

02-1952-CD
COOPER TIRE & AUTO vs. HIGHLAND STEEL, INC.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

CIVIL DIVISION

Plaintiff,

CASE NUMBER:

v.

J.P. Appeal

Highland Steel, Inc.

Defendant.

Filed on behalf of Defendant,
Highland Steel, Inc.

Counsel of Record for this Party:

Robert J. Blumling, Esquire
Pa. I.D. No. 37943

David A. Levine, Esquire
Pa. I.D. No. 65676

BLUMLING & GUSKY, LLP
1200 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
(412) 227-2500

Firm No. 458

FILED

DEC 16 2002

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

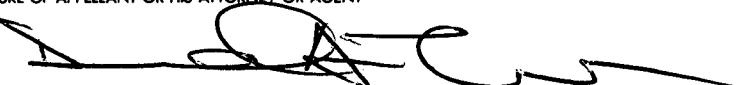
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 02-1952-CJ

NOTICE OF APPEAL

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

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.	
Highland Steel, Inc.		46-3-01	
ADDRESS OF APPELLANT		CITY	STATE
1037 Delaum Road, St Marys, PA 15857		ZIP CODE	
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff) (Defendant)		
11/18/2002	Cooper Tire & Auto vs. Highland Steel Inc		
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT		
CV 0000569-02			
LT			
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p>			
<p>If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>			

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

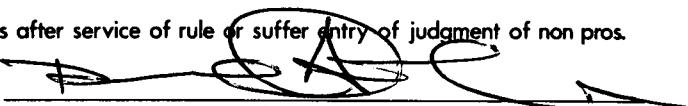
(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Cooper Tire & Auto

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

(Common Pleas No. 02-1952-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.


 Signature of appellant or his attorney or agent

Cooper Tire & Auto

RULE: To _____, appellee(s).
 Name of appellee(s)

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

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

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

Date: Dec. 10, 2002.


 Signature of Prothonotary or Deputy

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; SS

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____,

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____

Signature

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD
Address: 309 MAPLE AVENUE
P.O. BOX 452
DUBOIS, PA
Telephone: (814) 371-5321

15801

HIGHLAND STEEL INC
1037 DELAUM ROAD
ST MARYS, PA 15857

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

COOPER TIRE & AUTO
227 HAMOR ST
P.O. BOX 306
DUBOIS, PA 15801

NAME and ADDRESS

DEFENDANT:

HIGHLAND STEEL INC
1037 DELAUM ROAD
ST MARYS, PA 15857

VS.

NAME and ADDRESS

Docket No.: CV-0000569-02
Date Filed: 10/08/02



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) COOPER TIRE & AUTO

Judgment was entered against: (Name) HIGHLAND STEEL INC

in the amount of \$ 2,212.49 on: (Date of Judgment) 11/18/02

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

Damages will be assessed on: _____

This case dismissed without prejudice. _____

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

Levy is stayed for _____ days or generally stayed. _____

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

Amount of Judgment	\$ <u>2,139.99</u>
Judgment Costs	\$ <u>72.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>2,212.49</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

Date:	Place:
Time:	

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

11-18-02 Date Patrick N. Ford - PWF District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

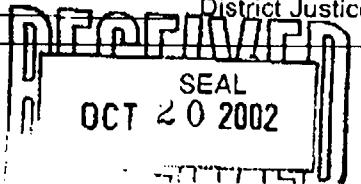
Date _____

District Justice

My commission expires first Monday of January.

2006

AOPC 315-99



FILED

Atty fee
85.00

100-3112-43484

DEC 16 2002

Copies to

Atty

William A. Shaw Levine
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

CIVIL DIVISION

Plaintiff,

CASE NUMBER: 02-1952-CD

v.

Affidavit of Service of J.P. Appeal

Highland Steel, Inc.

Defendant.

Filed on behalf of Defendant,
Highland Steel, Inc.

Counsel of Record for this Party:

Robert J. Blumling, Esquire
Pa. I.D. No. 37943

David A. Levine, Esquire
Pa. I.D. No. 65676

BLUMLING & GUSKY, LLP
1200 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
(412) 227-2500

Firm No. 458

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

CIVIL DIVISION

Plaintiff,

CASE NUMBER: 02-1952-CD

v.

