

02-802-00  
RICHARD A. HELSEL -vs- JOSEPH F. KANE

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

Richard A. Helsel  
Plaintiff(s)

No.: 2002-00802-CD

Real Debt: \$33,914.00

Atty's Comm:

Vs.

Costs: \$

Int. From:

Joseph F. Kane  
Defendant(s)

Entry: \$20.00

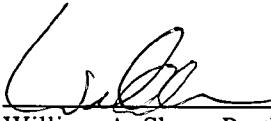
H & K Properties, Inc, Richard  
T. Hughes, His Agents and Attorneys

Instrument: Upon Admission by Garnishee

Date of Entry: October 9, 2002

Expires: October 9, 2007

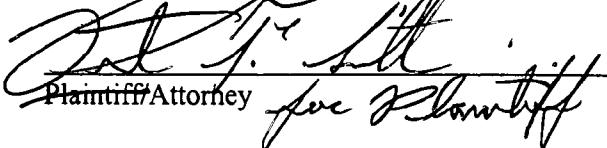
Certified from the record this October 9, 2002

  
\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on Oct 11, 2002, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

  
\_\_\_\_\_  
Plaintiff/Attorney for Plaintiff

**FILED**  
Atty Smith  
Pd. 7.00  
013:21 AM  
OCT 14 2002 3 Sat. to  
Atty E  
KES  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2002-00802-CD

Richard A. Helsel

Debt: \$33,914.00

Vs.

Atty's Comm.:

Joseph F. Kane

H & K Properties, Inc., Richard  
T. Hughes, His Agents and Attorneys

Interest From:

Cost: \$7.00

NOW, Monday, October 14, 2002 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 14th day of October, A.D. 2002.

---

Prothonotary

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

RICHARD A. HELSEL, : No. 2002- 802-CJ  
Plaintiff :  
: :  
: :  
: :  
vs. : :  
: :  
: :  
JOSEPH F. KANE, : :  
Defendant : :  
: :

**AFFIDAVIT PURSUANT TO Pa.R.C.P. 2951**

COMES NOW, Richard A. Helsel, Plaintiff in the above-captioned matter, who being duly sworn according to law deposes and says:

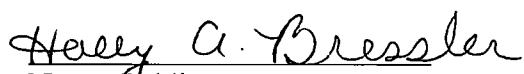
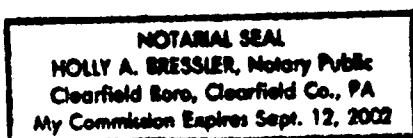
1. My full name and address is Richard A. Helsel, 399 Clearfield Street, Clearfield, PA 16830. I am over 18 years of age and otherwise competent to make this Affidavit.
2. I am the Lender named in the Note and familiar with the loan at issue in this action.
3. As stated in the Note itself, this was a commercial loan used for business purposes.

Further, the deponent sayeth not.

Date:

  
Richard A. Helsel

SWORN AND SUBSCRIBED  
before me this 17<sup>th</sup> day of May, 2002.

  
Notary Public

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
: :  
: :  
: :  
vs. : :  
: :  
: :  
: :  
JOSEPH F. KANE, :  
Defendant : :  
: :

**CERTIFICATE OF ADDRESS**

I, Peter F. Smith, attorney for Plaintiff, certify that to the best of my information, knowledge and belief, the correct address of the Plaintiff and the last known address of the Defendant are:

Plaintiff: Richard A. Helsel  
399 Clearfield Street  
Clearfield, PA 16830

Defendant: Joseph F. Kane  
9 Gulich Avenue  
Clearfield, PA 16830

Date: May 13, 2002



Peter F. Smith,  
Attorney for Plaintiff

**FILED**

No CC

01/25/02 Atty pd. 20.00  
MAY 20 2002

Notice to Def - at both home & business  
addresses  
William A. Shaw  
Prothonotary  
Statement to Atty G

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

**COPY**

Richard Helsel  
Plaintiff(s)

No.: 2002-00802-CD

Real Debt: \$32,100.00

Atty's Comm:

Vs. Costs: \$

Int. From:

Joseph F. Kane  
Defendant(s)

Entry: \$20.00

Instrument: Confession of Judgment

Date of Entry: May 20, 2002

Expires: May 20, 2007

Certified from the record this 20th day of May, 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.

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Plaintiff/Attorney

**COPY**

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

RICHARD A. HELSEL,  
Plaintiff

No. 2002- 802- C

vs.

JOSEPH F. KANE,  
Defendant

Notice is given that a judgment has been entered of record in Clearfield County against Joseph F. Kane, Defendant, and in favor of the Plaintiff in the amount of \$32,100.00 plus interest and costs.

**Prothonotary**

By \_\_\_\_\_, Deputy

Rule of Civil Procedure No. 236

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

**COPY**

RICHARD A. HELSEL,  
Plaintiff

No. 2002- 802-CD

vs.

JOSEPH F. KANE,  
Defendant

Notice is given that a judgment has been entered of record in Clearfield County against Joseph F. Kane, Defendant, and in favor of the Plaintiff in the amount of \$32,100.00 plus interest and costs.

