

2003-249-CD  
PFIZER, INC. ANIMAL HEALTH DIV. VS RICHARD E. MACKENZIE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

NO. 03-249-CD  
IN CIVIL ACTION

-vs-

*Plaintiff(s)*

RICHARD MACKEY i/t/a/d/b/a ANIMAL  
CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

COMPLAINT

*Defendant(s)*

CODE -  
FILED ON BEHALF OF  
PLAINTIFF

COUNSEL OF RECORD  
FOR THIS PARTY:

*James R. Apple, Esq.*  
PA I.D. No. 37942  
*Charles F. Bennett, Esq.*  
PA I.D. No. 30541  
*Joel E. Hausman, Esq.*  
PA I.D. No. 42096  
**APPLE AND APPLE, P.C.**  
Firm No. 719  
4650 Baum Boulevard  
Pittsburgh, PA 15213-1237  
Telephone (412) 682-1466  
Fax (412) 682-3138

**FILED**

FEB 24 2003

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

NO.  
IN CIVIL ACTION

-vs-

*Plaintiff(s)*

RICHARD MACKEY i/t/a/d/b/a ANIMAL  
CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

*Defendant(s)*

**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 and notice are served upon you, 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 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  
One North Second Street  
Clearfield, Pennsylvania 16830  
Telephone Number 814-765-2641 Ex 50-51

COMPLAINT

1. Plaintiff is a corporation having offices at 812 Springdale Drive, Exton, PA 19341.
2. Defendant is an individual engaged in business at RD 3 Box 147, Dubois, Clearfield County, Pennsylvania 15801.
3. On or about March 1, 2002, the Defendant executed a Promissory Note at the terms and conditions agreed upon by the parties as is more specifically shown by a true and correct copy of Plaintiff's Note marked Exhibit "A" and made a part hereof.
4. Plaintiff avers that the agreement between the parties was based upon a written agreement.
5. Plaintiff avers that Defendant is in default of the Agreement, by having not made payment to Plaintiff as promised, thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the balance due amounts to \$3,896.30, as is more specifically shown by Plaintiff's Statement of Account, a true and correct copy of which is attached hereto, marked Exhibit "B" and made a part hereof.
7. Plaintiff avers that it is entitled to interest at the rate of 5.70% per annum from March 1, 2002.
8. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and refused to pay the amount due Plaintiff or any part thereof.

**WHEREFORE**, Plaintiff demands Judgment against Defendant(s) in the principal amount of \$3,896.30, with appropriate additional interest from March 1, 2002, and costs.

**APPLE AND APPLE, P.C.**

By:   
\_\_\_\_\_  
Attorneys for Plaintiff(s)

Animal Health Group  
 Pfizer Inc  
 812 Springdale Drive  
 Exton, PA 19341-2803



**PROMISSORY NOTE**  
**Animal Health Group**

For value received, I, we, or any of us, jointly and severally, promise to pay to the order of Pfizer Animal Health at P.O. Box 747029, Pittsburgh, PA, 15274-7029, the sum of \$4,691.22 with interest thereof at the rate of 5.70% per annum from the date hereof. The principal of this note, together with accrued interest to and including the day of payment, shall be payable in six installments as follows:

Due Date	PRINCIPLE	INTEREST	MONTHLY PMNT	BALANCE
				\$4,691.22
3/15/02	\$772.64	\$22.28	\$794.92	\$3,918.58
4/15/02	\$776.31	\$18.61	\$794.92	\$3,142.28
5/15/02	\$778.99	\$14.93	\$794.92	\$2,362.26
6/15/02	\$783.70	\$11.22	\$794.92	\$1,578.58
7/15/02	\$787.42	\$7.50	\$794.92	\$791.16
8/15/02	\$791.16	\$3.76	\$794.92	\$0.00

All parties to this note, whether makers or endorsers, agree that they are all jointly and severally liable; they all waive presentment, notice of dishonor protest and notice of protest.

The entire unpaid amount outstanding under this note, and pursuant to all other indebtedness of the undersigned to the holder of this note which may then be outstanding, shall, at the option of the holder hereof, become immediately due and payable: (i) upon default in any payment of principal or interest due under this note, (ii) if any of the undersigned shall become insolvent or bankrupt or shall cease paying its debts as they mature or shall make an assignment for the benefit of creditors, (iii) if a trustee, receiver or liquidator shall be appointed for any of the undersigned or for a substantial part of its property, or (iv) if bankruptcy, reorganization, arrangement, insolvency or any similar proceedings shall be instituted by or against any of the undersigned under the laws of any jurisdiction.

The undersigned shall have the right at any time to prepay the entire outstanding principal amount hereof, together with accrued interest to and including the day of such prepayment, without premium or penalty. No partial prepayment shall be authorized without the prior approval of the holder hereof.

