

03-47-CD
RON JONES HARDWOOD SALES VS. TRI-WOODS, INC.

RON JONES HARDWOOD SALES,
INC.

2 East High Street

P. O. Box 232

Union City, PA 16438

Plaintiff

v.

TRI-WOODS, INC.

329 Aspen Way

DuBois, Pa 15801

Defendant

) IN THE COURT OF COMMON PLEAS
) OF ERIE COUNTY, PENNSYLVANIA

) (Civil Action - Law)

FILED

03-47-CD

JAN 10 2003

No. 12892- 2002

William A. Shaw
Prothonotary

) TRIAL BY JURY OF 12 DEMANDED

PRAECIPE TO TRANSFER JUDGMENT

Pursuant to the judgment entered by the Prothonotary of the Erie Court of Common Pleas on the 15th of October, 2002, please enter Judgment on the docket of the Court of Common Pleas of Clearfield County in favor of Ron Jones Hardwood Sales, Inc. and against the Defendant, Tri-Woods, Inc., in the amount of \$13,855.90, plus costs and interest. A true and correct copy of the Exemplification of the Record, the pertinent docket entries, the Praecipe for Entry of Judgment and an Affidavit of last known address are attached hereto and incorporated herein by reference as if fully set forth in their entirety.

Respectfully submitted,

ELDERKIN, MARTIN, KELLY & MESSINA

CERTIFICATE

A true and correct copy of the above paper or pleading was served on all parties or their counsel of record by hand delivery or first class mail on the 8th day of January, 2003

ELDERKIN, MARTIN, KELLY & MESSINA

By

By

Harry D. Martin, Esquire

Attorney for Plaintiff

150 East 8th Street

Erie, PA 16501

(814) 456-4000

000000

ORDERED BY: MARTIN, KELLY & MESSIA
day of _____
at _____
by hand delivery of first class mail
on all business days

RON JONES HARDWOOD SALES
VS.
TRI-WOODS, INC.

THE COURT OF COMMON PLEAS OF
ERIE COUNTY, PA.

At No. _____
No. 12892 -2002

Among the Rolls, Records and Judicial Proceedings of the Court of Common
Pleas of Erie County, Commonwealth of Pennsylvania, the Plaintiff(s) _____

Ron Jones Hardwood Sales entered Judgment against _____

Defendant(s) Tri-Woods, Inc. in the amount of \$24225.90 on _____

this 15th day of October, 2002.

Erie County Record Costs \$69.50

Exemplified Record 10.00

Sheriff Erie Co. \$69.00; Sheriff Clearfield Co. \$30.72

I, Patrick L. Fetzner, Prothonotary of the Court of
Common Pleas in and for said County, do hereby certify that
the above and foregoing is a true and correct exemplification
of the record in the foregoing stated case, as full and
entire as the same appears on file and of record in said
Court.

In Testimony Whereof, I have hereunto set my hand and
affixed the seal of said Court at Erie, Pennsylvania
this 30th day of December, 2002

Patrick L. Fetzner
Prothonotary

I, William R. Cunningham, President Judge of the Sixth Judicial
District composed of the County of Erie, do certify that Patrick L. Fetzner
by whom the annexed record, certificate and attestation were made and given, and
who in his own proper handwriting thereunto subscribed his name, and affixed the
seal of the Court of Common Pleas of said County, was at the time of so doing,
and now is, Prothonotary in and for said County of Erie, in the Commonwealth of
Pennsylvania, duly commissioned and qualified, to all of whose acts as such full
faith and credit are and ought to be given, as well in courts and judicature as
elsewhere, and that the said record, certificate and attestation are in due form
of law, and made by the proper officer.

William R. Cunningham
President Judge

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ERIE

I, Patrick L. Fetzner, Prothonotary of the Court of Common Pleas
in and for said County, do certify that the Honorable William R. Cunningham
by whom the foregoing attestation was made, and who has thereunto subscribed his
name, was at the time of making thereof, and still is, President Judge of the
Court of Common Pleas and Court of Quarter Sessions of the Peace in and for said
County, duly commissioned and qualified, to all of whose acts as such full faith
and credit are and ought to be given, as well in courts of judicature as elsewhere.

