

02-1060-CD

D.C. GELICH EXPLOSIVE CO. -vs- ED HANSLOVAN CO., INC.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.

Plaintiff

vs.

ED HANSLOVAN COAL CO., INC.,

Defendant,

CIVIL ACTION LAW

No. 02-1060-CJ

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

Charles E. Bobinis, Esquire
PA I.D. #30665
THE BERNSTEIN LAW FIRM, P.C.
1133 Penn Avenue
Pittsburgh, PA 15222
(412) 456-8100

BERNSTEIN FILE NO. G0008697

FILED

JUL 05 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.

CIVIL ACTION LAW

Plaintiff

vs.

No.

ED HANSLOVAN COAL CO., INC.,

Defendant,

NOTICE AND COMPLAINT

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a Judgment may be entered against you by the Court, without further notice, for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**LAWYER REFERRAL SERVICE
PA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.,

CIVIL ACTION LAW

Plaintiff

vs.

No.

ED HANSLOVAN COAL CO., INC.,

Defendant,

COMPLAINT

1. Plaintiff, D.C. Guelich Explosive Company, Inc. (herein as "Guelich"), is a Pennsylvania Corporation with its principal place of business at RD #3, Box 125A Clearfield, Clearfield County PA 16830.

2. Defendant, Ed Hanslovan Coal Company, Inc., (herein as "Hanslovan") is a Pennsylvania Corporation, which at all times pertinent hereto, operated at the Allport-cutoff in Morrsdale, Clearfield County, Pennsylvania 16858.

3. Jurisdiction and Venue of this honorable court is based upon the Defendant being located in Clearfield County, and the goods and services subject of this complaint having been provided here.

4. On various dates between January and April of 2001, Guelich at the specific request of Hanslovan provided explosive goods and services to Hanslovan as more fully itemized on Guelich's

invoices, true and correct copies of which are attached hereto, marked collectively as Exhibit "1", and made a part here of.

5. The Defendant received and accepted the explosive goods and services for the agreed said and fair prices.

6. Despite the performance of all conditions precedent by Guelich, Hanslovan has failed to pay Guelich the balance due for said goods and services which, pursuant to the running account between the parties, amounted to \$51,659.21 as of May 31, 2001, as more fully shown by a true and correct copy of the statement attached hereto, marked as Exhibit "2", and made a part hereof.

7. Hanslovan filed a petition under Chapter 11 of the Bankruptcy Code on May 21, 2001 at No. 01-25362bmm, in the United States Bankruptcy Court for the Western District of Pennsylvania, which was dismissed on June 7, 2002, per the true copy of the docket attached hereto, marked as Exhibit "3", and made a part hereof.

8. During the pendency of bankruptcy, the debtor filed Schedules and Statement of Financial Affairs signed by its President, Ed Hanslovan, under penalty of perjury, dated June 13, 2001 admitting the principal debt to Guelich in the amount of \$50,720.59 as shown by true and correct copies of page two of the Schedules and the signature page for the Schedules which are collectively attached hereto, marked as Exhibit "4", and made a part hereof.

9. Guelich is entitled to contractual service charges at a rate of one and half (1 ½) percent per month which from June 1, 2001 through August 1, 2002 amount to no less than \$10,651.32 bringing the total of principal and services to \$61,371.91.

WHEREFORE, Plaintiff, D.C. Guelich Explosive Company, demands judgment against Defendant, Ed Hanslovan Coal Co., Inc., in the amount \$61,371.91 plus appropriate additional service charges, plus court costs.

Respectfully submitted,

BERNSTEIN LAW FIRM, P.C.

By: 
Charles E. Bobinis, Esquire
Attorney for Defendant
Ed Hanslovan Coal Co., Inc.
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8102

BERNSTEIN FILE NO. G0008697

D.C. GUELICH, PLOSiVE
R.D.#3, Box 125A
Clearfield, PA 16830
(814)765-1568

INVOICE DATE: 4/16/01 INVOICE NO: 55551 PAGE: 1
NET 30 DAYS

invoice

**SOLD
TO:**

SHIP
TO:

HANSLOVAN COAL COMPANY
ALLPORT-CUTOFF
MORRISDALE, PA 16858

TOWER NORTH

2% Finance Charge on all
Over 30 Day Balances

EXHIBIT 1.

