

03-783-CD
CHARLES L. NAVASKY,etal. vs. MEL BLOUNT,etal.

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

CHARLES L. NAVASKY, an individual, and
CHARLES NAVASKY & CO.

Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF PENNSYLVANIA,
INC., a Pennsylvania Business Corporation
Defendants

No. 03-783-CD

FILED ON BEHALF OF:
Plaintiffs

COUNSEL OF RECORD FOR THIS
PARTY:

David C. Mason, Esquire
DAVID C. MASON LAW OFFICE
Supreme Court No. 39180
P.O. Box 28
Philipsburg PA 16866
(814) 342-2240

FILED

MAY 28 2003

William A. Shaw
Prothonotary

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

CHARLES L. NAVASKY, an individual, and
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Defendants

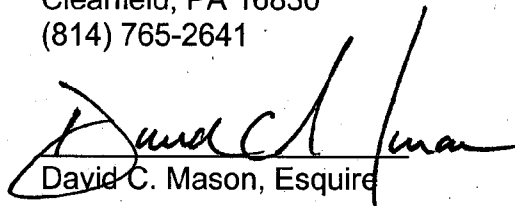
No.

NOTICE

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 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 AN 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


David C. Mason, Esquire

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

CHARLES L. NAVASKY, an individual, and
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Plaintiffs

vs.

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BLOUNT YOUTH HOME OF PENNSYLVANIA,
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Defendants

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* No.
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COMPLAINT

AND NOW, come the Plaintiffs, **CHARLES L. NAVASKY**, an individual and **CHARLES NAVASKY & CO.**, by and through its attorney, David C. Mason, who files this Complaint against the Defendants of which the following are averments of fact:

1. Plaintiffs are:

a. **CHARLES L. NAVASKY**, an individual, whose resident address is PO Box 285, Philipsburg, Pennsylvania, 16866.

b. **CHARLES NAVASKY & CO.**, a Delaware Business Corporation, with an office or place of business at 124 Walton Street, PO Box 728, Philipsburg, Pennsylvania, 16866.

2. Defendants are:

a. **MEL BLOUNT**, an individual, with a mailing address of 6 Mel Blount Drive, Claysville, Pennsylvania, 15323.

b. **MEL BLOUNT YOUTH HOME OF PENNSYLVANIA, INC.**, which, upon information and belief, is a Pennsylvania Business Corporation with an address of 6 Mel

Blount Drive, Claysville, Pennsylvania, 15323.

3. On February 22, 2001, **CHARLES NAVASKY & CO.**, loaned to **MEL BLOUNT**, individually, for use in the Mel Blount Youth Home, the sum of \$50,000.00.

4. On June 1, 2001, **CHARLES L. NAVASKY**, an individual, loaned to **MEL BLOUNT** for use in his Mel Blount Youth Home the sum of \$7,300.00.

5. On August 10, 2001, **CHARLES L. NAVASKY**, an individual, loaned to **MEL BLOUNT** for use in the Mel Blount Youth Home the sum of \$8,200.00.

6. On or about June 11, 2002, **MEL BLOUNT** acknowledged incurring these debts. Attached as Exhibit "A" is a true and correct copy of a letter signed by **MEL BLOUNT** acknowledging these debts.

7. On or about February 19, 2003, **MEL BLOUNT** acknowledged that the outstanding indebtedness to **CHARLES L. NAVASKY**, an individual, and **CHARLES NAVASKY & CO.**, is \$72,302.35, representing the principal amount of the loans made to **MEL BLOUNT**, individually, and the Mel Blount Youth Home, together with interest at the rate of six (6%) percent.

8. On February 19, 2003, **MEL BLOUNT** promised to pay the outstanding indebtedness on or around June 1, 2003.

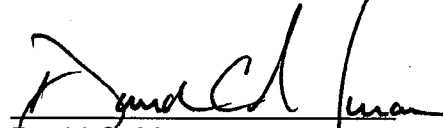
9. Despite such promises, no payments have been made.

10. **DEFENDANTS** remain indebted to the **PLAINTIFFS** in the principal amount of \$65,500.00, together with interest at the lawful rate of six (6%) percent since the date of the loan.

11. The interest on the loans at the lawful rate of six (6%) percent up through May 20, 2003, the date of this Complaint is \$8,500.11.