In Testimony Whereof, I have hereunto set my hand and
affixed the seal of said Court, this 30th day of
December, 2002

Patrick L. Fetzner
Prothonotary

2002-12892 RON JONES HARDWOOD SALES (vs) TRI-WOODS INC

Reference No.:
Case Type:..... COMPLAINT
Judgment:..... 24225.90
Judge Assigned: DISANTIS ERNEST J JR
Disposed Desc.:
----- Case Comments -----

Filed.....: 8/19/2002
Time.....: 4:07
Execution Date 0/00/0000
Jury Trial....
Disposed Date: 0/00/0000
Higher Crt 1.:
Higher Crt 2.:

General Index

Attorney Info

JONES RON HARDWOOD SALES INC
2 EAST HIGH ST
POB 232
UNION CITY PA 16438

PLAINTIFF

MARTIN HARRY D, ESQ

000000

TRI WOODS INC
329 ASPEN WAY
DUBOIS PA 15801

DEFENDANT

WAGNER WILLIAM C, ESQ

000000

Judgment Index

Amount

Date

Desc

TRI WOODS INC 24,225.90 10/15/2002 DEFAULT JUDGMENT

* Date Entries *

8/19/2002 FIRST ENTRY
CAPTION: RON JONES HARDWOOD SALES, INC. VS. TRI-WOODS, INC.

8/19/2002 COMPLAINT CIVIL ACTION IN THE AMOUNT OF \$24,225.90. NOTICE TO PLEAD
WITHIN TWENTY (20) DAYS. F/HARRY D MARTIN ESQ.
009 Image page(s) exist(s) for this entry

9/19/2002 SHERIFF'S RETURN: HIGH SHERIFF OF THE COUNTY OF ERIE, STATE OF PA,
AT THE RISK & REQUEST OF THE PLFF, DO HEREBY AUTHORIZED AND DEPUTE
CHESTER A HAWKINS, SHERIFF OF CLEARFIELD COUNTY, TO EXECUTE THIS
COMPLAINT AS FULLY & EFFECTIVELY AS I COULD OR WOULD IF PERSONALLY
PRESENT S/BOB MERSKI, SHERIFF
001 Image page(s) exist(s) for this entry

9/19/2002 SHERIFF'S RETURN: 09/06/02 @ 1035:00 HRS SERVED DEFT TRI-WOODS INC
@ 329 ASPEN WAY DUBOIS PA TO RYAN HORCHEN, VP, A TRUE & ATTESTED
COPY OF COMPLAINT S/BOB MERSKI, SHERIFF
001 Image page(s) exist(s) for this entry

9/19/2002 SHERIFF FEE(S) PD ERIE CO \$ 69.00
SHERIFF FEE(S) PD CLEARFIELD CO \$ 30.72

10/15/2002 PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT W/TEN DAY NOTICE AND CERTIFI
CATION OF MAILING OF SAME; IN THE AMOUNT OF \$24,225.90 PLUS
INTEREST AND COSTS AGAINST DEFT. F/HARRY D MARTIN ESQ.
003 Image page(s) exist(s) for this entry

10/15/2002 JUDGMENT ENTERED BY DEFAULT.

10/16/2002 NOTIFICATION OF MAILING TO DEFENDANT(S).

10/16/2002 CERTIFICATE OF SERVICE OF PREACIPE FOR ENTRY OF JUDGMENT BY
DEFAULT BY US FIRST CLASS MAIL, POSTAGE PREPAID ON 10/15/02 UPON
TRI-WOODS INC 329 ASPEN WAY DUBOIS, PA 15801 & BENJAMIN S BLAKELY,
ESQ BLAKELY, JONES & MOHNEY 90 BEAVER DRIVE PO BOX 6 DUBOIS, PA
15801 F/HARRY D MARTIN, ESQ W/CERT OF SERVICE
001 Image page(s) exist(s) for this entry

