Stutz, Vice President
Starion Products Corporation
25 Jon Barrett Road
Robin Hill Industrial Park
Route 22
Patterson, NY 12563-2165

By 
John G. Achille
Attorney for Plaintiff

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

SALLY HUBLER and KEVIN)
HUBLER,)
wife and husband,) No. 02 - 735 - CD
)
Plaintiffs)
) INTERROGATORIES AND REQUEST
) FOR PRODUCTION OF DOCUMENTS
) PROPOUNDED TO DEFENDANT FOR
) THE PURPOSE OF DISCOVERY OF
) ASSETS OF THE DEFENDANT
) PURSUANT TO RULE 3117 OF THE
) PENNSYLVANIA RULES OF CIVIL
) PROCEDURE
v.)
STARION PRODUCTS)
CORPORATION,)
a foreign corporation,)
Defendant)
) Filed on behalf of Plaintiffs
)
) Counsel of Record for this
) Party:
)
) John G. Achille, Esquire
) PA Supreme Court ID# 28431
)
) ACHILLE, ELLERMAYER & FRENCH
) Attorneys at Law
) 379 Main Street
) Brookville, PA 15825-1221
) (814) 849-6701

7. State whether or not you own individually or jointly any government bonds. If so, include the face amount, serial numbers and maturity dates and names and addresses of co-owners, if any, and state the present location thereof.

8. State whether or not you have any corporate stocks, shares or interest in any unincorporated association or partnership interest, limited or general and state the location thereof. Include the names and addresses of the organizations and the serial numbers of the shares of stocks.

9. State whether or not you maintain any checking account. If so, state the name and location of the banks and the branch or branches thereof, the identification numbers of those accounts, and the amount or amounts you have in each account. State further whether or not you maintain any savings account and include the name of the bank or banks or branches or amount of amounts; or with any savings and loan association or building and loan association or credit union. If you maintain any of these jointly with another person, give their names and addresses, including corporate, partnership or other legal entities indicating any transfers and the consideration for the transfer.

13. State whether you are a beneficiary of any trust fund and or a retirement account, and if so, state the names and the addresses of the trustees and the amount of payment or account and where it is received.

14. State whether or not you own any personal property. Include a full description of all equipment, furnishings and any other items of personal property (including jewelry) with full description, value and present location. State also whether or not there are any encumbrances on that property and if so, the names and addresses of the encumbrance holder, the date of the encumbrance, the original amount of that encumbrance, the present balance of that encumbrance and the transaction which gave rise the existence of the encumbrance.

a) List the same for any such assets which have been sold, transferred or otherwise disposed of since January 1, 2002, indicating the consideration given to you.

15. List all property, real personal or mixed, owned in part by you either as tenant in common, joint tenant, or in any other form of partial ownership. Indicate whether this ownership has changed since January 1, 2002, either by conveyance by title or deed, by gift, or by any legal conveyance whatsoever indicating what consideration was given to you in the exchange.

and the encumbrance, the original amount of that encumbrance, the present balance of that encumbrance and the transaction which gave rise to the existence of the encumbrance.

20. State whether you are the recipient of any payments and if so, state specifically the source of payment, the amount and the date when the payments are received.

21. Set forth any other information concerning any property you own or in the future have or will have an interest.

22. Indicate all payments received or made outside the ordinary course of your daily business expenses which have been made within the last six months or involved transactions involving more than \$400.

23. Please state whether you are presently in business? If so, give the name and address of your employees and job

28. List all trailers, trucks, earth moving equipment, drilling machines, cars, or equipment, owned or titled in your name or any partnership, corporation, or other entity in which you owned or controlled any interest whatsoever since January 1, 2002.

a) List the location for each item identified in No. 28.

29. Furnish all documents, e.g. titles, sales agreements, insurance cards, license plates, bill of sale or any other proof of ownership of such trailers, trucks, cars, or equipment from the period of January 1, 2002, through the present.

30. List all conveyances of motor vehicles, cars, trucks, trailers, or equipment used with such vehicles made by you whether individually, or through a corporation, partnership, or other entity in which you owned or held an interest either directly or through a representative since January 1, 2002.

34. State what your income has been for the last 3 years.

35. Have you ever applied for credit with anyone? If so, please identify with whom, specify names, addresses, telephone numbers, the purpose and what if any credit was extended.

36. Please state your current and permanent address and telephone number. If you use more than one address and/or telephone number, list all you currently use.