Affidavit of Service of J.P. Appeal

Highland Steel, Inc.

Defendant.

Filed on behalf of Defendant,
Highland Steel, Inc.

Counsel of Record for this Party:

Robert J. Blumling, Esquire
Pa. I.D. No. 37943

David A. Levine, Esquire
Pa. I.D. No. 65676

BLUMLING & GUSKY, LLP
1200 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
(412) 227-2500

Firm No. 458

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

CIVIL DIVISION

Plaintiff,

CASE NUMBER: 02-1952-CD

v.

Highland Steel, Inc.

Defendants.

AFFIDAVIT OF SERVICE OF J.P. APPEAL

TO THE PROTHONOTARY:

Please be advised that the J.P. Appeal in the above captioned matter was served on Honorable Patrick N. Ford, 309 Maple Avenue, P.O. Box 452, Dubois, PA 15801 and Cooper Tire & Auto, 227 Hamor Street, P.O. Box 306, Dubois, PA 15801 on the 20th day of December, 2002, via certified mail, proof of service, attached hereto as Exhibit "A".

Respectfully submitted,
BLUMLING & GUSKY, LLP



David A. Levine, Esquire
PA I.D. No. 65676

Robert J. Blumling, Esquire
Pa. I.D. No. 37943
Counsel for Defendant
Highland Steel, Inc.

EXHIBIT A

4297
1962 4303
0002 1962 4303
2030 0002 1962 4303
0002 2030 0002 1962 4303
2002 2002 2002 2002 2002 2002 2002

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

For delivery information visit our website at www.usps.com

OFFICIAL USE	
Postage	\$.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

**PITTSBURGH, PA GRANT ST. STA. M
Postmark Here DECEMBER 20 2002
USPS Window Service**

Sent To: Honorable Patrick N. Ford
Street, Apt. No.,
or PO Box No. 309 Maple Avenue
City, State, ZIP+4 P.O. Box 452, Dubois PA 15801

PS Form 3800, June 2002
See Reverse for Instructions

4297
1962 4303
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0002 2030 0002 1962 4303
2002 2002 2002 2002 2002 2002 2002

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

For delivery information visit our website at www.usps.com

OFFICIAL USE	
Postage	\$.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

**PITTSBURGH, PA GRANT ST. STA. M
Postmark Here DECEMBER 20 2002
USPS Window Service**

Sent To: Cooper nre + Auto
Street, Apt. No.,
or PO Box No. 227 Hamor St
City, State, ZIP+4 P.O. Box 306, Dubois PA 15801

PS Form 3800, June 2002
See Reverse for Instructions

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46th

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 02-1958-CJ

NOTICE OF APPEAL

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

NAME OF APPELLANT

- Highland Stool, Inc.

MAG. DIST. NO. OR NAME OF D.J.

ADDRESS OF APPELLANT

1037 Delaum Road, St Marys, PA 15857

CITY

46-3-01

STATE

ZIP CODE

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

11/18/2002

Cooper Tire & Auto

vs. Highland Stool Inc

CLAIM NO.

CV 0000569-02
LT

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Cooper Tire & Auto

Enter rule upon _____, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 02-1958-CJ) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

Cooper Tire & Auto

RULE: To _____, appellee(s).

Name of appellee(s)

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

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

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

Date: Dec. 10, 2002

Will Shahan

Signature of Prothonotary or Deputy

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 02-1952 CD, upon the District Justice designated therein on
(date of service) 12-20-02, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) COOPER TREE + AUTO, on
12-20-2002 by personal service by (certified) (registered) mail, sender's receipt attached hereto.
 and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom
the Rule was addressed on 12-20, 2002 by personal service by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 20 DAY OF December, 2005



Signature of affiant

Signature of official before whom affidavit was made

Notary Public

Title of official

My commission expires on Nov 22, 2004

Notarial Seal
Timothy J. Deer, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Nov. 22, 2004

Member, Pennsylvania Association of Notaries

FILED
m/10/34861 NO CC
DEC 23 2002 EGT

William A. Shaw
Prothonotary

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF **CLEARFIELD**

Mag. Dist. No.

46-3-01

Def Name: Hon.