SALES AMOUNT	
MISC. CHARGES	0.00
FREIGHT	
SALES TAX	0.00
TOTAL	704.31
PAYMENT REC'D	0.00

D.C. GUELICH - PLOSIVE
R.D.#3, Box 125A
Clearfield, PA 16830
814)765-1558

INVOICE
DATE

INVOICE
NO. 100

PAGE

04/04/01 55411
NET 30 DAYS

100

SOLD
TO:

SHIP
TO:

HANSLOVAN COAL COMPANY
ALLPORT-CUTOFF
MORRISDALE, PA 16858

TOWER NORTH

2% Finance Charge on all
Over 30 Day Balances

SALES AMOUNT	100.00
MISC. CHARGES	0.00
FREIGHT	0.00
SALES TAX	0.00
TOTAL	100.00
PAYMENT REC'D	0.00

D.C. GUELICH OLOSIVE
R.D. #3, Box 125A
Clearfield, PA 16839
814)765-1558

INVOICE DATE: 03/28/01 INVOICE NO: 66348 PAGE: 1
NET 30 DAYS

6 30 DATS
6 30 DATS

190

INVOICE

145

PAGE

SOLE
TO:

SHIP
TO:

HANSLOVAN COAL COMPANY
ALLPORT-CUTOFF
MORRISDALE, PA 16858

TOWER NORTH

2% Finance Charge on all
Over 30 Day Balances

SALES AMOUNT	100.00
MISC. CHARGES	0.00
FREIGHT	0.00
SALES TAX	0.00
TOTAL	181.76
PAYMENT REC'D.	0.00

D.C. GUELICH EXPLOSIVE
R.D. #3, Clearfield, PA 16830
125A
814)765-1558

INVOICE DATE 01/13/01 INVOICE NO. 54650 PAGE 1
NET 30 DAYS

invoice

**SOLD
TO:**

HANSLOVAN COAL COMPANY
ALLPORT-CUTOFF
MORRISDALE, PA 16858

SHIP
TO

TROUTVILLE

2% Finance Charge on all
Over 30 Day Balances

SALES AMOUNT	0.00
MISC. CHARGES	
FREIGHT	0.00
SALES TAX	19.4954
TOTAL	0.00
PAYMENT REC'D	

D.C. GUELICH EXPLOSIVE
 R.D. #3, Box 125A
 Clearfield, PA 16830
 www.dcguelich.com
 Telephone 814)765-1558

HANSLOVAN COAL COMPANY
 ALLPORT-CUTOFF

MORRISDALE, PA 16858

STATEMENT DATE
 5/31/01

AMOUNT ENCLOSED

ACCOUNT NUMBER
 10HANS

ACCOUNT NAME
 HANSLOVAN COAL COMPANY

STATEMENT

STATEMENT DATE 5/31/01	ACCOUNT NUMBER 10HANS
---------------------------	--------------------------

REMITTANCE ADVICE
 RETURN THIS PORTION
 WITH YOUR PAYMENT

CHECK ITEMS
 BEING PAID

CODES: I=INVOICE D=DEBIT MEMO C=CREDIT MEMO B=BALANCE FORWARD
 P=PAYMENT A=DISCOUNT ALLOWED F=FINANCE CHARGE

DATE	REFERENCE NO.	CHARGES AND CREDITS	BALANCE	REFERENCE NO.	AMOUNT
11/30/00	F 20001130	179.26	179.26	20001130	F 179.26
12/31/00	F 20001231	324.87	504.13	20001231	F 324.87
1/13/01	I 54650	19,449.54	19,953.67	54650	I 19,449.54
1/31/01	F 20010131	229.69	20,183.36	20010131	F 229.69
2/05/01	I 54812	16,606.48	36,789.84	54812	I 16,606.48
2/28/01	I 55043	10,516.53	47,306.37	55043	I 10,516.53
2/28/01	F 20010228	692.34	47,998.71	20010228	F 692.34
3/28/01	I 55348	3,181.76	51,180.47	55348	I 3,181.76
3/31/01	F 20010331	824.47	52,004.94	20010331	F 824.47
4/04/01	P 6920	4,832.75c	47,172.19	54650	P 4,832.75c
4/04/01	I 55411	2,009.29	49,181.48	55411	I 2,009.29
4/16/01	I 55551	704.31	49,885.79	55551	I 704.31
4/30/01	F 20010430	834.80	50,720.59	20010430	F 834.80
5/31/01	F 20010531	938.62	51,659.21	20010531	F 938.62
Finance charges year-to-date:			3,519.92		