No failure of the holder hereof to insist upon the strict performance by the undersigned of any of the terms, hereof, or to exercise any right, power or remedy available to the holder, shall constitute a waiver by the holder of its right to such strict performance or its right to exercise any such right, power or remedy.

  
 Dr. Richard Mackey (ES5809)  
 Animal Care Center  
 RD 5 Box 405  
 Punxsutawney, Pa. 15767

03-1-02  
 Date

EXHIBIT A

Page: 1 Document Name: untitled

==> SELECT ITEM, DEPRESS ENTER KEY FOR DETAIL SCREEN  
CREDIT OPERATIONS  
OPEN ITEM LIST - DUE DATE SEQUENCE

OCC02001 OCC020B  
10/04/02  
PG 1 OF 1

CUST: E55809 SHECHINAH MOBILE VET DIV: 3X COPA GROUP :  
EMPL: 802 RD 3 BOX 147 DU BOIS PA CREDIT LINE: ZERO  
SEARCH INVOICE: STATEMENT AMOUNT: 3,896.30

INV DATE	NUMBER	AMOUNT	DUE DATE	CUST P.O. NUM	BD	DISP DATE
- 031402	JEJE	772.64	031502		33	
- 031402	JEJE	776.31	041502		33	
- 031402	JEJE	779.99	051502		33	
- 061002	OA	794.92-	061002		33	
- 031402	JEJE	783.70	061502		33	
- 031402	JEJE	787.42	071502		33	
- 031402	JEJE	791.16	081502		33	

HOLD ORDER TOTAL: .00  
OPEN ITEMS TOTAL: 3,896.30

ENTER-SELECT PF3-MENU PF7-PG BWD PF8-PG FWD CLEAR-GATEWAY

EXHIBIT B

42739

## AFFIDAVIT

I, Vince Scarnici - Credit Manager, of  
Pfizer Inc. - Animal Health Div., Plaintiff

herein, verify that the statements of fact contained in the foregoing Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

1/20/03  
Date

Vince Scarnici  
Affiant

Credit Manager  
Title

812 Springdale Drive  
Address

Exton, PA 19341  
City, State and Zip

**FILED**

1cc

Shy

MO 1:47:58 AM  
FEB 24 2003

Atyp pd. 85.00

William A. Shaw  
Prothonotary

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket # 13712

**PFIZER, INC.-ANIMAL HEALTH DIVISION**

03-249-CD

VS.

**MACKEY, RICHARD I/t/a/d/b/a ANIMAL CARE CENTER a/t/a SCHECHINAH**

**COMPLAINT**

**SHERIFF RETURNS**

---

**NOW MARCH 3, 2003 AT 11:00 AM EST SERVED THE WITHIN COMPLAINT ON  
RICHARD MACKEY I/t/a/d/b/a ANIMAL CARE CENTER a/t/a SHECHINAH  
MOBILE VET SERVICE, DEFENDANT, AT EMPLOYMENT, RD 3, BOX 147, DUBOIS,  
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO RICHARD MACKEY,  
DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND  
MADE KNOWN TO HIM THE CONTENTS THEREOF.**

**SERVED BY: COUDRIET/RYEN**

---

**Return Costs**

<b>Cost</b>	<b>Description</b>
30.35	<b>SHFF. HAWKINS PAID BY: ATTY.</b>
10.00	<b>SURCHARGE PAID BY: ATTY.</b>

**Sworn to Before Me This**

10 Day Of April 2003  
William A. Shaw

**So Answers,**

  
By Marilyn Hahn  
Chester A. Hawkins  
Sheriff

**FILED**

APR 10 2003

**William A. Shaw  
Prothonotary**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

NO. 2003-249-CD  
IN CIVIL ACTION

-vs-

*Plaintiff(s)*

RICHARD MACKEY i/t/a/d/b/a ANIMAL  
CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

PRAECIPE FOR DEFAULT  
JUDGMENT

*Defendant(s)*

CODE -  
FILED ON BEHALF OF  
PLAINTIFF

COUNSEL OF RECORD  
FOR THIS PARTY:

*James R. Apple, Esq.*

PA I.D. No. 37942

*Charles F. Bennett, Esq.*

PA I.D. No. 30541

*Joel E. Hausman, Esq.*

PA I.D. No. 42096

**APPLE AND APPLE, P.C.**

Firm No. 719

4650 Baum Boulevard

Pittsburgh, PA 15213-1237

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Fax (412) 682-3138

**FILED**

MAY 09 2003

William A. Shaw  
Prothonotary

*WAS*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

NO. 2003-249-CD  
IN CIVIL ACTION

-vs-

*Plaintiff(s)*

RICHARD MACKEY i/t/a/d/b/a ANIMAL  
CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

