

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

Plaintiff,

v.

Highland Steel, Inc.

Defendant.

CIVIL DIVISION

CASE NUMBER:

**J.P. Appeal**

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 7<sup>th</sup> Avenue  
Pittsburgh, PA 15219  
(412) 227-2500

Firm No. 458

**FILED**

DEC 16 2002

William A. Shaw  
Prothonotary

COURT OF COMMON PLEAS

JUDICIAL DISTRICT

46<sup>th</sup>


FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 02-1952-CD

## 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 Steel, Inc.		MAG. DIST. NO. OR NAME OF D.J. 46-3-01	
ADDRESS OF APPELLANT 1037 Delaun Road, St Marys, PA 15857		CITY	STATE
DATE OF JUDGMENT 11/18/2002		ZIP CODE	
IN THE CASE OF (Plaintiff) Cooper Tire & Auto		(Defendant) Highland Steel 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 &amp; Auto

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

Name of appellee(s)

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

Cooper Tire &amp; Auto

RULE: To \_\_\_\_\_, appellee(s).

Name of appellee(s)

Signature of appellant or his attorney or agent

(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. 16, 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 \_\_\_\_\_

*[Handwritten 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:

NAME AND ADDRESS

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

DEFENDANT:

VS.

NAME AND ADDRESS

**HIGHLAND STEEL INC**  
**1037 DELAUM ROAD**  
**ST MARYS, PA 15857**

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	\$ <b>2,139.99</b>
Judgment Costs	\$ <b>72.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 2,212.49</b>

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 - PJF** District Justice

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

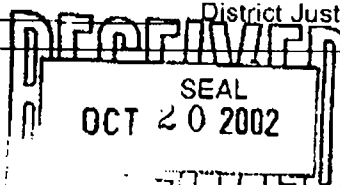
Date

District Justice

My commission expires first Monday of January,

**2006**

AOPC 315-99



FILED

Atty gen

85:00

10X. M112:43-61

DEC 16 2002

Copies to

Atty

William A. Shaw Levine  
Prothonotary

~~William A. Shaw Levine~~

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

Plaintiff,

v.

Highland Steel, Inc.

Defendant.

CIVIL DIVISION

CASE NUMBER: 02-1952-CD

**Affidavit of Service of J.P. Appeal**

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 7<sup>th</sup> Avenue  
Pittsburgh, PA 15219  
(412) 227-2500

Firm No. 458

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cooper Tire & Auto

Plaintiff,

v.

Highland Steel, Inc.

Defendant.

CIVIL DIVISION

CASE NUMBER: 02-1952-CD

**Affidavit of Service of J.P. Appeal**

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 7<sup>th</sup> 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 20<sup>th</sup> day of December, 2002, via certified mail, proof of service, attached hereto as Exhibit "A".

Respectfully submitted,  
BLUMLING & GUSKY, LLP

A handwritten signature in black ink, appearing to read 'DAVID A. LEVINE', written over a horizontal line.


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

7002 2030 0002 1962 4297

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$ .37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$4.42</b>



Sent To <b>Honorable Patricia N. Ford</b>	
Street, Apt. No., or PO Box No. <b>309 Maple Avenue</b>	
City, State, ZIP+4 <b>P.O. Box 452, Dubois PA 15801</b>	

PS Form 3800, June 2002 See Reverse for Instructions

7002 2030 0002 1962 4303

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage	\$ .37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$4.42</b>



Sent To <b>Cooper Tire + Auto</b>	
Street, Apt. No., or PO Box No. <b>227 Hamor St</b>	
City, State, ZIP+4 <b>P.O. Box 306, Dubois PA 15801</b>	

PS Form 3800, June 2002 See Reverse for Instructions

COURT OF COMMON PLEAS

FROM

JUDICIAL DISTRICT

DISTRICT JUSTICE JUDGMENT

46<sup>th</sup>

COMMON PLEAS No. 02-1958-CD

## 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.

46-3-01

ADDRESS OF APPELLANT

CITY

STATE

ZIP CODE

1037 Dolcum Road, St Marys, PA 15857

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

(Defendant)

