

02-1987-CD  
PRO-FORMANCE FUEL, INC. vs. NICHOLAS NINOSKY

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-02**

DJ Name: Hon.

**RICHARD A. IRELAND**  
Address: **650 LEONARD STREET**  
**CLEARFIELD, PA**

Telephone: **(814) 765-5335**

**16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**PRO-FORMANCE FUEL, INC**  
**RR 2 BOX 242A**  
**CLEARFIELD, PA 16830**

NAME and ADDRESS

DEFENDANT:

**NINOSKY, NICHOLAS**  
**RR1, BOX 592**  
**LAJOSE, PA 15753**

VS.

NAME and ADDRESS

Docket No.: **CV-0000195-02**  
Date Filed: **4/25/02**



**PRO-FORMANCE FUEL, INC**  
**RR 2 BOX 242A**  
**CLEARFIELD, PA 16830**

*02-1987-CO*

**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

Judgment was entered for: (Name) **PRO-FORMANCE FUEL, INC**

Judgment was entered against: (Name) **NINOSKY, NICHOLAS**

in the amount of \$ **5,525.83** on: (Date of Judgment) **5/23/02**

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>5,421.83</b>
Judgment Costs	\$ <b>104.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>5,525.83</b>

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

**FILED**

Date:	Place:
Time:	

*DEC 27 2002*

**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.

**MAY 23 2002** Date *Richard Ireland*, District Justice

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

*12-20-02* Date *Richard Ireland*, District Justice

My commission expires first Monday of January,

**2006**

SEAL

**FILED**

Ang C. Bouses (Hank Guido,  
for Taladegy)  
DEC 13:30 2002  
pd. 20-00  
27 2002

Notice to Def.

William A. Shaw  
Prothonotary

Statement to Atty

**COPY**

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Pro-Formance Fuel, Inc.

Vs.

Nicholas Ninosky

No. 2002-01987-CD

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$5,525.83 on the December 27, 2002.

William A. Shaw  
Prothonotary

---

William A. Shaw

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

CCOPY

Pro-Formance Fuel, Inc.  
Plaintiff(s)

No.: 2002-01987-CD

Real Debt: \$5,525.83

Atty's Comm:

Vs.

Costs: \$

Int. From:

Nicholas Ninosky  
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: December 27, 2002

Expires: December 27, 2007

Certified from the record this 27th day of December, 2002

---

William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

---

Plaintiff/Attorney

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

PRO-FORMANCE FUEL, INC., :  
Plaintiff :  
vs. :  
NICHOLAS NINOSKY, :  
Defendant :  
No. 2002-01987-CD

**PRAECIPE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:

Please issue a writ of execution in the above matter,

- (1) directed to the Sheriff of Clearfield County;
- (2) against Nicholas Ninosky, an adult individual;
- (3) against First Commonwealth Bank, Garnishee;
- (4) and index this writ:
  - (a) against Nicholas Ninosky, an adult individual; and
  - (b) against First Commonwealth Bank, as Garnishee.
- (6) Property to be levied upon in the possession of the Garnishee is as follows:

Any and all certificates of deposit, accounts held in the name of Defendant/Debtor, Nicholas Ninosky.

**FILED**

(7) Amount due	\$5,525.83
Interest from 6/23/02	
Attorney's fees	
(Costs to be added)	

JAN 17 2003  
012:20 PM  
William A. Shaw  
Prothonotary  
No court.  
6 wrires to SHF.

  
Robert M. Hanak  
Attorney for Plaintiff



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

PRO-FORMANCE FUEL, INC.,  
Plaintiff

vs. : No. 2002-01987-CD

NICHOLAS NINOSKY,  
Defendant

**WRIT OF EXECUTION**  
**NOTICE**

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

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

If you have an exemption, you should do the following promptly:

- (1) Fill out the attached claim form and demand for a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

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

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 Floor  
Clearfield, PA 16820  
(814) 765-2641, Ext. 1303

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

PRO-FORMANCE FUEL, INC., :  
Plaintiff :  
vs. :  
No. 2002-01987-CD  
NICHOLAS NINOSKY, :  
Defendant :  
:

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

1. From my personal property in my possession which has  
been levied upon,

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

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

---

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

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

---

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

(a) my \$300.00 statutory exemption    in cash;

   in kind (specify property) \_\_\_\_\_  
\_\_\_\_\_;

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

(c) Other (specify amount and basis of exemption):  
\_\_\_\_\_.

