

03-163-CD
PRECISTON DIMENSTON -vs- TRI-WOODS, INC.

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

PRECISION DIMENSION,
Plaintiff,

v.

TRI-WOODS, INC.,
Defendant.

No. 2003-163-CD

JURY TRIAL DEMANDED

FILED

NOTICE

FEB 05 2003

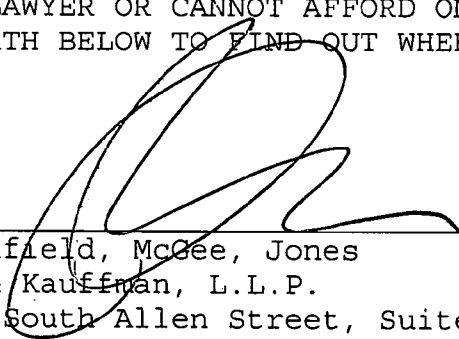
TO: Tri-Woods, Inc.
329 Aspen Way
DuBois, Pennsylvania 15801

William A. Shaw
Prothonotary

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT KNOW A LAWYER, CALL OR WRITE THE PROTHONOTARY, COURTHOUSE, CLEARFIELD, PENNSYLVANIA 16830, TELEPHONE NUMBER (814) 765-2641, Ext. 1330. 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
CLEARFIELD, PA 16830
(814) 765-2641, Ext. 5982



Delafield, McGee, Jones
& Kauffman, L.L.P.
300 South Allen Street, Suite 300
State College, PA 16801-4841
(814) 237-6278

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

PRECISION DIMENSION,)	
Plaintiff,)	
)	
v.)	No. 2003-
)	
TRI-WOODS, INC.,)	JURY TRIAL DEMANDED
Defendant.)	

COMPLAINT

NOW COMES Plaintiff, Precision Dimension, by and through its attorneys, Delafield, McGee, Jones & Kauffman, L.L.P., and makes the following Complaint upon Defendant:

1. Plaintiff is Precision Dimension (hereafter "Plaintiff"), a partnership, with principal offices at 1423 Burley Avenue, Tyrone, Blair County, Pennsylvania (16686).
2. Defendant is Tri-Woods, Inc. (hereafter "Defendant"), a Pennsylvania corporation, with offices at 329 Aspen Way, DuBois, Clearfield County, Pennsylvania (15801).
3. At all times relevant to this action, Plaintiff was engaged in the business of the preparation and sale of wood-related products.
4. At the instance and request of Defendant, Plaintiff, at various times, supplied to Defendant both surfacing and gang-rip materials, as more fully set forth in the invoices attached hereto, incorporated herein, and marked Exhibits "A-1" through "A-10", inclusive, and Defendant agreed to pay Plaintiff for those supplies and materials.

5. The balance that is due to Plaintiff and which Defendant agreed to pay to Plaintiff is the total sum of Ten Thousand Eight Hundred Seventy-seven and 20/100 (\$10,877.20) Dollars, as detailed on Plaintiff's Exhibits "A-1" through "A-10", inclusive, attached hereto.

6. Plaintiff has fulfilled all terms and conditions of, and completed all performance required of Plaintiff pursuant to the agreement between the parties.

7. Despite demand by Plaintiff, Defendant has failed and refused and continues to fail and refuse to pay all or any portion of the balance due.

WHEREFORE, Plaintiff, Precision Dimension, respectfully demands judgment in its favor and against Defendant, Tri-Woods, Inc., in the amount of Ten Thousand Eight Hundred Seventy-seven and 20/100 (\$10,877.20) Dollars, together with costs of suit and interest thereon.

Respectfully submitted,

DELAFIELD, MCGEE, JONES
& KAUFFMAN, L.L.P.