**Prothonotary**

By \_\_\_\_\_, Deputy

Rule of Civil Procedure No. 236

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
vs. :  
JOSEPH F. KANE, :  
Defendant :  
& :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

**FILED**

OCT 09 2002

o/4:00/16 *Shaw*  
William A. Shaw  
Prothonotary

NOTICE TO DEFENDANT  
&  
GARNISHEES

**PREACIPE TO ENTER JUDGMENT UPON ADMISSION BY GARNISHEE**

To: William A. Shaw, Sr., Prothonotary

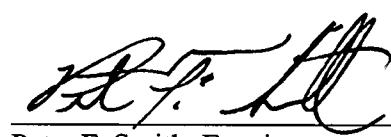
Dear Sir:

I attach hereto and incorporate herein by reference true and correct Answers to Interrogatories I served upon the Garnishees in the above-captioned matter. You will note that Attorney John R. Ryan, attorney for Garnishee Richard D. Hughes, admits to holding \$40,000.00 that was to be paid to the Defendant, Joseph F. Kane.

Pursuant to Pa.R.C.P. 3146(b), I request that you enter judgment against the Garnishee as follows:

a)	Principal	\$32,100.00
b)	Interest from 5/7/02 through 10/6/02 at 7% per annum	\$ 874.00
c)	Interest accruing after 10/6/02 at \$5.75 per day (to be added)	\$ _____
d)	Costs of Suit to date	\$ 290.00
e)	Attorneys fees to date	\$ 650.00
	Preliminary Total	\$33,914.00
	<b>GRAND TOTAL</b>	\$ _____

Date: *10-9-02*

  
Peter F. Smith, Esquire  
Attorney for Plaintiff

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

RICHARD A. HELSEL,  
Plaintiff

No. 2002-802-CD

vs.

JOSEPH F. KANE,  
Defendant

&

H & K PROPERTIES, INC., RICHARD  
T. HUGHES, His Agents and Attorneys  
Garnishees

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

OCT 08 2002

Attest.

*W.C. B. H.*  
Prothonotary/  
Clerk of Courts

ANSWERS TO  
INTERROGATORIES IN AID OF EXECUTION

To: H & K Properties, Inc.  
Richard T. Hughes  
John, R. Ryan, Attorney

You are required to file written answers to the following interrogatories within 20 days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served, or at any subsequent time, did you owe the Defendant any money, under a mortgage, note, sales agreement, contract or otherwise, or are you liable to him on any negotiable or other written instrument, or did he claim that you owed him money, or were liable to him for any reason?

Yes

2. If the answer to the foregoing interrogatory is affirmative, please state the nature of the obligation, the date on which it arose, the original amount, the current balance due, the final maturity, applicable interest rate, if any, the date of your last payment, and the party and address to whom it was made.

2. Garnishee Richard T. Hughes had entered into an agreement with Joseph F. Kane to purchase Kane's ownership interest in a corporation known as H & K Properties, Inc. Pursuant to said agreement, Hughes was to pay Kane the sum of \$40,000 and Kane would transfer to Hughes, his share of the corporate stock. Payment was not made due to receipt of notice of Writ of Execution and Interrogatories. The \$40,000 in question has been escrowed by John R. Ryan, attorney for Garnishee Richard T. Hughes.

3. At the time you were served, or at any time subsequent time, was there in your possession, custody or control, or in the joint possession, custody or control, of yourself or one or more other persons any property of any nature owned solely, or in part, by the Defendant? If so, please describe that property.

Yes. See answer to No. 2 above.

4. Within 120 days preceding the date on which these interrogatories were served upon you, have you satisfied or paid in full any debt or obligation owed by you, jointly or severally, to the Defendant?

No.

5. If the answer to the foregoing interrogatory is affirmative, please state the date on which payment was made, the amount of payment, the party and the address to whom payment was made.

N/A

6. Within 120 days preceding the date on which these interrogatories were served upon you, have you transferred, conveyed, or turned over to the Defendant any property?

No.

7. If the answer to the foregoing interrogatory is affirmative, please identify the property, state the party to whom it was transferred, the date of the transfer, the property's fair market value, if known, and the property's location, if known.

N/A

8. At the time you were served, or at any subsequent time, did you hold as a fiduciary any property in which the Defendant had an interest?

No.

9. If the answer to the foregoing interrogatory is affirmative, please identify the property, state its location and its fair market value, if known.

N/A

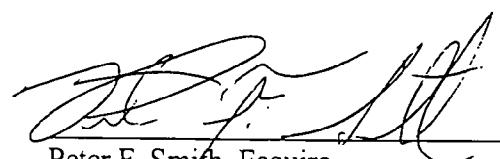
10. At any time after you were served these interrogatories did you pay, transfer, or deliver any money or property to the Defendant or to any person or place pursuant to his direction, or otherwise discharge any claim of the Defendant against you?

No.

11. If the answer to the foregoing interrogatory is affirmative, please state the date of any such transfer, the amount of any such transfer, the identity of any other property transferred, the party to whom it was transferred and the current location of the property, if known.

N/A

Date: 10/4/02

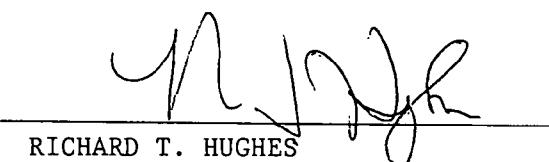


Peter F. Smith, Esquire  
Attorney for Plaintiff  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-5595

### AFFIDAVIT

STATE OF PENNSYLVANIA :  
: SS  
COUNTY OF CLEARFIELD :

RICHARD T. HUGHES, being duly sworn, acknowledges and says that his answers to the foregoing Interrogatories and Aid in Execution, are true and correct to the best of his knowledge, information and belief.



RICHARD T. HUGHES

Sworn to and subscribed before me this 8th day of OCTOBER, 2002.