11/18/2002

Cooper Tire &amp; Auto

vs. Highland Stool Inc

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV  
LT

0000569-02

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 &amp; Auto

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

Name of appellee(s)

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

Cooper Tire &amp; 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. 11, 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 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 TIRE + 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 20th DAY OF December, 2002

[Signature]  
Signature of affiant

[Signature]  
Signature of official before whom affidavit was made

Notary Public  
Title of official

My commission expires on \_\_\_\_\_

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

Member, Pennsylvania Association of Notaries

FILED  
m/12: 34 BT  
DEC 23 2002  
NO CC  
[Initials]

William A. Shaw  
Prothonotary

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  
15801**

Telephone: **(814) 371-5321 15801**

**PATRICK N. FORD  
309 MAPLE AVENUE  
P.O. BOX 452  
DUBOIS, PA 15801**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

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

VS.  
DEFENDANT: **HIGHLAND STEEL INC**  
1037 DELAUM ROAD  
ST MARYS, PA 15857

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



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

**02-1952-02**

☒ 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	\$ <b>2,139.99</b>
Judgment Costs	\$ <b>72.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 2,212.49</b>

Post Judgment Credits	\$
Post Judgment Costs	\$
=====	

Certified Judgment Total \$

**FILED**

Date:	Place:
Time:	

**William A. Shaw**  
Prothonotary

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

**11-18-02** Date **Patrick N. Ford - PNF**, District Justice

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

\_\_\_\_\_, Date \_\_\_\_\_, District Justice

My commission expires first Monday of January,

**2006**

SEAL

COUNTY OF **CLEARFIELD**

**CIVIL COMPLAINT**

Mag. Dist. No. **46-3-01**

DJ Name: Hon. **PATRICK M. FORD**

Address: **109 NORTH BRADY STREET**  
**P.O. BOX 452**  
**DUBOIS, PA 15801**

Telephone: **(814) 371-5321**

PLAINTIFF: NAME and ADDRESS  
**PS REPAIR CO INC**  
**(DIA) COOPER TIRE & AUTO**  
**PO BOX 306**  
**DUBOIS, PA 15801**

DEFENDANT: NAME and ADDRESS  
**HIGHLAND STEEL**  
**1037 DEVAUM RD.**  
**ST. MARKS, PA 15857**

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



	AMOUNT	DATE PAID
FILING COSTS \$	<u>72.35</u>	<u>/ /</u>
SERVING COSTS \$	<u>          </u>	<u>/ /</u>
TOTAL \$	<u>          </u>	<u>/ /</u>

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. REINY 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. Mohnney, 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

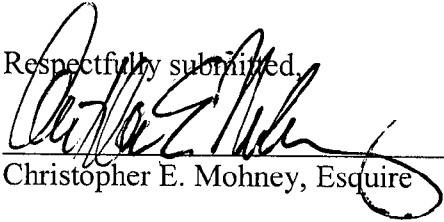
AND NOW, comes your **Plaintiff, Cooper Tire & Auto**, and files this Complaint against **Defendant Highland Steel, Inc.**, upon a cause of action whereof the following is a statement:

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 Delaun 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,

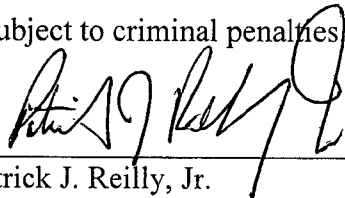
  
Christopher E. Mohny, Esquire

## 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

Atty Monney

9/2:3281  
JAN 07 2003

William A. Shaw  
Prothonotary

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

COOPER TIRE & AUTO,  
PLAINTIFF

VS.