2% Finance Charge on all
 over 30 day balances

PLEASE PAY
 51,659.21

TOTAL
 51,659.21

Current	Over 30 days	Over 45 days	Over 60 days
938.62	1,539.11	2,009.29	47,172.19

EXHIBIT 2

U.S. Bankruptcy Court

Western District of Pennsylvania (Pittsburgh)

- *Bankruptcy Petition #:* 01-25362 *Date filed:* 5/21/01 *Date terminated:* 6/12/02
- *Assigned to:* Bernard Markovitz
- Chapter 11, voluntary, asset

* Parties *	* Attorneys *
ED HANSLOVAN COAL CO., INC. Box 230, Rt. 2 Morrisdale, PA 16858 <i>Tax ID:</i> 25-1261400 * Debtor *	James R. Walsh Spence Custer Saylor Wolfe & Rose 400 U.S. Bank Building P.O. Box 280 Johnstown, PA 15907 814-536-0735
U S TRUSTEE * US Trustee *	Kathleen Robb Office of US Trustee Liberty Center, Suite 960 1001 Liberty Avenue Pittsburgh, PA 15222 412-644-4756

Docket Proceedings

Date	Doc. No.	Docket Entry
6/3/02	101	Courts Certificate of Mailing Re: [98-1] Hearing Notice (# of Notices: 73). (ljel) [EOD 06/03/02] [01-25362]
6/3/02	102	Objection By creditor ORIX Financial Services, Inc. To Confirmation Of Plan. (Reynolds) (ljel) [EOD 06/03/02] [01-25362]
6/3/02	103	Summary of Ballots. (ljel) [EOD 06/03/02] [01-25362]
6/3/02	104	Objection By creditor Vision Financial Group, Inc. To Confirmation Of Plan. (Grego) (ljel) [EOD 06/03/02] [01-25362]
6/4/02	105	Notice of Appearance And Request For Service Of Notice By Alan Francis Kirk for creditor Glen O. Hawbaker, Inc., 1375 Martin Street, Suite 204, State College, PA 16803. (ljel) [EOD 06/04/02] [01-25362]
6/7/02	106	Modified Order signed 6/6/02 Dismissing Case. Disclosure Statement and Plan cannot be confirmed and debtor in possession has no ability to pursue another plan. At the request of

EXHIBIT 3.

		debtor and without objection from its many creditors in court, this case will be and is DISMISSED. cm: all parties (ljel) [EOD 06/10/02] [01-25362]
6/11/02	107	Certificate Of Service By Frank Anthony Falvo for creditor United States Internal Revenue Service Of [97-1] Application For Payment of Administrative Expenses (02-3491M) by United States Department of the Interior, [98-1] Hearing Notice. (ljel) [EOD 06/11/02] [01-25362]
6/12/02	--	Case Closed. 20 Year Disposition. (02-02097) (cric) [EOD 06/12/02] [01-25362]
6/12/02	108	Motion by US Trustee U S Trustee To Convert Case From Chapter 11 to Chapter 7 (02-3769m) (ljel) [EOD 06/12/02] [01-25362]
6/12/02	109	Certificate Of Service By Frank Anthony Falvo for creditor United States Internal Revenue Service Of [97-1] Application For Payment of Administrative Expenses (02-3491M) by United States Department of the Interior, [98-1] Hearing Notice. (ljel) [EOD 06/13/02] [01-25362]
6/13/02	110	Order Requiring Motion to Reopen Case RE: [108-1] Motion To Convert Case From Chapter 11 to Chapter 7 (02-3769m) by U S Trustee (NFR) cm: U.S. Trustee (ljel) [EOD 06/13/02] [01-25362]

Report Criteria

Case Num:	01-25362
Filed between:	06/01/02 and 07/01/02

End of Report

PACER Service Center			
Transaction Receipt			
07/01/2002 10:59:25			
PACER Login:	bb0037	Client Code:	
Description:	docket report	Case Number:	2001-25362
Billable Pages:	3	Cost:	0.21



Need help? Try the [PACER User's Guide](#).