Notary Public

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
: vs. :  
: JOSEPH F. KANE, :  
Defendant :  
: & :  
: H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

Notice is given that a judgment has been entered of record in Clearfield County against Joseph F. Kane, Defendant, and Richard T. Hughes and H & K Properties, Inc., Garnishees, C/O John R. Ryan, Attorney, and in favor of the Plaintiff in the amount of \$33,914.00 plus interest and costs.

**Prothonotary**

By John R. Ryan, Deputy

Rule of Civil Procedure No. 236

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

Richard A. Helsel  
Plaintiff(s)

No.: 2002-00802-CD

Real Debt: \$33,914.00

Atty's Comm:

Vs.

Costs: \$

Int. From:

Joseph F. Kane  
Defendant(s)

Entry: \$20.00

Instrument: Upon Admission by Garnishee

H & K Properties, Inc, Richard  
T. Hughes, His Agents and Attorneys

Date of Entry: October 9, 2002

Expires: October 9, 2007

Certified from the record this October 9, 2002

---

William A. Shaw, Prothonotary

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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

RICHARD A. HELSEL,

Plaintiff : No. 02 - 802 - CD

Vs.

JOSEPH F. KANE,

Defendant :

FILED

OCT 15 2002

o/3:10cm  
William A. Shaw  
Prothonotary

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared John R. Ryan, Esquire, who, being duly sworn according to law, deposes and says that a copy of the Answers to Interrogatories in Aid of Execution were mailed to Joseph F. Kane at 9 Gulich Avenue, Clearfield, Pennsylvania 16830 on October 10, 2002, as shown on the certified mail receipt attached below:

7001 1940 0001 9405 0335

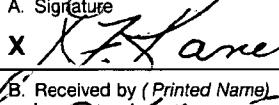
U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$ .60
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65
Sent To Joseph F. Kane	
Street, Apt. No.; 9 Gulich Avenue or PO Box No.	
City, State, ZIP+4 Clearfield, PA 16830	

Postmark  
CLEARFIELD  
PA 16830  
OCT 10 2002  
USPS

PS Form 3800, January 2001      See Reverse for Instructions

LAW OFFICES OF  
COLAVECCHI  
RYAN & COLAVECCHI  
221 E. MARKET ST.  
(ACROSS FROM  
COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA

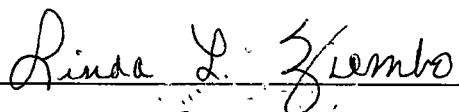
Further, these Answers were received by Joseph F. Kane as shown on the receipt signed by him and attached below:

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  <b>Joseph F. Kane 9 Gulich Avenue Clearfield, PA 16830</b>		B. Received by (Printed Name) <b>J F. KANE</b>	
2. Article Number <i>(Transfer from service label)</i>		C. Date of Delivery  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If YES, enter delivery address below:  <input type="checkbox"/> No	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If YES, enter delivery address below:  <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, August 2001		Domestic Return Receipt 102595-01-M-2509	

The above statements are true and correct to the best of affiant's knowledge, information and belief.

  
JOHN R. RYAN, ESQUIRE  
Attorney for Garnishees

Sworn to and subscribed before me  
this 14th day of October 2002.



NOTARIAL SEAL
LINDA L. ZIEMBO, Notary Public
Clearfield Boro, Clearfield County, PA
My Commission Expires December 17, 2005

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

RICHARD A. HELSEL,  
Plaintiff

vs.

JOSEPH F. KANE,  
Defendant

: No. 2002-802-CD

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:  
:  
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:  
:  
:  
:  
:  
:

**FILED**

MAY 20 2002

**CONFESSON OF JUDGMENT**

William A. Shaw  
Prothonotary

To: William Shaw  
Prothonotary of Clearfield County

Dear Sir:

Attached hereto and incorporated herein by reference is an original Note authorizing confession of judgment.

Pursuant to the terms therein, I confess judgment on behalf of the Plaintiff Richard A. Helsel and against the Defendant Joseph F. Kane. Please enter judgment in favor of Richard A. Helsel and against Joseph F. Kane as follows:

a)	Balance	\$30,000.00
b)	Interest accrued through 5/7/02	\$ 2,100.00
c)	Interest accruing after 5/7/02 at the rate of 7% per annum (to be added)	\$ _____
d)	Attorneys Fees (to be added)	\$ _____
e)	Court costs (to be added)	\$ _____

PRELIMINARY TOTAL      \$32,100.00

FINAL TOTAL      \$

Respectfully submitted,



Peter F. Smith,  
Attorney for Richard A. Helsel

Date: May 13, 2002

NOTE

MAKER : JOSEPH F. KANE  
LENDER : RICHARD A. HELSEL  
PRINCIPAL : \$50,000.00  
DATE MADE : May 7, 1999

For value received, JOSEPH F. KANE with address of 805 South Second Street, Clearfield, PA (hereinafter "MAKER") promises to pay RICHARD A. HELSEL, an adult individual of 399 Clearfield Street, Clearfield, PA, (hereinafter "LENDER") the sum of Fifty Thousand and 00/100 (\$50,000.00) Dollars together with interest at the rate of 7% per annum.

This loan shall be repaid in five (5) annual installments of Ten Thousand Dollars plus interest. These payments shall be due and payable on or before the first day of May each year.

All payments shall be mailed or delivered to the Lender at his address above.

The parties stipulate that this is a commercial loan.