*Defendant(s)*

**PRAECIPE FOR DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant (s) above-named in Default of an  
Answer, in the amount of \$4,153.67, computed as follows:

Amount named in Complaint \$3,896.30  
Interest from March 1, 2002  
to April 28, 2003 on \$3,896.30 257.37  
Attorney Fees

**TOTAL \$4,153.67**

I certify that Notice of the intention to enter this Judgment was given pursuant  
to Pa. R.C.P. 237.1. A copy of said Notice is attached, and was mailed on April 16, 2003  
by Regular mail, postage prepaid and, addressed as follows:

Defendant: Richard Mackey i/t/a/d/b/a  
Animal Care Center a/t/a  
Shechinah Mobile Vet Service  
RD 3, Box 147  
Dubois, PA 15801

Animal Care Center  
a/t/a Shechinah Mobile Vet Service  
Rd 3, Box 147  
Dubois, PA 15801

Dated: 5-6-03

APPLE AND APPLE, P.C.  
By: John E. Johnson  
Attorneys for Plaintiff(s)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

NO. 2003-249-CD  
IN CIVIL ACTION

-vs-

*Plaintiff(s)*

RICHARD MACKEY i/t/a/d/b/a ANIMAL  
CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

*Defendant(s)*

Richard Mackey  
i/t/a/d/b/a  
Animal Care Center  
a/t/a  
Shechinah Mobile Vet Service  
RD 3, Box 147  
Dubios, PA 15801

Date of Notice: April 16, 2003

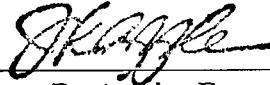
IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN 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  
One North Second Street  
Clearfield, Pennsylvania 16830  
Telephone Number 814-765-2641 Ex 50-51

APPLE AND APPLE, P.C.

By:

  
James R. Apple, Esq.

Attorneys for Plaintiff(s)  
4650 Baum Boulevard  
Pittsburgh, PA 15213-1237

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

NO. 2003-249-CD  
IN CIVIL ACTION

-vs-

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CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

*Defendant(s)*

Animal Care Center  
a/t/a  
Shechinah Mobile Vet Service  
RD 3, Box 147  
Dubois, PA 15801

Date of Notice: April 16, 2003

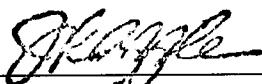
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Court Administrator  
Clearfield County Courthouse  
One North Second Street  
Clearfield, Pennsylvania 16830  
Telephone Number 814-765-2641 Ex 50-51

APPLE AND APPLE, P.C.

By: \_\_\_\_\_

  
James R. Apple, Esq.  
Attorneys for Plaintiff(s)  
4650 Baum Boulevard  
Pittsburgh, PA 15213-1237

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PFIZER, INC-ANIMAL HEALTH DIVISION

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-vs-

*Plaintiff(s)*

RICHARD MACKEY i/t/a/d/b/a ANIMAL  
CARE CENTER a/t/a SHECHINAH MOBILE  
VET SERVICE

*Defendant(s)*

**NOTICE OF JUDGMENT OR ORDER**

TO:  Plaintiff  Defendant  Garnishee

You are hereby notified that the following Order or Judgment was entered against  
you on \_\_\_\_\_.

Assumpsit Judgment in the amount of \$4,153.67, plus costs.

Trespass Judgment in the amount of \$\_\_\_\_\_.

If not satisfied within sixty (60) days, your motor vehicle operator's license and/or  
registration will be suspended by the Dept. of Transportation, Bureau of Traffic Safety,  
Harrisburg, PA.

- (X) Entry of Judgment  Court Order  
 Non-Pros  
 Confession  
 Default  
 Verdict  
 Arbitration Award  
 Other

Richard Mackey i/t/a/d/b/a  
Animal Care Center a/t/a  
Shechinah Mobile Vet Service  
RD 3, Box 147  
Dubois, PA 15801

**PROTHONOTARY**

By: \_\_\_\_\_  
Prothonotary (or Deputy)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

COPY

PFIZER, INC-ANIMAL HEALTH DIVISION

NO. 2003-249-CD  
IN CIVIL ACTION

-vs-

*Plaintiff(s)*

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*Defendant(s)*

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 Non-Pros  
 Confession  
 Default  
 Verdict  
 Arbitration Award  
 Other

Animal Care Center  
a/t/a Shechinah Mobile Vet Service  
Rd 3, Box 147  
Dubois, PA 15801

**PROTHONOTARY**

By: \_\_\_\_\_  
Prothonotary (or Deputy)

**COPY**

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

Pfizer, Inc. - Animal Division  
Plaintiff(s)

No.: 2003-00249-CD

Real Debt: \$4,153.67

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Richard Mackey  
Animal Care Center  
Shechinah Mobile Vet Service  
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