For information or comments, please contact [Pacer Service Center](#)

[PACER Home](#)

In re ED HANSLOVAN COAL CO., INC.
Debtor

01-25362 BM
Case No. (if known)

Account no.: 231519, 233129 & 233495 Amount of claim: 3,659.00
BURNS & BURNS ASSOC., IN
MOORE & ESHelman
P.O. BOX 830
CLEARFIELD, PA 16830
Date incurred: 3/6/01
Consideration for claim: SERVICES PROVIDED
Claim is: Fixed and liquidated.

Account no.: 11003 Amount of claim: 2,802.01
CATALANO, CASE, CATALANO
9 NORTH FRONT STREET
CLEARFIELD, PA 16830
Date incurred: 2000/01
Consideration for claim: SERVICE PROVIDED
Claim is: Fixed and liquidated.

Account no.: 54180 Amount of claim: 50,720.59 
D.C. GUELICH EXPLOSIVE
R.D. #3, BOX 125A
CLEARFIELD, PA 16830
Date incurred: 2000/01
Consideration for claim: SERVICES PROVIDED
Claim is: Fixed and liquidated.

Account no.: 33872 Amount of claim: 3,388.84
D.L. STREIB & ASSOC., IN
1366 HEADLEE AVENUE
MORGANTOWN, WV 26505
Date incurred: 2/1/00
Consideration for claim: SERVICES PROVIDED
Claim is: Fixed and liquidated.

Account no.: 123199 Amount of claim: 4,540.92
DONNA DAUGHERTY MILLER
5025 TIMBERWAY TRAIL
CLARKSTON, MI 48346
Date incurred: 1/25/00
Consideration for claim: SERVICES PROVIDED
Claim is: Fixed and liquidated.

Subtotal this page: 65,111.36

Page 2

EXHIBIT 4

In re ED HANSLOVAN COAL CO., INC.
Debtor

01-25362 BM
Case No. (if known)

Title: Officer and Stockholder.

MARY HANSLOVAN
R.D. #2, BOX 230
MORRISDALE, PA 16858

Nature and percentage of interest:
SECRETARY/TREASURER

20. Former partners, officers, directors, and shareholders.

NONE a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

NONE b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

21. Withdrawals from a partnership or distributions by a corporation.

NONE If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

(The penalty for making a false statement or concealing property is a fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. secs. 152 and 3571.)

DECLARATION

I, ED HANSLOVAN, PRESIDENT for ED HANSLOVAN COAL CO., INC. named as the debtor in this case, declare under penalty of perjury that I have read the foregoing Statement of Financial Affairs, consisting of 7 sheets (including this declaration), and that it is true and correct to the best of my information and belief.

Signature: Ed Hanslvan Jr
ED HANSLOVAN

Date: 4/13/01

In re ED HANSLOVAN COAL CO., INC.
Debtor

01-25362 BM
Case No. (if known)

18 U.S.C. secs. 152 and 3571.)

DECLARATION

I, ED HANSLOVAN, PRESIDENT for ED HANSLOVAN COAL CO., INC. named as the debtor in this case, declare under penalty of perjury that I have read the foregoing Numbered Listing of Creditors, consisting of 7 sheets (including this declaration), and that it is true and correct to the best of my information and belief.

Signature: Ed Hanslovian Pres
ED HANSLOVAN
PRESIDENT

Date: 6/13/01

VERIFICATION

The undersigned does hereby verify subject to the penalties of Pa. C.S. § 4904 relating to unsworn falsification to authorities, that he/she is the Controller _____ for the Plaintiff herein, that he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.



FILED

Aug 2002

80.00

12:58 PM
2002

JUL 05 2002

1 cc Sheriff

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

No. 02-1060-CD

vs.