The MAKER of this Note authorizes any attorney to appear for it before the Prothonotary or Clerk of any Court of record of the Commonwealth of Pennsylvania, or any state in the United States or any federal court at anytime after the MAKER fails to pay this Note on or before the Due Date above, and Confess Judgment against it by an appropriate action in favor of the LENDER or his assignees, for the amount of principal and interest due, together with costs of suit and reasonable attorney's fees. The LENDER is authorized to accelerate the entire remaining balance of payments due and to confess judgment for that amount together with interest at the rate stated above. MAKER releases all errors and waive all rights to appeal.

WARNING--BY SIGNING THIS PAPER, YOU GIVE UP THE RIGHT TO NOTICE AND COURT TRIAL. IF YOU DO NOT PAY AS STATED ABOVE, A COURT JUDGMENT MAY BE TAKEN AGAINST YOU WITHOUT YOUR PRIOR KNOWLEDGE, AND THE POWERS OF THE COURT CAN BE USED TO COLLECT FROM YOU REGARDLESS OF ANY CLAIMS YOU MAY HAVE AGAINST THE LENDER HEREIN.

LENDER:

  
Richard A. Helsel

MAKER:

  
Joseph F. Kane

AFFIDAVIT

STATE OF PENNSYLVANIA :  
:SS  
COUNTY OF CLEARFIELD :

BEFORE ME, the undersigned officer, personally appeared RICHARD A. HELSEL known to me to be the person whose name is subscribed to the foregoing Promissory Note, and acknowledged to me that he executed the same for the purposes contained therein as his lawful and voluntary act.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the 7th day of May, 1999.

  
\_\_\_\_\_  
Notary Public

AFFIDAVIT

NOTARIAL SEAL  
SUSAN M. HARTZFIELD, NOTARY PUBLIC  
CLEARFIELD BORO., CLEARFIELD CO., PA.  
MY COMMISSION EXPIRES AUG. 16, 2001

STATE OF PENNSYLVANIA :  
:SS  
COUNTY OF CLEARFIELD :

BEFORE ME, the undersigned officer, personally appeared JOSEPH F. KANE, known to me to be the person whose name is subscribed to the foregoing Promissory Note, and acknowledged to me that he executed the same for the purposes contained therein as his lawful and voluntary act.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7th day of May, 1999.

  
\_\_\_\_\_  
Notary Public

NOTARIAL SEAL  
SUSAN M. HARTZFIELD, NOTARY PUBLIC  
CLEARFIELD BORO., CLEARFIELD CO., PA.  
MY COMMISSION EXPIRES AUG. 16, 2001

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
: vs. :  
: :  
JOSEPH F. KANE, :  
Defendant :  
: & :  
: :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

**FILED**

OCT 04 2002

**PRAECIPE FOR WRIT OF EXECUTION**

TO: William A. Shaw, Prothonotary

William A. Shaw  
Prothonotary

Dear Sir:

1. Kindly issue writ of execution in the above matter directed to the Sheriff of Clearfield County against JOSEPH F. KANE, Defendant, and H & K PROPERTIES, INC., RICHARD T. HUGHES, his agents and attorneys, Garnishees.

2. This Writ should be indexed against JOSEPH F. KANE and the following property:

All cash, funds, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, Joseph F. Kane.

3. The amounts due are as follows:

a)	Principal	\$32,100.00
b)	Interest after 5/7/02 at 7% per annum (to be added)	\$ _____
c)	Costs of Suit (to be added)	\$ _____

Preliminary Total	\$32,100.00
<i>Prothonotary Costs</i>	<i>40.00</i>
<b>GRAND TOTAL</b>	<b>\$ _____</b>

Date: 10/4/02

  
Peter F. Smith, Esquire  
Attorney for Plaintiff

FILED  
11:24 AM  
OCT 04 2002  
PROSECUTOR  
William A. Shaw  
Prothonotary

—Lap over margin—

**PETER F. SMITH**

ATTORNEY

30 SOUTH SECOND STREET  
P.O. BOX 130  
CLEARFIELD, PA. 16830

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

RICHARD A. HELSEL,	:	No. 2002-802-CD
Plaintiff	:	
	:	
vs.	:	
	:	
JOSEPH F. KANE,	:	
Defendant	:	
	:	
&	:	
	:	
H & K PROPERTIES, INC., RICHARD	:	
T. HUGHES, His Agents and Attorneys	:	
Garnishees		

**WRIT OF EXECUTION  
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may also have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing; and, (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to Court ready to explain your exemption. If you do not come to Court to prove your exemptions, you may lose some of your property.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE 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  
Corner of Second and Market Streets  
Clearfield, PA 16830  
(814) 765-2641

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

RICHARD A. HELSEL,	:	No. 2002-
Plaintiff	:	
	:	
vs.	:	
	:	
JOSEPH F. KANE,	:	
Defendant	:	
	:	
&	:	
	:	
H & K PROPERTIES, INC., RICHARD	:	
T. HUGHES, His Agents and Attorneys	:	
Garnishees		

**WRIT OF EXECUTION**

Commonwealth of Pennsylvania/County of Clearfield  
To the Sheriff of Clearfield County

To satisfy the judgment, interest, costs and attorney's commission against the Defendant above:

1. You are directed to levy upon the property owned by the Defendant as follows:

All cash, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, Joseph F. Kane.