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

\_\_\_\_\_, Telephone No. \_\_\_\_\_.

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4404 relating to unsworn falsification to authorities.

---

Date

---

Defendant

THIS CLAIM TO BE FILED WITH THE  
OFFICE OF THE SHERIFF  
OF CLEARFIELD COUNTY  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5986

**MAJOR EXEMPTIONS UNDER  
PENNSYLVANIA AND FEDERAL LAW**

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

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

**46-3-02**

DJ Name: Hon.

**RICHARD A. IRELAND**  
Address: **650 LEONARD STREET**  
**CLEARFIELD, PA**

Telephone: **(814) 765-5335**      **16830**

**PRO-FORMANCE FUEL, INC**  
**RR 2 BOX 242A**  
**CLEARFIELD, PA 16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**PRO-FORMANCE FUEL, INC**  
**RR 2 BOX 242A**  
**CLEARFIELD, PA 16830**

NAME and ADDRESS

DEFENDANT:

**NINOSKY, NICHOLAS**  
**RR1, BOX 592**  
**LAJOSE, PA 15753**

VS.

NAME and ADDRESS

Docket No.: **CV-0000195-02**  
Date Filed: **4/25/02**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**DEFAULT JUDGMENT PLTF**

Judgment was entered for: (Name) **PRO-FORMANCE FUEL, INC**

Judgment was entered against: (Name) **NINOSKY, NICHOLAS**

in the amount of \$ **5,525.83** on: (Date of Judgment) **5/23/02**

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

Damages will be assessed on: \_\_\_\_\_

Amount of Judgment	\$ <b>5,421.83</b>
Judgment Costs	\$ <b>104.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	<b>\$ 5,525.83</b>

This case dismissed without prejudice.

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

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:

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.

**MAY 23 2002** Date Richard Ireland, District Justice

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

12-20-02 Date Fuhlele Schle, District Justice

My commission expires first Monday of January,

**2006**

SEAL

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

Pro-Formance Fuel, Inc.  
Plaintiff(s)

No.: 2002-01987-CD

Real Debt: \$5,525.83

Atty's Comm:

Vs.

Costs: \$

Int. From:

Nicholas Ninosky  
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: December 27, 2002

Expires: December 27, 2007

Certified from the record this 27th day of December, 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

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

Pro-Formance Fuel, Inc.,

Vs.

NO.: 2002-01987-CD

Nicholas Ninosky,

First Commonwealth Bank  
Garnishee

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due PRO-FORMANCE FUEL, INC., , Plaintiff(s) from NICHOLAS NINOSKY, , Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
First Commonwealth Bank  
Garnishee(s) as follows: ANY AND ALL CERTIFICATES OF DEPOSIT, ACCOUNTS HELD IN THE NAME OF DEFENDANT/DEBTOR, NICHOLAS NINOSKY  
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;
- (2) 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: \$5,525.83

PAID: \$40.00

INTEREST: \$ from 6/23/02

SHERIFF: \$

PROTH. COSTS: \$

OTHER COSTS: \$

ATTY'S COMM: \$

DATE: 01/17/2003

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

Sheriff

---

William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party:  
Robert M. Hanak  
498 Jeffers Street  
DuBois, PA 15801

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12951

PRO-FORMANCE FUEL, INC.

02-1987-CD

VS.