PRAECIPE FOR WRIT OF EXECUTION

ED HANSLOVAN COAL CO., INC.,

Defendant,

FILED ON BEHALF OF
Plaintiff

CLEARFIELD BANK & TRUST COMPANY,
and ENERGY LINK,

COUNSEL OF RECORD OF THIS PARTY:

Garnishees.

CHARLES E. BOBINIS, ESQUIRE
PA I.D. #30665
Bernstein Law Firm, P.C.
Firm #718
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

DIRECT DIAL: (412) 456-8102

BERNSTEIN FILE NO. G0008697

FILED

NOV 13 2002

William A. Shaw
Prothonotary

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

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

Civil Action No. 02-1060-CD

ED HANSLOVAN COAL CO., INC.,

Defendant,

CLEARFIELD BANK & TRUST COMPANY,
and ENERGY LINK

Garnishees.

PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of Clearfield County: levy and set sale

2. against Defendant: Ed Hanslovan Coal Company, Inc.
2021 Allport Cutoff
Morrisdale, PA 16858

3. against Garnishees: Clearfield Bank & Trust Company Energy Link
1935 Daisy Street 310 West Long Avenue
Clearfield, PA 16830 DuBois, PA 15801

4. JUDGMENT	\$62,292.61
Payments	(3,300.00)
Interest from 9/1/02 – 11/15/02:	\$ 2,242.00
Poundage	\$ 1,224.69
SUBTOTAL:	\$62,459.30
Costs (to be added by Prothonotary):	\$
TOTAL	\$

Prothonotary costs 120.00
BERNSTEIN LAW FIRM, P.C.

By: 
Attorney for Plaintiff
1133 Penn Avenue
Pittsburgh, PA 15222
BERNSTEIN FILE NO. G0008697

Date: 11-11-2

FILED

Atty pd.

20.00

11/18/30 8:1
NOV 13 2002

1cc to Sheriff

w/ 16 wnts & Prop descr.

William A. Shaw
Prothonotary

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW

D. C. Guelich Explosive Co.
Plaintiff

COPY

Vs. NO.: 2002-01060-CD

Ed Hanslovan Coal Co., Inc.
Defendant

Clearfield Bank & Trust Company, and Energy Link
Garnishees

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due D. C. GUELICH EXPLOSIVE CO., Plaintiff(s) from ED HANSLOVAN COAL CO., INC., Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
Clearfield Bank & Trust Company, and Energy Link
Garnishee(s) as follows:
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
- (3) If property of the defendant(s) 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.

AMOUNT DUE: \$62,292.61
PAYMENTS: (\$3,300.00)
INTEREST from 9/1/02--11/15/02: \$2,242.00
PROTH. COSTS: \$
ATTY'S COMM: \$
DATE: 11/13/2002

PAID: \$120.00
POUNDAGE: \$1,224.69
SHERIFF: \$
OTHER COSTS: \$
SUBTOTAL: \$62,459.30



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Requesting Party: Charles E. Bobinis, Esq.
1133 Penn Avenue
Pittsburgh, PA 15222

Sheriff

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

Execution No. _____ Term _____

ED HANSLOVAN COAL CO., INC.,

Defendant.

To: Clearfield County Sheriff

Seize, levy, advertise and sell all the personal property of the Defendant on the premises located at

2021 Allport Cutoff, Morrisdale, PA 168588

Seize, levy, advertise and sell all right, title and interest of the Defendant in the following vehicle:

MAKE	MODEL	MOTOR NUMBER	SERIAL NUMBER	LICENSE NUMBER
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

which vehicle may be located at _____

You are hereby released from all responsibility in not placing watchman or insurance on personal property levied on by virtue of this Writ. Plaintiff guarantees towing and storage charges.

BERNSTEIN LAW FIRM, P.C.
ATTORNEY FOR PLAINTIFF
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D. C. GUELICH EXPLOSIVE CO.,

Plaintiff,

No. 02-1060-CD

vs.

PRAECIPE FOR JUDGMENT

ED HANSLOVAN COAL CO., INC.,

Defendant.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF THIS PARTY:

CHARLES E. BOBINIS, ESQUIRE
PA I.D. #30665
Bernstein Law Firm, P.C.
Firm #718
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

DIRECT DIAL: (412) 456-8102

BERNSTEIN FILE NO. G0008697

FILED

AUG 26 2002

*William A. Shaw
Prothonotary*

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

D. C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

Civil Action No. 02-1060-CD

ED HANSLOVAN COAL CO., INC.,

Defendant.