Date: 2-3-03

By: Wendy J. Laws
Wendy J. Laws, Esquire
Attorney for Plaintiff
Attorney I.D. No. 84891
300 South Allen St., Suite 300
State College, PA 16801-4841
(814) 237-6278

Date: 2.3.03

By: 

Gary A. Delafield, Esquire
Attorney for Plaintiff
Attorney I.D. No. 16145
300 South Allen St., Suite 300
State College, PA 16801-4841
(814) 237-6278

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/13/2002	799

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
108	Net 30		8/13/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
8,004	SURFACING GANG RIPPED				50.00	400.20
6					100.00	600.00
					Total	\$1,000.20

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/13/2002	800

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
107	Net 30		8/13/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
12.993	SURFACING				50.00	649.65
12.993	GANG RIPPED				100.00	1,299.30
					Total	\$1,948.95

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/15/2002	805

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
109	Net 30		8/15/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
9.045	SURFACING				50.00	452.25
9.045	GANG RIPPED				100.00	904.50
					Total	\$1,356.75

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/19/2002	808

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
108	Net 30		8/19/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
8.004	SURFACING				50.00	400.20
8.004	GANG RIPPED				100.00	800.40
					Total	\$1,200.60

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/23/2002	813

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
110	Net 30		8/23/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
13.464	SURFACING				50.00	673.20
9.35	GANG RIPPED				100.00	935.00
						</

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/23/2002	814

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
111	Net 30		8/23/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
13.662	SURFACING				50.00	683.10
9.362	GANG RIPPED				100.00	936.20
					Total	\$1,619.30

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
8/30/2002	827

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
112	Net 30		8/30/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
14.227	SURFACING				50.00	711.35
					Total	\$711.35

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
9/5/2002	834

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT	
113	Net 30		9/5/2002				
QUANTITY	ITEM CODE	DESCRIPTION				PRICE EACH	AMOUNT
7.722	SURFACING					50.00	386.10
Total						\$386.10	

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
9/9/2002	836

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
114	Net 30		9/9/2002			
QUANTITY	ITEM CODE	DESCRIPTION			PRICE EACH	AMOUNT
6.387	SURFACING	4/4 BASS			50.00	319.35
2.728	SURFACING	5/4 BASS			50.00	136.40

Precision Dimension 2002

1423 Burley Avenue
Tyrone, PA 16686

Invoice

DATE	INVOICE #
9/13/2002	844

BILL TO
TRI-WOODS INC. 329 ASPENWAY DUBOIS, PA 15801

SHIP TO
TRI-WOODS INC.

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
115	Net 30		9/13/2002			

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	AMOUNT
2.8	SURFACING		50.00	140.00
9	SURFACING		50.00	450.00
			Total	\$590.00

VERIFICATION

TIMOTHY P. BROBECK deposes and says that he is a Partner of Precision Dimension which is a party in this action; that he is authorized to and makes this affidavit for and on its behalf; that the facts set forth in the foregoing pleading are true and correct to the best of his knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities.

PRECISION DIMENSION

Dated: 2-3-03

By: 


Timothy P. Brobeck

FILED

ice shg

12:02 PM
FEB 05 2003

Aug. pd. 85.00


William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13629

PRECISION DIMENSION

03-163-CD

VS.

TRI-WOODS, INC.

COMPLAINT

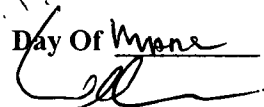
SHERIFF RETURNS

NOW FEBRUARY 7, 2003 AT 9:40 AM EST SERVED THE WITHIN COMPLAINT ON TRI-WOODS, INC., DEFENDANT AT EMPLOYMENT, 329 ASPEN WAY, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DUSTIN HORCHEN, PRES. A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: COUDRIET/RYEN

Return Costs


Cost	Description
30.72	SHFF. HAWKINS PD. BY: ATTY.
10.00	SURCHARGE PD BY: ATTY.

Sworn to Before Me This

5 Day Of March 2003


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

So Answers,


Chester A. Hawkins
Sheriff

FILED

MAR 05 2003

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

PRECISION DIMENSION,)	
Plaintiff,)	
)	
v.)	No. 2003-163-CD
)	
TRI-WOODS, INC.,)	JURY TRIAL DEMANDED
Defendant.)	