WHEREFORE, **PLAINTIFFS** pray your Honorable Court for the entry of a judgment in favor of the **PLAINTIFFS**, and against the **DEFENDANTS**, individually, severally and jointly, in the amount of \$74,000.11 together with interest and costs of suit.

Respectfully submitted,

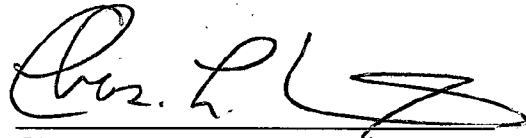


David C. Mason
Attorney for Plaintiffs

VERIFICATION

I, Plaintiff herein, verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. §4904 relating to unsworn falsification to authorities.

DATED:



Charles L. Navasky

VERIFICATION

I hereby verify that the answers set forth in the foregoing **COMPLAINT** are true and correct to the best of my knowledge, information and belief, and that I as President of **CHARLES NAVASKY & CO., INC.**, am authorized to make this verification subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

CHARLES NAVASKY & CO., INC.,

DATED:

By:  (PRES)

The Mel Blount Youth Home of Pennsylvania

June 11, 2002

Chuck Navasky
Charles Navasky & Co.
P.O. Box 728
Philipsburg, PA 16866

Our auditors, Terry & Stephenson, P.C., are conducting an audit of our financial statements. Please confirm directly to them the following information relating to our indebtedness to you at December 31, 2001.

Date of borrowings:	02/22/01	06/01/01
Amount of borrowings:	\$50,000	\$7,300.00
Interest rate (if any):		
Accrued interest (if any):		
Total indebtedness as of 12/31/01:		
Description of collateral or personal guarantees (if any):		

Please indicate in the space provided below whether the above information is in agreement with your records. If it is not, please furnish our auditors any information you have that will help them reconcile the difference.

After signing and dating your reply, please mail it directly to Terry & Stephenson, P.C., Allegheny Building, Suite 1600, 429 Forbes Avenue, Pittsburgh, PA 15219 in the enclosed return envelope.

Very Truly Yours,



Mel Blount, President
Mel Blount Youth Home of PA

To: Terry & Stephenson, P.C.

The above information regarding the indebtedness of the Mel Blount Youth Home of PA agrees with our records at December 31, 2001 with the following exceptions (if any):

Signature: _____

Title: _____

Date: _____

FILED
Atty Mason
pd 85.00
8:45:21
MAY 28 2003
3 cc Atty

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNA.
CIVIL DIVISION

CHARLES L. NAVASKY, an individual
and CHARLES NAVASKY & CO.

Plaintiffs,

Vs.

NO: 03-783-CD

MEL BLOUNT, an individual, and
MEL BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a Pennsylvania
Defendant.

(check below)

JURY TRIAL_____

ARBITRATION_____

EQUITY_____

OTHER_____

TYPE OF PLEADING:
ANSWER AND NEW MATTER

COUNSEL FOR THIS PARTY:

ROBERT N. CLARKE, ESQ.

ROBERT N. CLARKE & ASSOCIATES

15 WEST BEAU STREET

WASHINGTON, PA 15301

(724) 228-5000

PA ID #:17257

FILED

JUL 07 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA.

CIVIL DIVISION

CHARLES L. NAVASKY, an individual and,) Case No.: 03-783-CD
CHARLES L. NAVASKY & CO.,)
Plaintiffs,)

vs.)

MEL BLOUNT, an individual and, MEL)
BLOUNT YOUTH HOME OF)
PENNSYLVANIA, INC., a Pennsylvania)
Corporation,)

Defendants.

NOTICE

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 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 Defendant. 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 AN 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) 763-2641


Robert N. Clarke, Esquire
Attorney for Defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA.

CIVIL DIVISION

CHARLES L. NAVASKY, an individual and,) Case No.: 03-783-CD
CHARLES L. NAVASKY & CO.,)
Plaintiffs,)

vs.)

MEL BLOUNT, an individual and, MEL)
BLOUNT YOUTH HOME OF)
PENNSYLVANIA, INC., a Pennsylvania)
Corporation,)

Defendants.

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my Appearance as attorney for the Defendants, Mel Blount, an individual and The Mel Blount Youth Home of Pennsylvania, Inc., a Pennsylvania Corporation, in the above-captioned action.