PRAECIPE FOR JUDGMENT

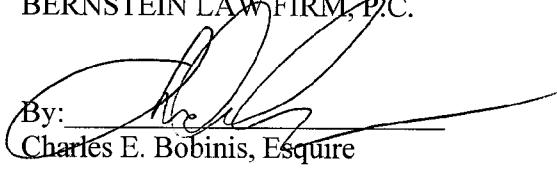
To the Prothonotary:

Kindly enter Judgment against the defendant above named and in favor of the Plaintiff, in the default of an Answer, in the amount of \$62,292.61, plus continuing interest at the rate of 18% per annum on the declining balance computed as follows:

Amount claimed in Complaint	\$61,371.91
Interest from 8/2/02 – 8/31/02	\$ 920.70
TOTAL	\$62,292.61

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

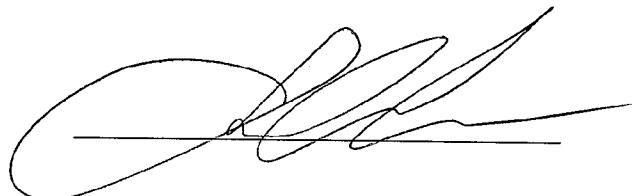
BERNSTEIN LAW FIRM, P.C.

By: 
Charles E. Bobinis, Esquire
Attorney for Plaintiff
1133 Penn Avenue
Pittsburgh, PA 15222
(412) 456-8100

Plaintiff: c/o Bernstein Law Firm, P.C., 1133 Penn Avenue, Pittsburgh, PA 15222
Defendant: Ed Hanslovan Coal Company, Inc., Allport-Cutoff, Morrisdale, PA 16858

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities, that the parties against whom Judgment is to be entered according to the Praecipe attached are not members of the Armed Forces of the United States or any other military or non-military service covered by the Soldiers and Sailors Civil Relief Act of 1940. The undersigned further states that the information is true and correct to the best of the undersigned's knowledge and belief and upon information received from others.

A handwritten signature in black ink, appearing to be a stylized 'M' or a similar character, is written over a horizontal line.

FILE COPY

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

D. C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

Civil Action No. 02-1060-CD

ED HANSLOVAN COAL CO., INC.,

Defendant.

IMPORTANT NOTICE

TO: Ed Hanslovan Coal Company, Inc.
Allport-Cutoff
Morrisdale, PA 16858

Date of Notice: August 13, 2002

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:

BERNSTEIN LAW FIRM, P.C.

BY: /s/Charles E. Bobinis, Esquire
Attorney for Plaintiff
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

FILED

No CC
Att'y pd.

M/J: Dic 8th
AUG 26 2002

20.00

Notice to Def

William A. Shaw
Prothonotary

W.A. Shaw

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

D. C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

ED HANSLOVAN COAL CO., INC.,

Defendant.

COPY

Civil Action No. 02-1060-CD

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

Your are hereby notified that the following Order or Judgment
was entered against you on August 26, 2002

Assumpsit Judgment in the amount
of \$62,292.61 plus costs.

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

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

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

Prothonotary

By: _____
PROTHONOTARY (OR DEPUTY)

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

COP 7

D. C. Guelich Explosive Co.

Plaintiff(s)

No.: 2002-01060-CD

Real Debt: \$62,292.61

Atty's Comm:

Vs.

Costs: \$

Int. From:

Ed Hanslovan Coal Co., Inc.

Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 26, 2002

Expires: August 26, 2007

Certified from the record this 26th day of August, 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

Sheriff Docket # 12738

D.C. GUELICH EXPLOSIVE CO.

02-1060-CD

VS.

ED HANSLOVAN COAL CO. INC.