HIGHLAND STEEL, INC.,  
DEFENDANTS

: NO. 02-1952 C.D.  
: TYPE OF CASE: CIVIL  
:  
: TYPE OF PLEADING: CERTIFICATE  
: OF SERVICE  
:  
: 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

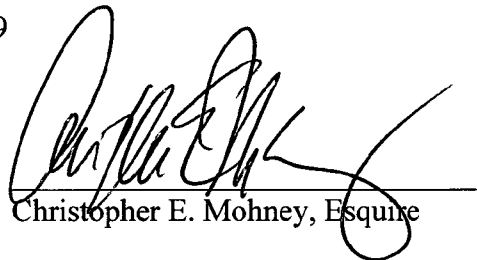
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION

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

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  
JAN 10 2003  
M 11:40-EST  
cc

William A. Shaw  
Prothonotary

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

COOPER TIRE & AUTO,

Plaintiff,

v.

HIGHLAND STEEL, INC.,

Defendant.

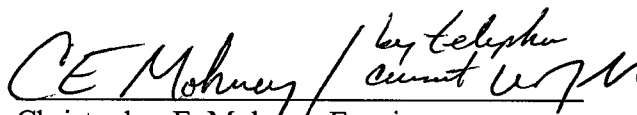
Case No. 02-1952 C.D.

**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 Praecipe without further notice.



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



Christopher E. Mohnney, 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 10<sup>th</sup> day of **February, 2003**:

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

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

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

COOPER TIRE & AUTO,

PLAINTIFF

VS.

HIGHLAND STEEL, INC.,

DEFENDANTS

: NO. 02-1952 C.D.

: TYPE OF CASE: CIVIL

:  
: TYPE OF PLEADING: PRAECIPE  
: 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

01/10:30/att Mohney pd 2000  
William A. Shaw Not. to Dy  
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 Praecipe 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. 50-51

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.  
: TYPE OF CASE: CIVIL  
PLAINTIFF :  
VS. :  
: :  
HIGHLAND STEEL, INC., :  
: :  
DEFENDANT :

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

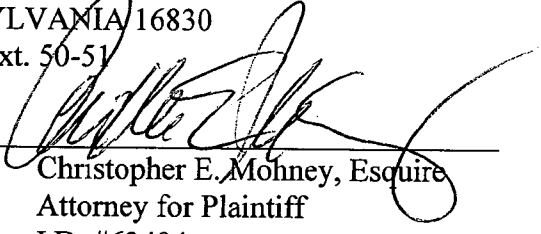
DATE OF NOTICE: February 4, 2003

IMPORTANT NOTICE

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CLEARFIELD, PENNSYLVANIA 16830  
(814) 765-2641 Ext. 50-51

BY:

  
Christopher E. Mohnney, 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

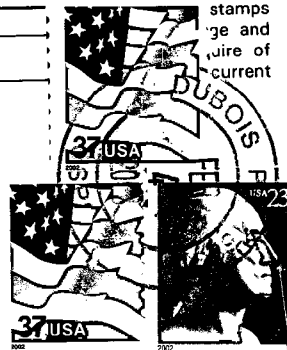
Received From:

Christopher E. Mohnhey, 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



stamps  
age and  
value of  
current

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. Mohnhey, 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.

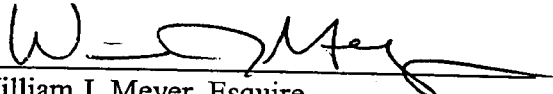
HIGHLAND STEEL, INC.,

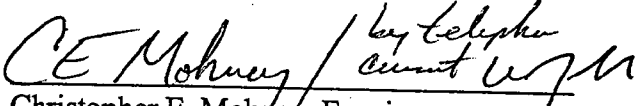
Defendant.

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 Praecipe without further notice.

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

  
Christopher E. Mohney, Esquire  
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 10<sup>th</sup> day of **February, 2003**:

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

A handwritten signature in black ink, appearing to read "W. Mohny", 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.
	:	TYPE OF CASE: CIVIL
PLAINTIFF	:	
	:	TYPE OF PLEADING:
	:	NOTICE OF JUDGMENT
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