PATRICK H. FORD

Address: **109 NORTH BRADY STREET**
P.O. BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321**

15801

CIVIL COMPLAINT

PLAINTIFF:

NAME and ADDRESS

**FIRE RENEW CO INC
(DBA) COOPER TIRE & AUTO
PO Box 306
DUBOIS, PA 15801
VS.**

DEFENDANT:

NAME and ADDRESS

**HIGHLAND STEEL
1037 DELAUM RD.**

ST. MARXS, PA 15857

Docket No. **CV 569-02**
Date Filed:



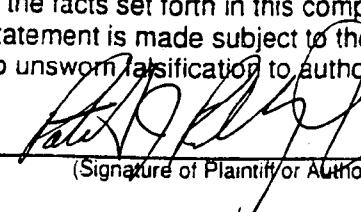
	AMOUNT	DATE PAID
FILING COSTS \$	17.50	/ /
SERVING COSTS \$		/ /
TOTAL \$		/ /

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ **2139.99** together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

REFUSAL TO PAY FOR GOODS AND SERVICES RENDERED

I, PATRICK J. REILLY JR.

verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. S.C.A. § 4904) related to unsworn falsification to authorities.


(Signature of Plaintiff or Authorized Agent)

Plaintiff's
Attorney:

Address: _____

Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

Cooper Tire & Auto : No. 02-1952-C.D.
Plaintiff :
v. : Type of Case: Civil
Highland Steel, Inc. : Type of Pleading: Complaint
Defendant : Filed on Behalf of: Plaintiff
: Counsel of Record for this party:
Christopher E. Mohney, Esq.
PA ID #: 63494
90 Beaver Drive
Suite 201 A
DuBois, PA 15801
(814) 375-1044

FILED

JAN 07 2003

William A. Shaw
Prothonotary

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

Cooper Tire & Auto	:	No. 02-1952-C.D.
Plaintiff	:	
	:	
v.	:	
	:	
Highland Steel, Inc.	:	
Defendant	:	

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 is 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 an order may be entered against you by the Court without further notice for any money claimed in the Complaint requested by the plaintiff. You may lose money or property or other rights important to you.

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

Court Administrator
Clearfield County Courthouse
Second & Market Streets
Clearfield, Pennsylvania 16830
(814) 765-2641, Ext. 50-51

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

Cooper Tire & Auto : No. 02-1952-C.D.
: :
v. : :
: :
Highland Steel, Inc. : :

COMPLAINT

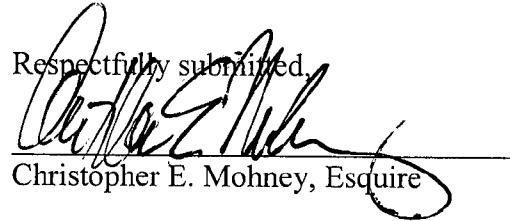
AND NOW, comes your **Plaintiff, Cooper Tire & Auto**, and files this Complaint against **Defendant Highland Steel, Inc.**, upon a cause of action whereof the following is a statement:

1. **Plaintiff Cooper Tire & Auto**, a trade name for **P.J. Reilly Co., Inc.**, is a Pennsylvania corporation with a principal place of business at 227 Hamor Street, DuBois, Clearfield County, Pennsylvania, 15801.
2. **Defendant Highland Steel, Inc.** is believed, and therefore averred, to be a Pennsylvania corporation, and has a place of business at 1037 Delaum Road, St. Marys, Elk County, Pennsylvania 15857.
3. **Defendant** has established with **Plaintiff** an open credit account.
4. On or about December 8, 2000, **Defendant**, by its duly authorized employee(s), caused to be presented for repair by **Plaintiff** one of **Defendant's** vehicles.
5. On or about December 8, 2000, **Defendant's** vehicle, mentioned above in paragraph 3, was properly repaired, the charges for the repairs amounting to \$19.73.

6. On or about November 28, 2001, **Defendant**, by its duly authorized employee(s), caused to be purchased on credit from **Plaintiff** eight (8) tractor trailer tires (11R33.5 tires), the cost for the eight (8) tires being \$2,441.55.
7. **Defendant** has received on account a credit of \$234.00, for casings.
8. Despite repeated invoices and other demands of **Plaintiff** on **Defendant** for payment on account, **Defendants** have failed and neglected to pay for the above-averred services and products sold it by **Plaintiff**.
9. Finance charges continue to accrue on **Defendant's** account.