ROBERT N. CLARKE & ASSOCIATES

BY:

Date

6/25/3


ROBERT N. CLARKE, ESQUIRE

ID#:17257
15 West Beau Street
Washington, PA 15301

(724)228-5000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA.

CIVIL DIVISION

CHARLES L. NAVASKY, an individual and,)	Case No.: 03-783-CD
CHARLES L. NAVASKY & CO.,)	
Plaintiffs,)	
)	
vs.)	
)	
MEL BLOUNT, an individual and, MEL)	
BLOUNT YOUTH HOME OF)	
PENNSYLVANIA, INC., a Pennsylvania)	
Corporation,)	
Defendants.)	

ANSWER AND NEW MATTER

AND NOW comes the Defendants, Mel Blount and the Mel Blount Youth Home of Pennsylvania, Inc. by Robert N. Clarke, Esquire and file the following Answer and New Matter in response to Plaintiffs' Complaint.

I. ANSWER

1. Admitted.
2. Admitted.
3. Denied, and by way of further answer any and all transactions were between the Plaintiff Corporation and the Defendant Corporation wherein at no time was the Defendant, Mel Blount, operating in his individual capacity and at all times was acting the CEO or Chairman of the Defendant Corporation and therefore strict proof to the contrary is demanded at time of trial.

4. Denied, and by way of further answer any and all transactions were between the Plaintiff Corporation and the Defendant Corporation wherein at no time was the Defendant, Mel Blount, operating in his individual capacity and at all times was acting the CEO or Chairman of the Defendant Corporation and therefore strict proof to the contrary is demanded at time of trial.

5. Denied, and by way of further answer any and all transactions were between the Plaintiff Corporation and the Defendant Corporation wherein at no time was the Defendant, Mel Blount, operating in his individual capacity and at all times was acting the CEO or Chairman of the Defendant Corporation and therefore strict proof to the contrary is demanded at time of trial.

6. It is admitted that Mel Blount signed Exhibit A however he did so in his capacity as President and/or CEO of the Defendant Corporation and therefore strict proof to the contrary is demanded at time of trial and it is also denied that the sum of \$8,200.00 was referred to in said letter and therefore strict proof to the contrary is demanded at time of trial.

7. It is denied that Mel Blount operated in his individual capacity and at all times was acting as President or CEO of the Defendant Corporation and it is further denied that the amount claimed is owed by either him or the Defendant Corporation, in that, there was no Agreement in regards to any interest and the amount involved was not as alleged and therefore strict proof thereof is demanded at time of trial.

8. It is admitted that Mel Blount acting on behalf of the Defendant Corporation promised to pay the outstanding balance of \$57,300.00 based on the making periodic payments which the Plaintiff agreed to accept but has since refused to do so thereby failing to mitigate damages and therefore strict proof to the contrary is demanded at time of trial.

9. Denied for the reasons stated in paragraphs 1 through 8 above which are incorporated herein by reference and made a part hereof as if appearing in total.

10. Denied for the reasons stated in paragraphs 1 through 9 above which are incorporated herein by reference and made a part hereof as if appearing in total.

11. Denied for the reasons stated in paragraphs 1 through 10 above which are incorporated herein by reference and made a part hereof as if appearing in total.

WHEREFORE the Defendants respectfully pray that this Honorable Court dismiss Plaintiffs' Complaint with prejudice.

II. NEW MATTER

12. Paragraphs 1 through 11 above are incorporated herein and made a part hereof as if appearing in total.

13. The Plaintiffs have failed to mitigate damages in refusing to accept periodic payments.

14. All transactions were between the Plaintiff Corporation and the Defendant Corporation wherein the Individual Plaintiff and the Individual Defendant were only acting in their corporate capacities.

15. Any and all monies received were received by the Defendant Corporation and therefore there is no consideration between the Plaintiffs and the Individual Defendant.

16. The Plaintiffs agreed to accept periodic payments in regards to the actual amount due and therefore are estopped from making any claim as the Defendant Corporation remains willing and able to make the agreed upon periodic payments.

17. The Defendants raise as an affirmative defense the defense of Statute of Frauds.

WHEREFORE the Defendants respectfully pray that this Honorable Court dismiss Plaintiffs' Complaint .