2. You are also directed to attach the property of the defendant not levied upon in the possession of: H & K PROPERTIES, INC., RICHARD T. HUGHES, HIS AGENTS AND ATTORNEYS, GARNISHEES, as follows:

All cash, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, Joseph F. Kane

and to notify the garnishees that: (a) an attachment has been issued; (b) the garnishees are enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

4. Amounts due:

a)	Principal	\$32,100.00
b)	Interest after 5/7/02 at 7% per annum (to be added)	\$ _____
c)	Costs of Suit (to be added)	\$ _____
	Prothonotary Costs	40.00
	PRELIMINARY TOTAL	\$32,100.00
	FINAL TOTAL	\$

\_\_\_\_\_  
Prothonotary

By: Willie Johnson 10/4/02  
Deputy

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
: vs.  
: JOSEPH F. KANE, :  
Defendant :  
: & :  
: H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which had been levied upon,

(a) I desire that my \$300.00 statutory exemption be

       (i) Set aside in kind (specify property to be set aside in kind):  
\_\_\_\_\_

       (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):  
\_\_\_\_\_

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300.00 statutory exemption:        in cash        in kind (specify property):  
\_\_\_\_\_

(b) Social Security benefits on deposit in the amount of \$                   .

(c) Other (specify amount and basis of exemption):

---

I request a prompt court hearing to determine the exemption. Notice of hearing should be given to me at:

Address

---

Phone Number

---

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

Date: \_\_\_\_\_

Defendant

---

**THIS CLAIM TO BE FILED WITH  
THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY**

Clearfield County Sheriff  
Clearfield County Courthouse  
Corner of Second and Market Streets  
Clearfield, PA 16830

#### **MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 statutory exemption
2. Bibles, school books, sewing machines, uniforms, and equipment
3. Most wages and unemployment compensation
4. Social security benefits
5. Certain retirements funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

RICHARD A. HELSEL,	:	No. 2002-802-CD
Plaintiff	:	
	:	
vs.	:	
	:	
JOSEPH F. KANE,	:	
Defendant	:	
	:	
&	:	
	:	
H & K PROPERTIES, INC., RICHARD	:	
T. HUGHES, His Agents and Attorneys	:	
Garnishees	:	

**INTERROGATORIES IN AID OF EXECUTION**

To: H & K Properties, Inc.  
Richard T. Hughes  
John, R. Ryan, Attorney

You are required to file written answers to the following interrogatories within 20 days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served, or at any subsequent time, did you owe the Defendant any money, under a mortgage, note, sales agreement, contract or otherwise, or are you liable to him on any negotiable or other written instrument, or did he claim that you owed him money, or were liable to him for any reason?

2. If the answer to the foregoing interrogatory is affirmative, please state the nature of the obligation, the date on which it arose, the original amount, the current balance due, the final maturity, applicable interest rate, if any, the date of your last payment, and the party and address to whom it was made.

3. At the time you were served, or at any time subsequent time, was there in your possession, custody or control, or in the joint possession, custody or control, of yourself or one or more other persons any property of any nature owned solely, or in part, by the Defendant? If so, please describe that property.

4. Within 120 days preceding the date on which these interrogatories were served upon you, have you satisfied or paid in full any debt or obligation owed by you, jointly or severally, to the Defendant?

5. If the answer to the foregoing interrogatory is affirmative, please state the date on which payment was made, the amount of payment, the party and the address to whom payment was made.

6. Within 120 days preceding the date on which these interrogatories were served upon you, have you transferred, conveyed, or turned over to the Defendant any property?

7. If the answer to the foregoing interrogatory is affirmative, please identify the property, state the party to whom it was transferred, the date of the transfer, the property's fair market value, if known, and the property's location, if known.

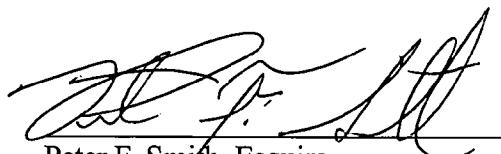
8. At the time you were served, or at any subsequent time, did you hold as a fiduciary any property in which the Defendant had an interest?

9. If the answer to the foregoing interrogatory is affirmative, please identify the property, state its location and its fair market value, if known.

10. At any time after you were served these interrogatories did you pay, transfer, or deliver any money or property to the Defendant or to any person or place pursuant to his direction, or otherwise discharge any claim of the Defendant against you?

11. If the answer to the foregoing interrogatory is affirmative, please state the date of any such transfer, the amount of any such transfer, the identity of any other property transferred, the party to whom it was transferred and the current location of the property, if known.

Date: 10/4/02



Peter F. Smith, Esquire  
Attorney for Plaintiff  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-5595

**AFFIDAVIT**

STATE OF PENNSYLVANIA :  
: SS  
COUNTY OF :  
:

\_\_\_\_\_, being duly sworn, acknowledges and says that his answers to the foregoing Interrogatories and Aid in Execution, are true and correct to the best of his knowledge, information and belief.

\_\_\_\_\_  
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public

—Lap over margin—

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
CIVIL DIVISION  
No. 02 - 802 - CD

RICHARD A. HELSEL,  
Plaintiff

vs.

JOSEPH F. KANE,  
Defendant

H & K PROPERTIES, INC., RICHARD  
T. HUGHES, HIS AGENTS AND  
ATTORNEYS,  
Garnissees

ANSWERS TO INTERROGATORIES  
IN AID OF EXECUTION

**FILED**

10/13/33  
01/08/2002

William A. Shaw  
Prothonotary

4cc  
Amy Ryan

COLAVECCHI  
RYAN & COLAVECCHI

ATTORNEYS AT LAW  
221 EAST MARKET STREET  
(ACROSS FROM COURTHOUSE)  
P. O. BOX 131  
CLEARFIELD, PA 16830

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

RICHARD A. HELSEL,  
Plaintiff

No. 2002-802-CD

vs.