PRAECIPE FOR DEFAULT JUDGMENT

TO: William Shaw, Prothonotary
Court of Common Pleas
of Clearfield County, Pennsylvania

Please enter Judgment in favor of the Plaintiff, Precision Dimension, and against the Defendant, Tri-Woods, Inc., for said Defendant's failure to file an answer to the Complaint which contains a Notice to Defend within twenty (20) days from the date of service thereof.

Attached as Exhibit "A" is a copy of the written notice of my intention to file this Praecipe which I certify was mailed to the above-named Defendant against whom Judgment is to be entered after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe.

FILED

11 2:02 PM

MAY 09 2003

*notice to Def
sent to PLE*

William A. Shaw
Prothonotary

Please assess damages in the amount of \$10,877.20, being the amount demanded in the Complaint.

Respectfully submitted,

DELAFIELD, MCGEE, JONES
& KAUFFMAN L.L.P.

Date: May 7, 2003

By: 

Gary A. Delafield, Esquire
Attorney for Plaintiff
Attorney I.D. No. 16145
300 South Allen St., Suite 300
State College, PA 16801-4841
(814) 237-6278

Judgment is entered per the above Praecipe.

William Shaw, Prothonotary
Clearfield County, Pennsylvania

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

PRECISION DIMENSION,)	
Plaintiff,)	
)	
v.)	No. 2003-163-CD
)	
TRI-WOODS, INC.,)	JURY TRIAL DEMANDED
Defendant.)	

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT


TO: Tri-Woods, Inc.
329 Aspen Way
Dubois, Pennsylvania 15801

DATE OF NOTICE: April 23, 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 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:

Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 Ext. 5982



Delafield, McGee, Jones
& Kauffman, L.L.P.
Attorneys for Plaintiff
300 S. Allen Street, Suite 300
State College, PA 16801-4841
(814) 237-6278

EXHIBIT

A

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

PRECISION DIMENSION,)	
Plaintiff,)	
)	
v.)	No. 2003-163-CD
)	
TRI-WOODS, INC.,)	JURY TRIAL DEMANDED
Defendant.)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the
Praecipe for Default Judgment in the above-captioned matter was
served on Defendant by depositing the same within the custody of
the United States Postal Service, first class, postage prepaid,
on May 7, 2003, addressed to:

Tri-Woods, Inc.
329 Aspen Way
Dubois, Pennsylvania 15801

Respectfully submitted,

DELAFIELD, MCGEE, JONES
& KAUFFMAN, L.L.P.

By: 

Gary A. Delafield, Esquire
Attorney for Plaintiff
Attorney I.D. No. 16145
300 South Allen St., Suite 300
State College, PA 16801-4841
(814) 237-6278

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

COPY

Precision Dimension
Plaintiff(s)

No.: 2003-00163-CD

Real Debt: \$10,877.20

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Tri-Woods, Inc.
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 9, 2003

Expires: May 9, 2008

Certified from the record this 9th day of May, 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

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

PRECISION DIMENSION,
Plaintiff,

v.

TRI-WOODS, INC.,
Defendant.

)
)
)
)
)
)
)

No. 2003-163-CD

JURY TRIAL DEMANDED

COPY

NOTICE OF DEFAULT JUDGMENT

TO: Tri-Woods, Inc.
329 Aspen Way
Dubois, Pennsylvania 15801

You are hereby notified that the following Judgment has been entered against you on May 9, 2003: Judgment of Default in the amount of \$10,877.20, plus costs.

Dated: 5/9/03

William Shaw, Prothonotary

If you have any questions
concerning the above, please contact:

Gary A. Delafield, Esquire
Delafield, McGee, Jones & Kauffman, L.L.P.
300 South Allen Street
State College, PA 16801-4841
(814) 237-6278