WHEREFORE, **Plaintiff Cooper Tire & Auto** demands judgment against **Defendant Highland Steel, Inc.** in the amount of \$2,227.28, plus reimbursement of \$72.50 for the institution of suit before a District Magistrate, plus costs of suit, finance charges and interest as allowed pursuant to Pennsylvania law.

Respectfully submitted,

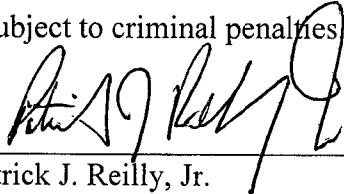

Christopher E. Mohney, Esquire

VERIFICATION

I, Patrick J. Reilly, Jr., President of P.J. Reilly Co., Inc., being duly authorized to make this verification, have read the foregoing Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties

Date: 1-6-03



Patrick J. Reilly, Jr.

FILED 2cc
JAR/2:32 AM
07/07/2003 Amy Money

W^{MA}William A. Shaw
Prothonotary

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

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
PLAINTIFF : TYPE OF CASE: CIVIL
VS. : TYPE OF PLEADING: CERTIFICATE
HIGHLAND STEEL, INC., : OF SERVICE
DEFENDANTS : FILED ON BEHALF OF: PLAINTIFF
 : COUNSEL OF RECORD:
 : CHRISTOPHER E. MOHNEY, ESQUIRE
 : SUPREME COURT NO.: 63494
 : CHRISTOPHER E. MOHNEY, ESQUIRE
 : 90 BEAVER DRIVE, SUITE 201A
 : DUBOIS, PA 15801
 : (814) 375-1044

FILED

JAN 10 2003

William A. Shaw
Prothonotary

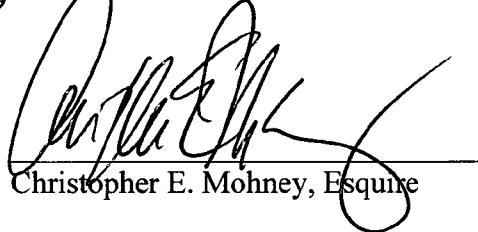
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL DIVISION

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
PLAINTIFF : TYPE OF CASE: CIVIL
VS. : TYPE OF PLEADING: CERTIFICATE
HIGHLAND STEEL, INC., : OF SERVICE
DEFENDANT : FILED ON BEHALF OF: PLAINTIFF

CERTIFICATE OF SERVICE

I, Christopher E. Mohney, Esquire, do hereby certify that on this 9th day of January, 2003, I caused to be served by First Class United States Mail, postage prepaid, Complaint on the following:

Robert J. Blumling, Esquire
Blumling and Gusky, LLP
1200 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Attorney for Plaintiff



Christopher E. Mohney, Esquire

FILED
M 11:40 AM
JAN 10 2003
cc

William A. Shaw
Prothonotary

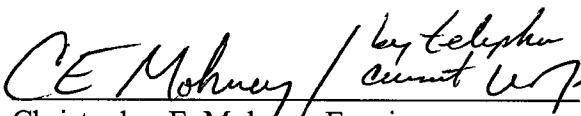
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COOPER TIRE & AUTO, :
: Plaintiff, : Case No. 02-1952 C.D.
v. :
: HIGHLAND STEEL, INC., :
: Defendant. :
:

**AGREEMENT PURSUANT TO RULE 237.2 TO
EXTEND TIME TO PLEAD FOLLOWING TEN-DAY NOTICE**

It is agreed that Defendant, Highland Steel, Inc., is granted an extension of time through and including March 4, 2003 in which to file an Answer or Preliminary Objections to Plaintiff's Complaint in the above-captioned lawsuit. After the above-date, a judgment by default may be entered upon Praeclipe without further notice.


William J. Meyer, Esquire
Attorney for Defendants
Highland Steel, Inc.