COMPLAINT

SHERIFF RETURNS

**NOW JULY 22, 2002 AT 11:20 AM DST SERVED THE WITHIN COMPLAINT
ON ED HANSLOVAN COAL CO., INC., DEFENDANT AT RESIDENCE, ALLPORT
CUTOFF, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
MARY HANSLOVAN, WIFE A TRUE AND ATTESTED COP OF THE ORIGINAL
COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

SERVED BY: RYEN

Return Costs

Cost	Description
39.90	SHFF. HAWKINS PAID BY; ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

29 Day Of August, 2002
William A. Shaw

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

So Answers,

Chester A. Hawkins
My Name is Chester A. Hawkins
Chester A. Hawkins
Sheriff

FILED

*10 AUG 29 2002
0/9/02
William A. Shaw
Prothonotary*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

No. 02-1060-CD

vs.

ED HANSLOVAN COAL CO., INC.,

Defendant,

PRAECIPE TO SETTLE AND
DISCONTINUE AS TO GARNISHEE
CLEARFIELD BANK & TRUST
COMPANY ONLY

CLEARFIELD BANK & TRUST COMPANY,
and ENERGY LINK,

Garnishees.

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF THIS PARTY:

CHARLES E. BOBINIS, ESQUIRE
PA I.D. #30665
Bernstein Law Firm, P.C.
Firm #718
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

DIRECT DIAL: (412) 456-8102

BERNSTEIN FILE NO. G0008697

FILED

JAN 08 2003

William A. Shaw
Prothonotary

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

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

Civil Action No. 02-1060-CD

ED HANSLOVAN COAL CO., INC.,

Defendant,

CLEARFIELD BANK & TRUST COMPANY,
and ENERGY LINK,

Garnishees.

PRAECIPE TO SETTLE AND DISCONTINUE
AS TO GARNIShee CLEARFIELD BANK & TRUST COMPANY ONLY

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Settle and discontinue above-captioned matter against Garnishee Clearfield Bank & Trust Company only, upon the records of the Court and mark the costs paid.

BERNSTEIN LAW FIRM, P.C.

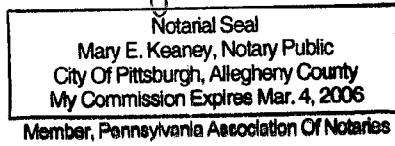
By: _____
Charles E. Bobinis, Esquire
Attorneys for Plaintiff
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO: G0008697

Sworn to and subscribed
before me this 3rd
day of January, 2003

Mary E. Keane
Notary Public

MEK005088V001
1/3/2003



FILED No cc

112:40 Cert. of Disc
JAN 06 2003

to Atty
Copy to CJA

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

D. C. Guelich Explosive Co.

Vs. No. 2002-01060-CD
Ed Hanslovan Coal Co., Inc.

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on January 6, 2003, marked:

Settled and Discontinued against Garnishee Clearfield Bank & Trust Company ONLY

Record costs in the sum of \$120.00 have been paid in full by Charles E. Bobinis, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 6th day of January A.D. 2003.

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 13343
NO: 02-1060-CD

PLAINTIFF: D. C. GUELICH EXPLOSIVE COMPANY

vs.

DEFENDANT: ED HANSLOVAN COAL COMPANY, INC.

WRIT OF EXECUTION PERSONAL PROPERTY/GARNISHEE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/13/2002

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 3/26/2009

FILED
01/29/01
MAR 26 2009
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED ED HANSLOVAN COAL COMPANY, INC.

NOW, 1/30/03 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO HOLD OFF EXECUTING AGAINST DEFENDANT DUE TO PAYMENT ARRANGEMENT.

12/9/2002 @ 10:20 AM SERVED ENERGY LINK

SERVED ENERGY LINK, GARNISHEE, BY HANDING TO BRIAN GRAHAM, OFFICE MANAGER, OF ENERGY LINK, AT HIS PLACE OF EMPLOYMENT ENERGY LINK 310 WEST LONG AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE.

12/5/2002 @ 2:00 PM SERVED CLEARFIELD BANK & TRUST COMPANY

SERVED CLEARFIELD BANK & TRUST COMPANY, GARNISHEE, BY HANDING TO SHEILA SMOLKO, TELLER FOR CLEARFIELD BANK & TRUST COMPANY, AT HER PLACE OF EMPLOYMENT CB&T, 1935 DAISY STREET, CLEARFIELD, PENNSYLVANIA

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE.