JOSEPH F. KANE,  
Defendant

&

H & K PROPERTIES, INC., RICHARD  
T. HUGHES, His Agents and Attorneys  
Garnishees

**FILED**

OCT 08 2002

William A. Shaw  
Prothonotary

ANSWERS TO  
INTERROGATORIES IN AID OF EXECUTION

To: H & K Properties, Inc.  
Richard T. Hughes  
John, R. Ryan, Attorney

You are required to file written answers to the following interrogatories within 20 days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served, or at any subsequent time, did you owe the Defendant any money, under a mortgage, note, sales agreement, contract or otherwise, or are you liable to him on any negotiable or other written instrument, or did he claim that you owed him money, or were liable to him for any reason?

Yes

2. If the answer to the foregoing interrogatory is affirmative, please state the nature of the obligation, the date on which it arose, the original amount, the current balance due, the final maturity, applicable interest rate, if any, the date of your last payment, and the party and address to whom it was made.

2. Garnishee Richard T. Hughes had entered into an agreement with Joseph F. Kane to purchase Kane's ownership interest in a corporation known as H & K Properties, Inc. Pursuant to said agreement, Hughes was to pay Kane the sum of \$40,000 and Kane would transfer to Hughes, his share of the corporate stock. Payment was not made due to receipt of notice of Writ of Execution and Interrogatories. The \$40,000 in question has been escrowed by John R. Ryan, attorney for Garnishee Richard T. Hughes.

3. At the time you were served, or at any time subsequent time, was there in your possession, custody or control, or in the joint possession, custody or control, of yourself or one or more other persons any property of any nature owned solely, or in part, by the Defendant? If so, please describe that property.

Yes. See answer to No. 2 above.

4. Within 120 days preceding the date on which these interrogatories were served upon you, have you satisfied or paid in full any debt or obligation owed by you, jointly or severally, to the Defendant?

No.

5. If the answer to the foregoing interrogatory is affirmative, please state the date on which payment was made, the amount of payment, the party and the address to whom payment was made.

N/A

6. Within 120 days preceding the date on which these interrogatories were served upon you, have you transferred, conveyed, or turned over to the Defendant any property?

No.

7. If the answer to the foregoing interrogatory is affirmative, please identify the property, state the party to whom it was transferred, the date of the transfer, the property's fair market value, if known, and the property's location, if known.

N/A

8. At the time you were served, or at any subsequent time, did you hold as a fiduciary any property in which the Defendant had an interest?

No.

9. If the answer to the foregoing interrogatory is affirmative, please identify the property, state its location and its fair market value, if known.

N/A

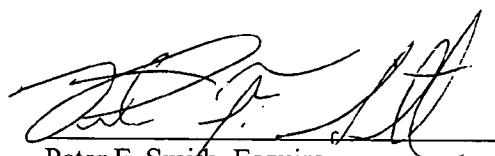
10. At any time after you were served these interrogatories did you pay, transfer, or deliver any money or property to the Defendant or to any person or place pursuant to his direction, or otherwise discharge any claim of the Defendant against you?

No.

11. If the answer to the foregoing interrogatory is affirmative, please state the date of any such transfer, the amount of any such transfer, the identity of any other property transferred, the party to whom it was transferred and the current location of the property, if known.

N/A

Date: 10/4/02

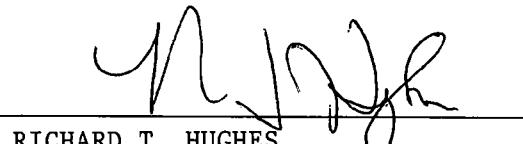


Peter F. Smith, Esquire  
Attorney for Plaintiff  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-5595

### AFFIDAVIT

STATE OF PENNSYLVANIA :  
: SS  
COUNTY OF CLEARFIELD :

RICHARD T. HUGHES, being duly sworn, acknowledges and says that his answers to the foregoing Interrogatories and Aid in Execution, are true and correct to the best of his knowledge, information and belief.



RICHARD T. HUGHES

Sworn to and subscribed before me this 8th day of OCTOBER, 2002.



Notary Public



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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
: vs.  
: :  
JOSEPH F. KANE, :  
Defendant :  
: &  
: :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

FILED

OCT 09 2002

014-00160  
William A. Shaw  
Prothonotary

**CERTIFICATE OF SERVICE**

I, Peter F. Smith, attorney for Plaintiff certify that I sent a true and correct copy of a

**PRAECIPE TO ENTER JUDGMENT UPON ADMISSION BY GARNISHEE** by U.S. First

Class and hand delivery to the following:

MAIL  
Joseph F. Kane  
9 Gulich Avenue  
Clearfield, PA 16830

HAND DELIVER  
Richard T. Hughes  
C/O John R. Ryan, Esquire  
221 East Market Street  
Clearfield, PA 16830

HAND DELIVER  
H & K Properties, Inc.  
C/O John R. Ryan, Esquire  
221 East Market Street  
Clearfield, PA 16830

HAND DELIVER  
John R. Ryan, Esquire  
221 East Market Street  
Clearfield, PA 16830

Respectfully submitted,

  
Peter F. Smith, Attorney for Plaintiff

Date: October 9, 2002

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13133

HESEL, RICHARD A.

02-802-CD

VS.

KANE, JOSEPH F.