Respectfully submitted:

ROBERT N. CLARKE & ASSOCIATES



Robert N. Clarke, Esquire
Attorney for Defendants.

VERIFICATION

I verify that the statements of fact made in the foregoing
Answer and New Matter are true and correct to the best of my knowledge,
information and belief. I understand that these statements of fact are subject to the
penalties of 18 Pa. C.S.A. Sec. 4904 relating to unsworn falsifications to authorities.

DATED: 6-25-03

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA

CIVIL DIVISION

CHARLES L. NAVASKY, an
individual and CHARLES L.
NAVASKY & CO.,

Plaintiffs,

VS.

MEL BLOUNT, an individual and,
MEL BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a
Pennsylvania Corporation,

Defendants.

ANSWER AND NEW MATTER

FILED

3cc

8/8/03
JUL 07 2003

William A. Shaw
Prothonotary

CLARKE AND HORWATH, LLP
Attorneys at Law
15 West Beau Street
Washington, PA 15301
(724) 228-5000

In The Court of Common Pleas of Clearfield County, Pennsylvania

NAVASKY, CHARLES L. IND & CHARLES NAVASKY & CO.

Sheriff Docket # 14143

VS.

03-783-CD

BLOUNT, MEL an ind. & MEL BLOUNT YOUTH HOME OF PENNSYLVANIA

COMPLAINT

SHERIFF RETURNS

NOW JUNE 2, 2003 LAWRENCE MAGGI, SHERIFF OF WASHINGTON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON MEL BLOUNT, ind and MEL BLOUNT YOUTH HOME OF PENNSYLVANIA INC., DEFENDANTS.

NOW JUNE 10, 2003 SERVED THE WITHIN COMPLAINT ON MEL BLOUNT ind and MEL BLOUNT YOUTH HOME OF PENNSYLVANIA INC., DEFENDANTS BY DEPUTIZING THE SHERIFF OF WASHINGTON COUNTY. THE RETURN OF SHERIFF MAGGI IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED MEL BLOUNT.

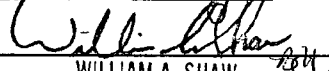
Return Costs


Cost	Description
34.20	SHERIFF HAWKINS PAID BY: ATTY CK# 14193
20.00	SURCHARGE PAID BY: ATTY CK# 14194
52.50	WASHINGTON COUNTY SHERIFF PAID BY: ATTY

Sworn to Before Me This

So Answers,

29th Day Of July 2003


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


Chester A. Hawkins
Sheriff

FILED

013-30811
JUL 29 2003

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S DEPARTMENT

WASHINGTON COUNTY, PENNSYLVANIA

COURTHOUSE, WASHINGTON, PA 15301

412-228-6840

DATE _____

SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

2003 JUN -5

INSTRUCTIONS: Please fill out a separate form for each defendant. Type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF / S / CHARLES L. NAVASKY a1	SHERIFF'S OFFICE WASHINGTON COUNTY PA 15301	COURT NUMBER OF WRIT OR COMPLAINT 03-783-CD
DEFENDANT / S / MEL BLOUNT ind & MEL BLOUNT YOUTH HOME OF PA. INC.	TYPE OF WRIT OR COMPLAINT COMPLAINT	

SERVE

AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD
Mel Blount, Ind & Mel Blount Youth Home of Pennsylvania Inc.

ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and Zip.)
6 Mel Blount Drive, Claysville, Pa. 15323

INDICATE TYPE OF SERVICE: ☐ PERSONAL ☐ PERSON IN CHARGE ☒ DEPUTIZE ☐ CERT. MAIL ☐ REG. MAIL ☐ POSTED ☐ OTHER ☐ LEVY ☐ SEIZED & STORE
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE.