@ SERVED

NOW, MARCH 26, 2009 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 13343
NO: 02-1060-CD

PLAINTIFF: D. C. GUELICH EXPLOSIVE COMPANY
VS.

DEFENDANT: ED HANSLOVAN COAL COMPANY, INC.

WRIT OF EXECUTION PERSONAL PROPERTY/GARNISHEE

SHERIFF RETURN

SHERIFF HAWKINS \$61.63
SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

Chester A. Hawkins
by *Gretchen Bitter-Auerhahn*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW

D. C. Guelich Explosive Co.
Plaintiff

Vs.

NO.: 2002-01060-CD

Ed Hanslovan Coal Co., Inc.
Defendant

Clearfield Bank & Trust Company, and Energy Link
Garnishees

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due D. C. GUELICH EXPLOSIVE CO., Plaintiff(s) from ED HANSLOVAN COAL CO., INC., Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
See Attached
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
Clearfield Bank & Trust Company, and Energy Link
Garnishee(s) as follows:
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
- (3) If property of the defendant(s) 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.

AMOUNT DUE: \$62,292.61
PAYMENTS: (\$3,300.00)
INTEREST from 9/1/02--11/15/02: \$2,242.00
PROTH. COSTS: \$
ATTY'S COMM: \$
DATE: 11/13/2002

PAID: \$120.00
POUNDAGE: \$1,224.69
SHERIFF: \$
OTHER COSTS: \$
SUBTOTAL: \$62,459.30



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 13th day
of November A.D. 2002
At 10:05 A.M./P.M.

Chester A. Hawkins
Sheriff by Cynthia Butler-Aughbaugh

Requesting Party: Charles E. Bobinis, Esq.
1133 Penn Avenue
Pittsburgh, PA 15222

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

Execution No. _____ Term _____

ED HANSLOVAN COAL CO., INC.,

Defendant.

To: Clearfield County Sheriff

Seize, levy, advertise and sell all the personal property of the Defendant on the premises located at

2021 Allport Cutoff, Morrisdale, PA 168588

Seize, levy, advertise and sell all right, title and interest of the Defendant in the following vehicle:

MAKE	MODEL	MOTOR NUMBER	SERIAL NUMBER	LICENSE NUMBER
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

which vehicle may be located at _____

You are hereby released from all responsibility in not placing watchman or insurance on personal property levied on by virtue of this Writ. Plaintiff guarantees towing and storage charges.

BERNSTEIN LAW FIRM, P.C.
ATTORNEY FOR PLAINTIFF
1133 Penn Avenue
Pittsburgh, PA 15222
412-456-8100

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME ED HANSLOVAN COAL COMPANY, INC.

NO. 02-1060-CD

NOW, March 26, 2009, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Ed Hanslovan Coal Company, Inc. to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	9.00
MILEAGE LEVY	8.45
MILEAGE POSTING	
HANDBILLS	
COMMISSION	0.00
POSTAGE	0.50
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	18.00
ADD'L POSTING	
ADD'L MILEAGE	15.68
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	10.00
TOTAL SHERIFF COSTS	\$61.63

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	62,292.61
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	2,242.00
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$64,756.24

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	61.63
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	120.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$181.63
TOTAL COSTS	\$64,756.24

COMMISSION 2% ON THE FIRST \$ 100,000 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

Charles E
Bobinis@BERNSTEIN
LAW

To: Cindy@18147655915@efax
cc: Mary Hanslovan@18143455844@efax
Subject: Ed Hanslovan Coal No 02-1060-CD Our#G8697

01/30/03 04:02 PM

On behalf of Guelich, I have an arrangement with the Debtor whereby if they deliver to me \$3,000.00 per month, beginning tomorrow, we will hold off executing against them. Accordingly, please do not levy unless you hear from me. Thanks.

Charles E. Bobinis, Esq. - Bernstein Law Firm, P.C.

Suite 2200 Gulf Tower - Pittsburgh, PA 15219
Direct Phone - 412-456-8102

Direct Fax - 412-456-8266

cbobinis@bernsteinlaw.com - <http://www.bernsteinlaw.com/>

Board Certified - Creditors' Rights by the American Board of Certification

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