10/21/2002 PRAECIPE FOR APPEARANCE ON BEHALF OF DEFT, TRI-WOODS, INC.
F/WILLIAM C WAGNER, ESQ. W/CERT OF SERVICE.
002 Image page(s) exist(s) for this entry


Prothonotary

2002-12892 RON JONES HARDWOOD SALES (vs) TRI-WOODS INC

Reference No.:		Filed.....:	8/19/2002
Case Type.....:	COMPLAINT	Time.....:	4:07
Judgment.....:	24225.90	Execution Date	0/00/0000
Judge Assigned:	DISANTIS ERNEST J JR	Jury Trial....	
Disposed Desc.:		Disposed Date.	0/00/0000

----- Case Comments -----

10/21/2002 DEFT'S PETITION, PER PA RCP 237.3 FOR RELIEF FROM JUDGMENT BY
DEFAULT. W/CERT OF SERVICE. F/WILLIAM C WAGNER, ESQ.

011 Image page(s) exist(s) for this entry

11/21/2002 PRAECIPE TO WITHDRAW PETITION FOR RELIEF FROM JUDGMENT BY DEFAULT.
W/CERT OF SERVICE. F/WILLIAM C WAGNER, ESQ.

002 Image page(s) exist(s) for this entry

12/23/2002 EXEMPLIFIED RECORD REQUESTED BY ELDERKIN LAW FIRM, ANGELA.

12/24/2002 EXEMPLIFIED RECORD RETURNED TO ELDERKIN LAW FIRM TO THE ATTN OF
ANGELA BY COURTHOUSE BOX.

----- LAST ENTRY -----

* Escrow Information *
* Fees & Debits Beg Bal Pymts/Adj End Bal *

COMPLAINT TAX	.50	.50	.00
JCS/ATJ	5.00	5.00	.00
COMPLAINT	50.00	50.00	.00
DEFAULT JUDG	9.00	9.00	.00
EXEMP RECORD	10.00	10.00	.00
AUTOMATION FEE	5.00	5.00	.00
	-----	-----	-----
	79.50	79.50	.00

* End of Case Information *

RON JONES HARDWOOD SALES,
INC.
2 East High Street
P. O. Box 232
Union City, PA 16438
Plaintiff

v.

TRI-WOODS, INC.
329 Aspen Way
DuBois, Pa 15801
Defendant

IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA

(Civil Action - Law)

No. 12892- 2002

OCT 15 2 56 PM '02
CLERK OF COURT

PRAECIPE FOR ENTRY OF JUDGMENT BY DEFAULT

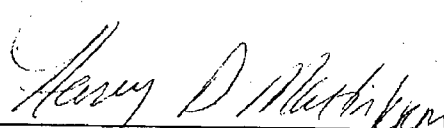
TO THE PROTHONOTARY:

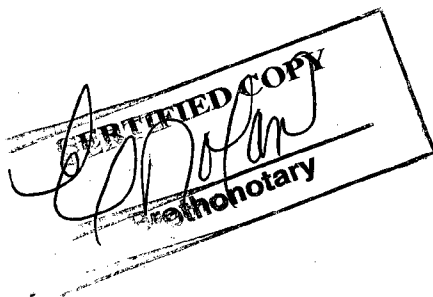
Please enter a default judgment in favor of Plaintiff and against Defendant, Tri-Woods, Inc., in the amount of \$24,225.90, plus interest and costs of this action. I hereby certify that a written notice of intention to file this Praecipe for Default Judgment was mailed to Defendant, Tri-Woods, Inc., on October 3, 2002. A true and correct copy of the notice and of the certificate of mailing of said notice to Tri-Woods, Inc. is attached hereto as Exhibit A, and is incorporated herein by reference as if set forth in its entirety.

Respectfully submitted,

ELDERKIN, MARTIN, KELLY & MESSINA

By


Harry D. Martin, Esquire
Attorney for Plaintiff
150 East Eighth Street
Erie, Pennsylvania 16501
(814) 456-4000



Dated: October 15, 2002

RON JONES HARDWOOD SALES,
INC.
2 East High Street
P. O. Box 232
Union City, PA 16438
Plaintiff

v.