37. Specify what projects you are currently working on, the address where they are located, the work being done, when payment is to be received and how much you will receive.

VERIFICATION

I, the undersigned, being duly sworn according to law, depose and say that I am the duly authorized representative for the Defendant, Starion Products Corporation, have the authority to certify said answers are true and correct to the best of my information, knowledge and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Title:

Name:

SALLY HUBLER and KEVIN HUBLER, wife and husband,)	COURT OF COMMON PLEAS OF
)	CLEARFIELD COUNTY,
)	PENNSYLVANIA
Plaintiffs)	
v.)	No. 02 - 735 - CD
)	
STARION PRODUCTS CORPORATION, a foreign corporation,)	
)	
Defendant)	

**NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS PROPOUNDED TO DEFENDANT FOR
THE PURPOSE OF DISCOVERY OF ASSETS OF THE DEFENDANT
PURSUANT TO RULE 3117 OF THE PENNSYLVANIA
RULES OF CIVIL PROCEDURE**

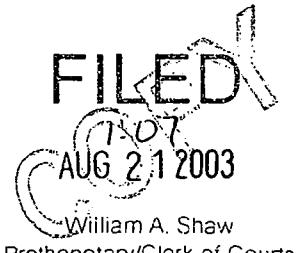
I certify on the date set forth below a true and correct copy of Interrogatories and Request for Production of Documents Propounded to Defendant for the Purpose of Discovery of Assets was served on the following via First Class U.S. Mail:

Matthew L. Kurzweg, Esquire
The Fort Pitt Commons Bldg., Suite 400
445 Fort Pitt Blvd.
Pittsburgh, PA 15219

Richard Salzman, Esquire
SALZMAN AND SALZMAN, LLP
26 Court Street
Brooklyn, NY 11242

David E. Rundquist, Jr., Esquire
Brant & Associates
Waterdam Commons
161 Waterdam Road, Suite 250
McMurray, PA 15317

Date: 8-20-03



John G. Achille
John G. Achille, Esquire
For Plaintiffs
PA Supreme Court ID #28431

ACHILLE, ELLERMAYER & FRENCH
Attorneys at Law
379 Main Street
Brookville, PA 15825-1221
(814) 849-6701

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

SALLY HUBLER and KEVIN HUBLER,
Wife and Husband,

Plaintiffs,

vs.

STARION PRODUCTS CORPORATION,
a foreign corporation,

Defendant.

: Civil Action - Law
:
: No. 2002 CD 735
:
: Type of Pleading: NOTICE OF SERVICE
: OF INTERROGATORIES AND REQUEST
: FOR PRODUCTION OF DOCUMENTS
: IN AID OF EXECUTION
:
: Filed on behalf of Plaintiffs
:
: Counsel for this Party:
:
: John G. Achille, Esquire
: 379 Main Street
: Brookville, PA 15825
: 814-849-6701
: I.D. No. 28431

S-
FILED
M 11:30 AM
SEP 14 2010
NO
cc
W.A. Shaw
Prothonotary/Clerk of Courts

John G. Achille, Esquire
379 Main Street
Brookville, PA 15825
I.D. No. 28431

Attorney for Plaintiffs

SALLY HUBLER and KEVIN HUBLER, : IN THE COURT OF COMMON PLEAS OF
Wife and Husband, : CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs, :
: CIVIL ACTION - LAW
vs. :
: No. 2002 CD 735
STARION PRODUCTS CORPORATION, :
a foreign corporation, :
Defendant. :
:

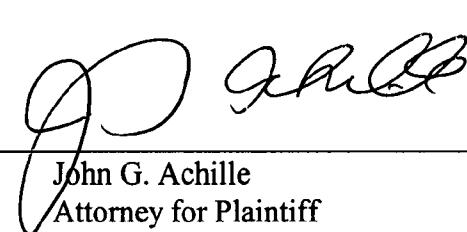
**NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS IN AID OF EXECUTION**

TO THE PROTHONOTARY:

You are hereby notified that on the 13 day of September, 2010, Plaintiffs, by and through their attorney John G. Achille, Esquire, served Interrogatories and Request for Production of Documents in Aid of Execution on Defendant, by serving the original via first class mail, postage prepaid to the following address:

Werner R. Stutz, Vice President
Starion Products Corporation
25 Jon Barret Road
Robin Hill Industrial Park
Patterson, NY 12563-2165

By



John G. Achille
Attorney for Plaintiff