NINOSKY, NICHOLAS

WRIT OF EXECUTION GARNISHEE

**SHERIFF RETURNS**

NOW, JANUARY 29, 2003, @ 1:15 P.M. O'CLOCK SERVED WRIT OF EXECUTION AN INTERROGATORIES TO GARNISHEE ON DIANE KASPICK, OFFICE SALES MANAGER OF FIRST COMMONWEALTH FINANCIAL, GARNISHEE, AT HER PLACE OF EMPLOYMENT CLEARFIELD MALL, 1800 DAISY STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DIANE KASPICK, OFFICE SALES MANAGER OF FIRST COMMONWEALTH FINANCIAL, GARNISHEE, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE AND MAKING KNOWN TO HER THE CONTENTS THEREOF.

NOW, MARCH 20, 2003 RETURN WRIT AS BEING SERVED, PAID COSTS FROM ADVANCE AND MADE REFUND OF UNUSED ADVANCE TO ATTORNEY.

SHERIFF HAWKINS \$20.37  
SHURCHARGE \$10.00  
PAID BY ATTORNEY

**FILED**  
01/29/2003  
MAR 20 2003  
SJD  
William A. Shaw  
Prothonotary

Sworn to Before Me This

20<sup>th</sup> Day Of March 2003  
William A. Shaw

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

So Answers,

Chester Hawkins  
Chester A. Hawkins  
Sheriff

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

Pro-Formance Fuel, Inc.,

Vs.

NO.: 2002-01987-CD

Nicholas Ninosky,

First Commonwealth Bank  
Garnishee

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due PRO-FORMANCE FUEL, INC., , Plaintiff(s) from NICHOLAS NINOSKY, , Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
First Commonwealth Bank  
Garnishee(s) as follows: ANY AND ALL CERTIFICATES OF DEPOSIT, ACCOUNTS HELD IN THE NAME OF DEFENDANT/DEBTOR, NICHOLAS NINOSKY  
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;
- (2) 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: \$5,525.83

PAID: \$40.00

INTEREST: \$ from 6/23/02

SHERIFF: \$

PROTH. COSTS: \$

OTHER COSTS: \$

ATTY'S COMM: \$

DATE: 01/17/2003

Received this writ this 17<sup>th</sup> day  
of January A.D. 2003  
At 3:25 A.M./P.M.

Christopher A. Hawkins  
Sheriff By Cynthia Butler-Augherbaugh

  
William A. Shaw  
Prothonotary/Clerk Civil Division

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

Requesting Party:  
Robert M. Hanak  
498 Jeffers Street  
DuBois, PA 15801

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

PRO-FORMANCE FUEL, INC., : CIVIL ACTION - AT LAW  
Plaintiff :  
vs. : No. 2002-01987-CD  
NICHOLAS NINOSKY, : Type of pleading:  
Defendant : **NOTICE OF SERVICE**  
: Filed on behalf of:  
: PLAINTIFF  
: Counsel of record for this  
: party:  
: Robert M. Hanak, Esq.  
: Supreme Court No. 05911  
: S. Casey Bowers, Esq.  
: Supreme Court No. 89032  
: Hanak, Guido and Taladay  
: 498 Jeffers St., P. O. Box 487  
: DuBois, PA 15801  
: 814-371-7768

FILED

JAN 21 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

PRO-FORMANCE FUEL, INC., :  
Plaintiff :  
vs. : No. 2002-01987-C.D.  
NICHOLAS NINOSKY, :  
Defendant :  
:

**NOTICE OF SERVICE OF INTERROGATORIES**  
**DIRECTED TO DEFENDANT**

This is to certify that on the 20th day of January, 2004, I mailed an original and two copies of Plaintiff's Interrogatories to Defendant, by first class mail, postage prepaid, to:

Nicholas Ninosky  
R.D. #1, Box 592  
LaJose, PA 15753



---

S. Casey Bowers  
Attorney for Plaintiff

FILED NO  
cc  
JAN 11 2004  
FEB 2 1 2004  
FEB 2 1 2004

William A. Shaw  
Prothonotary/Clerk of Courts