TRI-WOODS, INC.
329 Aspen Way
DuBois, Pa 15801
Defendant

) IN THE COURT OF COMMON PLEAS
) OF ERIE COUNTY, PENNSYLVANIA

) (Civil Action - Law)

) No. 12892- 2002

) TRIAL BY JURY OF 12 DEMANDED

TO: TRI-WOODS, INC.

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN 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 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:

Lawyers Referral Service
302 West Ninth Street
Erie, Pennsylvania 16502-1427
(814) 459-4411
Monday - Friday
8:30 a.m. - 3:00 p.m.

ELDERKIN, MARTIN, KELLY & MESSINA

By Harry D. Martin
Harry D. Martin, Esquire
Attorney for Plaintiff
150 East 8th Street
Erie, Pennsylvania 16501
(814) 456-4000

Date: October 2, 2002

EXHIBIT
A

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

Received From:

Harry D. Martin, Esquire

150 East Eighth Street

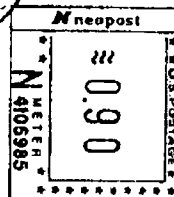
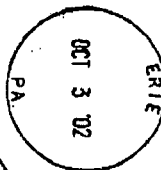
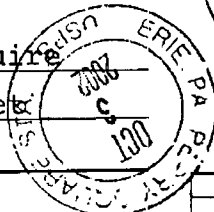
Erie, PA 16501

One piece of ordinary mail addressed to:

Tri-Woods, Inc.

329 Aspen Way

DuBois, PA 15801



RON JONES HARDWOOD SALES,
INC.

2 East High Street

P. O. Box 232

Union City, PA 16438

Plaintiff

v.

TRI-WOODS, INC.

329 Aspen Way

DuBois, Pa 15801

Defendant

) IN THE COURT OF COMMON PLEAS
) OF ERIE COUNTY, PENNSYLVANIA

) (Civil Action - Law)

) No. 12892- 2002

) TRIAL BY JURY OF 12 DEMANDED

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)

) SS

COUNTY OF ERIE)

I, Harry D. Martin, Esquire, being duly sworn according to law, depose and say as follows:

The last known address of the Defendant is:

329 Aspen Way, Dubois, PA, 15801.

The Defendant in the above entitled case is not engaged in the military service of the United States of America.

I do verify and affirm that a levy, execution or garnishment is not being made on any judgment by confession entered pursuant to a transaction governed by the Goods and

Services Installment Sales Act, 69 P.S. 1101 et seq; nor the Loan Interest and Protection Law of 1974, 41 P.S. 101 et seq; nor on any confessed judgment governed by Pennsylvania Rules of Civil Procedure 2981-2986.

Sworn and subscribed before me this
2nd day of January, 2002

Angela Pacansky

Notarial Seal
Angela S. Pacansky, Notary Public
Erie, Erie County
My Commission Expires Mar. 8, 2004
Member, Pennsylvania Association of Notaries

Harry D. Martin
Harry D. Martin, Esquire
Attorney for Plaintiff

FILED

No CC

~~#~~ m/2:35 ~~8d~~
JAN 10 2003

Atty Martin pd. 20.00

Notice to Def

William A. Shaw
Prothonotary

Statement to Atty

NOTICE OF JUDGMENT

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Ron Jones Hardwood Sales, Inc.

Vs.

No. 2003-00047-CD

Tri-Woods, Inc.

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$13,855.90 on the January 10, 2003.

William A. Shaw
Prothonotary

William A. Shaw

COPY

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

Ron Jones Hardwood Sales, Inc.
Plaintiff(s)

No.: 2003-00047-CD

Real Debt: \$13,855.90

Atty's Comm:

Vs.

Costs: \$

Int. From:

Tri-Woods, Inc.
Defendant(s)

Entry: \$20.00

Instrument: Transfer Judgment

Date of Entry: January 10, 2003

Expires: January 10, 2008

Certified from the record this 10th day of January, 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