WRIT OF EXECUTION PERSONAL PROPERTY & GARNISHEE

**SHERIFF RETURNS**

---

NOW, OCTOBER 4, 2002 @ 2:40 P.M. SERVED WRIT OF EXECUTION AND  
INTERROGATORIES TO GARNISHEE ON JOHN R. RYAN, ESQ., DEFENDANT, AT HIS  
EMPLOYMENT 221 EAST MARKET STREET, CLEARFIELD, CLEARFIELD COUNTY,  
PENNSYLVANIA BY HANDING TO JOHN R. RYAN, ESQ., DEFENDANT, A TRUE AND  
ATTESTED COPY OF AN ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO  
GARNISHEE, AND MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, OCTOBER 4, 2002 @ 3:12 P.M. O'CLOCK SERVED WRIT OF EXECUTION AND  
INTERROGATORIES TO GARNISHEE ON RICHARD T. HUGHES, DEFENDANT, (AT  
MEETING PLACE 221 E. MARKET STREET, CLEARFIELD) CLEARFIELD COUNTY  
PENNSYLVANIA BY HANDING TO RICHARD T. HUGHES, DEFENDANT, A TRUE AND  
ATTESTED COPY OF AN ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO  
GARNISHEE AND MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, OCTOBER 4, 2002 @ 3:12 P.M. O'CLOCK SERVED WRIT OF EXECUTION AND  
INTERROGATORIES TO GARNISHEE ON RICHARD T. HUGHES OWNER OF H & K  
PROPERTIES, INC., DEFENDANT, (AT MEETING PLACE, 221 E. MARKET STREET,  
CLEARFIELD) CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO RICHARD  
T. HUGHES, OWNER OF H & K PROPERTIES, INC., DEFENDANT, A TRUE AND  
ATTESTED COPY OF AN ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES  
TO GARNISHEE AND MAKING KNOWN TO HIM THE CONTENTS THEREOF.

NOW, OCTOBER 7, 2002 PREPARED PAPERS FOR PERSONAL PROPERTY SALE.

NOW, OCTOBER 14, 2002 ATTORNEY SMITH FILED PRACTICE FOR SATISFACTION AT  
THE PROTHONOTARY'S OFFICE. JUDGEMTN WAS MARKED SATISFIED.

**FILED**

NOW, NOVEMBER 6, 2002 RECEIVED PRACTICE FROM ATTORNEY'S OFFICE TO  
RETURN WRT TO CLEARFIELD PROTHONOTARY'S OFFICE.

APR 23 2003  
O / 11:30 AM  
William A. Shaw  
Prothonotary  


In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13133

HELSER, RICHARD A.

02-802-CD

VS.

KANE, JOSEPH F.

**WRIT OF EXECUTION PERSONAL PROPERTY & GARNISHEE**

**SHERIFF RETURNS**

---

**NOW, APRIL 23 2003 RETURN WRIT AS INTERROGATORIES TO GARNISHEE BEING SERVED. PAID COSTS FROM THE ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO PLAINTIFF.**

**NOW, APRIL 23, 2003 RETURN WRIT AS NO PERSONAL PROPERTY SALE HELD. JUDGMENT ENTERED AS SATISFIED BY ATTORNEY. PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO PLAINTIFF**

**SHERIFF HAWKINS \$63.48**

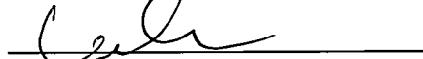
**SURCHARGE \$50.00**

**PAID BY PLAINTIFF**

---

**Sworn to Before Me This**

23 Day Of April 2003



WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

**So Answers,**

  
by Cynthia Butterbaugh  
**Chester A. Hawkins**

**Sheriff**

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
vs. :  
JOSEPH F. KANE, :  
Defendant :  
& :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

**WRIT OF EXECUTION  
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may also have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing; and, (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to Court ready to explain your exemption. If you do not come to Court to prove your exemptions, you may lose some of your property.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE 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  
Corner of Second and Market Streets  
Clearfield, PA 16830  
(814) 765-2641

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

RICHARD A. HELSEL, : No. 2002-  
Plaintiff :  
vs. :  
JOSEPH F. KANE, :  
Defendant :  
& :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :

**WRIT OF EXECUTION**

Commonwealth of Pennsylvania/County of Clearfield  
To the Sheriff of Clearfield County

To satisfy the judgment, interest, costs and attorney's commission against the Defendant above:

1. You are directed to levy upon the property owned by the Defendant as follows:

All cash, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, Joseph F. Kane.

2. You are also directed to attach the property of the defendant not levied upon in the possession of: H & K PROPERTIES, INC., RICHARD T. HUGHES, HIS AGENTS AND ATTORNEYS, GARNISHEES, as follows:

All cash, chattel, tangible personal property, intangible personal property or choses in action owned by, owing to or held on behalf of the Defendant, Joseph F. Kane

and to notify the garnishees that: (a) an attachment has been issued; (b) the garnishees are enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.

4. Amounts due:

a)	Principal	\$32,100.00
b)	Interest after 5/7/02 at 7% per annum (to be added)	\$ _____
c)	Costs of Suit (to be added)	\$ _____
	Prothonotary costs	40.00
	PRELIMINARY TOTAL	\$32,100.00
	FINAL TOTAL	\$

Prothonotary

By: Willie Shar 10/4/02  
Deputy

Received 10-4-02 @ 3:00 P.M.  
Chester Q. Hawkins  
by Arthur Bitter Aayberleay

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
vs. :  
JOSEPH F. KANE, :  
Defendant :  
& :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which had been levied upon,

(a) I desire that my \$300.00 statutory exemption be

       (i) Set aside in kind (specify property to be set aside in kind):  
\_\_\_\_\_

       (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):  
\_\_\_\_\_

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300.00 statutory exemption:        in cash        in kind (specify property):  
\_\_\_\_\_

(b) Social Security benefits on deposit in the amount of \$       .