Expiration/Hearing Date
6/28/03

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, with out liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of DAVID MASON	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	ADDRESS PO Box 28 Philipsburg, Pa. 16866	TELEPHONE NUMBER 814-342-2240
--	---	--	----------------------------------

I hereby CERTIFY and RETURN that on the 10 day of Jun, 19 03, at 9:00 o'clock A.M. / P.M. Address Above / Address Below, County of Washington, Pennsylvania

I have served in the manner Described below:

- ☒ Defendant(s) personally served. Mel Blount
- ☐ Adult family member with whom said Defendant(s) reside(s). Relationship is _____
- ☐ Adult in charge of Defendant's residence who refused to give name or relationship.
- ☐ Manager / Clerk of place of lodging in which Defendant(s) reside(s).
- ☒ Agent or person in charge of Defendant(s) office or usual place of business. Mel Blount - Owner
- ☐ Other _____
- ☐ Property Posted _____
- ☐ Deputize _____
- ☐ Cert. Mail ☐ Levy Made ☐ Reg. Mail
- Defendant not found because: ☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant ☐ Other _____

Now, _____ 19 _____, I, SHERIFF OF WASHINGTON COUNTY, PA. do hereby deputize the Sheriff of _____ County to execute this Writ and make return thereof according to law.

This deputation being made at the request and risk of the plaintiff.

Notary Public \$ _____ Check Number _____ SHERIFF OF WASHINGTON COUNTY
\$ _____ Check Number _____ County Costs \$ _____

Advance	Invoice	Docket	Page	Total Costs	Costs Due	REFUND
\$ <u>100.00</u>	<u>96035-03</u>			\$ <u>52.50</u>	\$	\$ <u>47.50</u>

AFFIRMED and subscribed to before me this <u>18</u> day of <u>June</u> , 2003		PAID BY ATTY. FOR PLFF	
By (Sheriff / Dep. Sheriff) (Please Print or Type.) <u>Tami L. Paraska</u>		Date <u>6-10-03</u>	
Signature of Sheriff <u>Tami L. Paraska</u>		Date <u>6-10-03</u>	
Prothonotary / Notary Public Tami L. Paraska, Notary Public		SHERIFF OF WASHINGTON COUNTY	
MY COMMISSION EXPIRES Washington County, PA Commission Expires April 17, 2006		Date Received	

PROTHONOTARY



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY
CYNTHIA AUGHENBAUGH
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Pg.14143

CHARLES L. NAVASKY, IND. AI

TERM & NO. 03-783-CD

VS

DOCUMENT TO BE SERVED:

MEL BLOUNT, IND. AI

COMPLAINT

SERVE BY: 06/28/2003

MAKE REFUND PAYABLE TO: MASON LAW OFFICE

SERVE: MEL BLOUNT, IND and MEL BLOUNT YOUTH HOME OF PENNSYLVANIA INC

ADDRESS: 6 MEL BLOUNT DRIVE, CLAYSVILLE, PA. 15323

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF
CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF
WASHINGTON COUNTY, Pennsylvania to execute this writ. This
Deputation being made at the request and risk of the Plaintiff this 2ND Day of
JUNE 2003

Respectfully,


CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

2003 JUN -5 AM 10:14
SHERIFF'S OFFICE
WASHINGTON COUNTY, PA 16801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual,
and CHARLES L. NAVASKY & Co.,

Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a Pennsylvania
Business Corporation,

Defendants

No. 03-783-CD

TYPE OF CASE: Civil Action

TYPE OF PLEADING: PLAINTIFFS'
REPLY TO DEFENDANTS' ANSWER
AND NEW MATTER

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS
PARTY:

David C. Mason
Superior Court I.D. 39180
DAVID C. MASON LAW OFFICE
P.O. Box 28
Philipsburg PA 16866
(814) 342-2240

COUNSEL OF RECORD FOR
DEFENDANTS:

Robert N. Clarke, Esquire
15 West Beau Street
Washington, PA 15301
(724) 228-5000

FILED

AUG 01 2003

William A. Shaw
Prothonotary/Clerk of Courts

1947-1948

1947-1948, 1949-1950, 1951-1952, 1953-1954, 1955-1956, 1957-1958, 1959-1960, 1961-1962, 1963-1964, 1965-1966, 1967-1968, 1969-1970, 1971-1972, 1973-1974, 1975-1976, 1977-1978, 1979-1980, 1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990, 1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual, *
and CHARLES L. NAVASKY & Co., *

Plaintiffs *

No. 03-783-CD

vs. *

MEL BLOUNT, an individual and MEL *
BLOUNT YOUTH HOME OF *
PENNSYLVANIA, INC., a Pennsylvania *
Business Corporation, *

Defendants *

PLAINTIFFS' REPLY TO DEFENDANTS'
ANSWER AND NEW MATTER

AND NOW, comes the Plaintiffs, CHARLES L. NAVASKY, an individual, and CHARLES NAVASKY & CO., by and through their attorney, DAVID C. MASON, ESQUIRE, and files the following Reply to Defendant's Answer and New Matter:

12. No response is necessary.

13. DENIED. Defendants' averment that the Plaintiffs have refused to accept periodic payments is denied and is absurd. By way of further reply, Plaintiffs assert that if Defendants wish to make payments on this account they could have done so and may yet do so.