Christopher E. Mohney, Esquire
Attorney for Plaintiff,
Cooper Tire & Auto

FILED

FEB 12 2003

William A. Shaw
Prothonotary

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Agreement Pursuant to Rule 237.2 to Extend Time to Plead Following Ten-Day Notice** was served upon counsel named below and at the address indicated via United States mail, first-class, postage prepaid, this 10th day of **February, 2003**:

Christopher E. Mohney, Esquire
90 Beaver Drive, Suite 201A
DuBois, PA 15801

A handwritten signature in black ink, appearing to read "Christopher E. Mohney", is written over a horizontal line.

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

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
PLAINTIFF : TYPE OF CASE: CIVIL
VS. :
HIGHLAND STEEL, INC., : TYPE OF PLEADING: PRAECIPE
DEFENDANTS : FOR DEFAULT JUDGMENT
: FILED ON BEHALF OF: PLAINTIFF
: COUNSEL OF RECORD:
: CHRISTOPHER E. MOHNEY, ESQUIRE
: SUPREME COURT NO.: 63494
: CHRISTOPHER E. MOHNEY, ESQUIRE
: 90 BEAVER DRIVE, SUITE 201A
: DUBOIS, PA 15801
: (814) 375-1044

FILED

MAR 07 2003

01/03/03 Atty Mohney pd 20.00
William A. Shaw No. to D
Prothonotary Stat. Atty
Mohney

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

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
: TYPE OF CASE: CIVIL
PLAINTIFF :
: TYPE OF PLEADING: PRAECIPE
: FOR DEFAULT JUDGMENT
VS. :
: HIGHLAND STEEL, INC., :
: DEFENDANT :
:

PRAECIPE FOR DEFAULT JUDGMENT

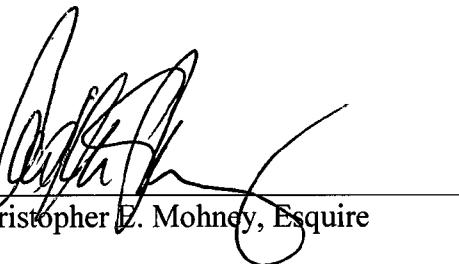
TO: WILLIAM SHAW, PROTHONOTARY

Enter judgment in the above captioned action in favor of the Plaintiff and against the Defendant for failure to file an Answer to Plaintiff's Complaint within twenty days of service of the Complaint and assess damages as follows:

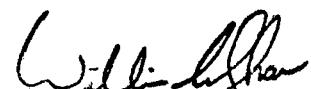
1.	Current Balance:	\$2,227.28
2.	Costs:	<u>\$ 99.50</u>
	TOTAL:	\$2,326.78

The undersigned certifies that written notice of intention to file this Praeclipe for Default judgment in the form attached hereto was mailed to the Defendant by first class regular mail on February 4, 2003 as required by Pa. R.C.P. Rule 237.1.

The undersigned further certifies that an agreement pursuant to Rule 237.2 to extend time to plead following ten day notice was entered by counsel of record, copy of which is attached hereto, and the time therein having expired with no responsive pleading being filed of record on behalf of Defendant.

BY: 
Christopher E. Mohney, Esquire

NOW, this 7th day of March, 2003, damages are assessed in the amount of \$2,326.78.



William Shaw, Prothonotary

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

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
: TYPE OF CASE: CIVIL
PLAINTIFF :
VS. :
HIGHLAND STEEL, INC., :
DEFENDANT :
:

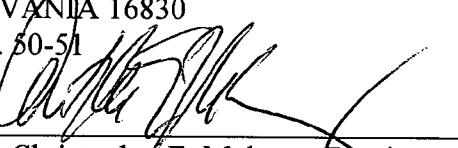
TO: HIGHLAND STEEL, INC.
1037 Delaum Road
St. Marys, PA 15857

DATE OF NOTICE: February 4, 2003

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 (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITH 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, PENNSYLVANIA 16830
(814) 765-2641 Ext. 80-51

BY: 

Christopher E. Mohney, Esquire
Attorney for Plaintiff
I.D. #63494
90 Beaver Drive, Suite 201A
DuBois, PA 15801
(814) 375-1044

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

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
PLAINTIFF : TYPE OF CASE: CIVIL
VS. :
HIGHLAND STEEL, INC., :
DEFENDANT :
:

TO: ROBERT J. BLUMLING, ESQUIRE
Attorney for Highland Steel, Inc.
Blumling & Gusky, LLP
1200 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219

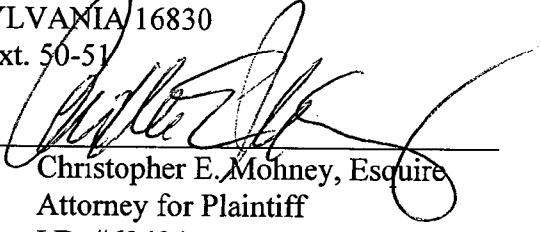
DATE OF NOTICE: February 4, 2003

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COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-2641 Ext. 50-51

BY:


Christopher E. Mohney, Esquire
Attorney for Plaintiff
I.D. #63494
90 Beaver Drive, Suite 201A
DuBois, PA 15801
(814) 375-1044

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE—POSTMASTER

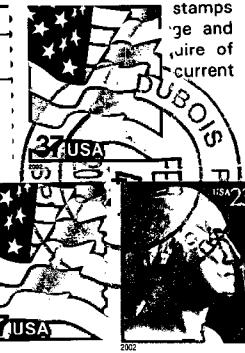
Received From:

Christopher E. Mohney, Esquire
90 Beaver Drive, Suite 201A
DuBois, PA 15801

One piece of ordinary mail addressed to:

Highland Steel, Inc.
1037 Delaum Road

St. Marys, PA 15857



PS Form 3817, Mar. 1989

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE—POSTMASTER

Received From:

Christopher E. Mohney, Esquire
90 Beaver Drive, Suite 201A
DuBois, PA 15801

One piece of ordinary mail addressed to:

Robert J. Blumling, Esquire
Blumling & Gusky, LLP
1200 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219



PS Form 3817, Mar. 1989

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

COOPER TIRE & AUTO,

Plaintiff,

v.

HIGHLAND STEEL, INC.,

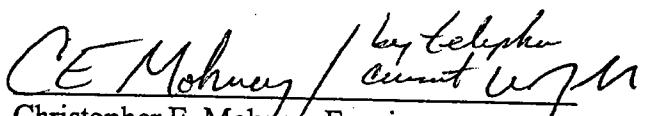
Defendant.

Case No. 02-1952 C.D.

**AGREEMENT PURSUANT TO RULE 237.2 TO
EXTEND TIME TO PLEAD FOLLOWING TEN-DAY NOTICE**

It is agreed that Defendant, Highland Steel, Inc., is granted an extension of time through and including March 4, 2003 in which to file an Answer or Preliminary Objections to Plaintiff's Complaint in the above-captioned lawsuit. After the above-date, a judgment by default may be entered upon Praecept without further notice.


William J. Meyer, Esquire
Attorney for Defendants
Highland Steel, Inc.


Christopher E. Mohney / ^{by telephone} ~~Count C.J.M.~~
Attorney for Plaintiff,
Cooper Tire & Auto

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Agreement Pursuant to Rule 237.2 to Extend Time to Plead Following Ten-Day Notice** was served upon counsel named below and at the address indicated via United States mail, first-class, postage prepaid, this 10th day of **February, 2003**:

Christopher E. Mohney, Esquire
90 Beaver Drive, Suite 201A
DuBois, PA 15801

A handwritten signature in black ink, appearing to read "C. Mohney", is written over a horizontal line.

COPY

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

COOPER TIRE & AUTO, : NO. 02-1952 C.D.
PLAINTIFF : TYPE OF CASE: CIVIL
VS. :
HIGHLAND STEEL, INC., :
DEFENDANT :
:

Notice is given that a JUDGMENT in the above captioned matter has been
entered against you in the amount of \$2,326.78 on March 7, 2003.

WILLIAM SHAW, PROTHONOTARY

By: William Shaw, Deputy

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

COPY

Cooper Tire & Auto
Plaintiff(s)

No.: 2002-01952-CD

Real Debt: \$2326.78

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Highland Steel, Inc.
Defendant(s)

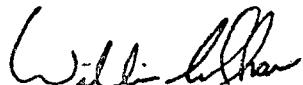
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 7, 2003

Expires: March 7, 2008

Certified from the record this 7th of March, 2003



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