(c) Other (specify amount and basis of exemption):

---

I request a prompt court hearing to determine the exemption. Notice of hearing should be given to me at:

Address

---

Phone Number

---

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

Date: \_\_\_\_\_

Defendant

---

**THIS CLAIM TO BE FILED WITH  
THE OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY**

Clearfield County Sheriff  
Clearfield County Courthouse  
Corner of Second and Market Streets  
Clearfield, PA 16830

## **MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 statutory exemption
2. Bibles, school books, sewing machines, uniforms, and equipment
3. Most wages and unemployment compensation
4. Social security benefits
5. Certain retirements funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

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

RICHARD A. HELSEL, : No. 2002-802-CD  
Plaintiff :  
vs. :  
JOSEPH F. KANE, :  
Defendant :  
& :  
H & K PROPERTIES, INC., RICHARD :  
T. HUGHES, His Agents and Attorneys :  
Garnishees :  
:

**INTERROGATORIES IN AID OF EXECUTION**

To: H & K Properties, Inc.  
Richard T. Hughes  
John, R. Ryan, Attorney

You are required to file written answers to the following interrogatories within 20 days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served, or at any subsequent time, did you owe the Defendant any money, under a mortgage, note, sales agreement, contract or otherwise, or are you liable to him on any negotiable or other written instrument, or did he claim that you owed him money, or were liable to him for any reason?
  
2. If the answer to the foregoing interrogatory is affirmative, please state the nature of the obligation, the date on which it arose, the original amount, the current balance due, the final maturity, applicable interest rate, if any, the date of your last payment, and the party and address to whom it was made.

3. At the time you were served, or at any time subsequent time, was there in your possession, custody or control, or in the joint possession, custody or control, of yourself or one or more other persons any property of any nature owned solely, or in part, by the Defendant? If so, please describe that property.

4. Within 120 days preceding the date on which these interrogatories were served upon you, have you satisfied or paid in full any debt or obligation owed by you, jointly or severally, to the Defendant?

5. If the answer to the foregoing interrogatory is affirmative, please state the date on which payment was made, the amount of payment, the party and the address to whom payment was made.

6. Within 120 days preceding the date on which these interrogatories were served upon you, have you transferred, conveyed, or turned over to the Defendant any property?

7. If the answer to the foregoing interrogatory is affirmative, please identify the property, state the party to whom it was transferred, the date of the transfer, the property's fair market value, if known, and the property's location, if known.

8. At the time you were served, or at any subsequent time, did you hold as a fiduciary any property in which the Defendant had an interest?

9. If the answer to the foregoing interrogatory is affirmative, please identify the property, state its location and its fair market value, if known.

10. At any time after you were served these interrogatories did you pay, transfer, or deliver any money or property to the Defendant or to any person or place pursuant to his direction, or otherwise discharge any claim of the Defendant against you?

11. If the answer to the foregoing interrogatory is affirmative, please state the date of any such transfer, the amount of any such transfer, the identity of any other property transferred, the party to whom it was transferred and the current location of the property, if known.

Date: 10/4/02



Peter F. Smith, Esquire

Peter F. Smith, Esquire  
Attorney for Plaintiff  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-5595

## AFFIDAVIT

STATE OF PENNSYLVANIA :  
COUNTY OF : SS

\_\_\_\_\_, being duly sworn, acknowledges and says that his answers to the foregoing Interrogatories and Aid in Execution, are true and correct to the best of his knowledge, information and belief.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

---

## Notary Public

## PERSONAL PROPERTY

### SCHEDULE OF DISTRIBUTION

NAME: KANE NO. 02-802-CD

NOW, , by virtue of the writ hereunto attached, after having given due and legal Notice of the time and place of sale, by handbills posted on the premises, setting forth the time and place of sale, I sold on the day of 2002, the defendant's personal property for and made the following appropriations.

<b>SHERIFF COSTS:</b>		<b>DEBT &amp; INTEREST</b>	
RDR	9.00	DEBT	32,100.00
SERVICE		INTEREST AFTER 5/7/02 @ 7%	
MILEAGE			
LEVY		<b>TOTAL DEBT &amp; INTEREST</b>	32,100.00
MILEAGE			
POSTING			
HANDBILLS		<b>COSTS:</b>	
COMMISSION			
UNABLE TO LEVY (9.00)		ATTORNEY PAID	
POSTAGE	1.48	ATTORNEY FEES	
ADD'L SERVICE		COSTS TO PROTHONOTARY	40.00
ADD'L ,MILEAGE-DEPUTIZE		SHERIFF'S COSTS	63.48
ADD'L POSTING		REFUND OF ADVANCE	
COPIES/BILLING	15.00	REFUND OF SURCHARGE	
BID			
RETURN OF INTERROGATORIES	38.00	COSTS	
PHONE CALLS		OTHER COSTS-PREVIOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>63.48</b>	<b>TOTAL COSTS</b>	<b>103.48</b>
		<b>TOTAL DEBT AND COSTS</b>	<b>32,203.48</b>

COMMISSION 2% ON THE FIRST \$100,000.00 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

**Chester A. Hawkins, Sheriff**