14. DENIED. The averment contained in paragraph 14 that the transactions were between a Plaintiff corporation and a Defendant corporation is denied and strict proof thereof is demanded at the time of trial. Individual defendant Mel Blount

guaranteed payment of the monies advanced by Charles Navasky & Co., and Charles L. Navasky.

15. DENIED. The averment contained in paragraph 15 of Defendant's New Matter is denied and strict proof thereof is demanded at the time to trial.

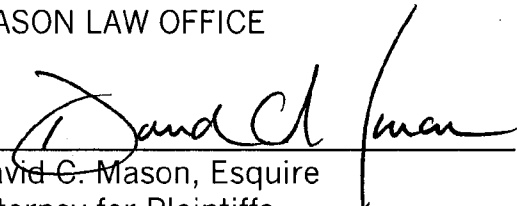
16. DENIED. Although paragraph 16 constitutes a conclusion of law and therefor no response is necessary or required, the factual suggestion that Plaintiffs agreed to accept periodic payments (as stated in paragraph 16) and refused to accept periodic payments (as stated in paragraph 14) is incongruent. By way of further reply Plaintiffs aver that Defendants have never tendered any periodic payments.

17. No reply is necessary.

WHEREFORE, Plaintiff prays your Honorable Court for the entry of an Order entering judgment in favor of the Plaintiffs and against the Defendants, individually, jointly and severally, in the amount of \$74,000.11, together with interest and costs of suit in accordance with the prayer for relief contained in Plaintiff's Complaint.

Respectfully submitted,

MASON LAW OFFICE


David C. Mason, Esquire
Attorney for Plaintiffs

VERIFICATION

I/we certify that the facts set forth in the foregoing PLAINTIFFS' REPLY TO DEFENDANTS' ANSWER AND NEW MATTER are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 PA. C.S. §4904, relating to unsworn falsification to authorities.

CHARLES L. NAVASKY & CO.

DATED: 7/31/03

By: Chas. L. Navasky (pres.)

DATED: 7/31/03

Charles L. Navasky
Charles L. Navasky

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual, *
and CHARLES L. NAVASKY & Co., *

Plaintiffs *

vs. *

MEL BLOUNT, an individual and MEL *
BLOUNT YOUTH HOME OF *
PENNSYLVANIA, INC., a Pennsylvania *
Business Corporation, *

Defendants *

No. 03-783-CD

TYPE OF CASE: Civil Action

TYPE OF PLEADING: CERTIFICATE
OF SERVICE

FILED ON BEHALF OF: Plaintiffs

COUNSEL OF RECORD FOR THIS
PARTY:

David C. Mason
Superior Court I.D. 39180
DAVID C. MASON LAW OFFICE
P.O. Box 28
Philipsburg PA 16866
(814) 342-2240

COUNSEL OF RECORD FOR
DEFENDANTS:

Robert N. Clarke, Esquire
15 West Beau Street
Washington, PA 15301
(724) 228-5000

FILED

AUG 01 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual, *
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Plaintiffs

vs.

MEL BLOUNT, an individual and MEL *
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Defendants *

No. 03-783-CD

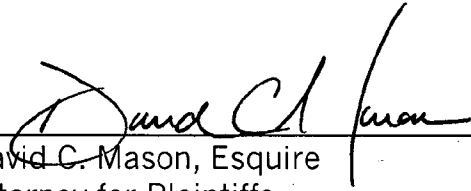
CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a true and correct
copy of the PLAINTIFFS' REPLY TO DEFENDANTS' ANSWER AND NEW MATTER filed
in the above captioned action on the following by depositing the same in the U. S.

Mail, postage prepaid and addressed as follows:

Robert N. Clarke, Esquire
15 West Beau Street
Washington, PA 15301

DATED: 7/31/03



David C. Mason, Esquire
Attorney for Plaintiffs

FILED

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CC

W/1105
AUG 01 2003

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KJP

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual, and
CHARLES NAVASKY & CO.
Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF PENNSYLVANIA,
INC., a Pennsylvania Business Corporation
Defendants

No. 03-783-CD

TYPE OF PLEADING:
CERTIFICATE OF SERVICE

FILED ON BEHALF OF:
PLAINTIFFS

ATTORNEY FOR PLAINTIFFS:
David C. Mason, Esquire
Supreme Court ID #39180
MASON LAW OFFICE
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240

FILED

NOV 10 2003

• William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual, and
CHARLES NAVASKY & CO.
Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF PENNSYLVANIA,
INC., a Pennsylvania Business Corporation

Defendants

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No. 03-783-CD

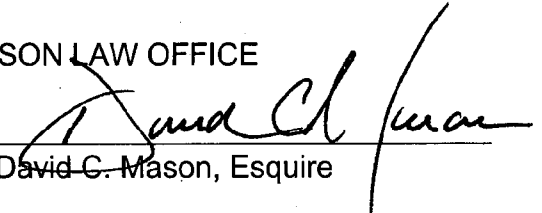
CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a copy of the Praecepto List for Non-Jury Trial filed to the above captioned action, by placing the same in the United States mail, postage prepaid and addressed as follows:

Robert N. Clarke, Esquire
Robert N. Clarke & Associates
Law Firm
15 West Beau Street
Washington, PA 15301

DATED: 11-7-03

MASON LAW OFFICE

By: 
David C. Mason, Esquire

FILED

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William A. Shaw

Prothonotary/Clerk of Courts

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

CHARLES L. NAVASKY, an individual, and
CHARLES NAVASKY & CO.

Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF PENNSYLVANIA,
INC., a Pennsylvania Business Corporation

Defendants

No. 03-783-CD

TYPE OF PLEADING:
PRAECIPE TO LIST FOR
NON-JURY TRIAL

FILED ON BEHALF OF:
PLAINTIFFS

ATTORNEY FOR PLAINTIFFS:
David C. Mason, Esquire
Supreme Court ID #39180
MASON LAW OFFICE
P.O. Box 28
Philipsburg, PA 16866
(814) 342-2240

FILED

NOV 10 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

CHARLES L. NAVASKY, an individual, and
CHARLES NAVASKY & CO.
Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF PENNSYLVANIA,
INC., a Pennsylvania Business Corporation
Defendants

No. 03-783-CD

PRAECIPE TO LIST FOR
NON-JURY TRIAL

To: Prothonotary of said County:

Kindly place the above captioned matter on the Civil Non-Jury Trial List for the
next available term of Court.

I certify that the pleadings are closed and that there are no outstanding
discovery requests or motions.

A copy of this Notice is, on this date, being served upon Robert N. Clarke,
Esquire, the attorney for the Defendants

DATED: 11-7-03

MASON LAW OFFICE

By: 

David C. Mason, Attorney
for Plaintiffs

FILED

Noce

NOV 10 2003

copy to C/A

William A. Shaw

Prothonotary/Clerk of Courts

[Handwritten signature]

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

CHARLES L. NAVASKY, an
individual and
CHARLES NAVASKY & COMPANY,
Plaintiffs

vs.

NO. 2003-783-C.D.

MEL BLOUNT, an individual and
MEL BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a
Pennsylvania Business
Corporation
Defendants

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ORDER

NOW, this 23rd day of January, 2004, following Pre-Trial Conference with counsel for both parties and the Court, it is the ORDER of this Court as follows:

1. Non-Jury Trial be scheduled for one day, Wednesday, April 14, 2004, beginning at 9:00 a.m. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

By the Court,



FREDRIC J. AMMERMAN
President Judge

FILED

JAN 26 2004

William A. Shaw
Prothonotary/Clerk of Courts

FILED

2cc Atty Mason

8/8/04
JAN 26 2004

2cc Atty Clarke

William A. Shaw

Prothonotary/Clerk of Courts



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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual
and CHARLES NAVASKY & CO.

Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a Pennsylvania
Business Corporation

Defendant

*
* No. 03-783-CD
*

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* TYPE OF PLEADING:
*

* Praecept to Settle and Discontinue
*

*
* FILED ON BEHALF OF:
*

* Plaintiffs
*

*
* COUNSEL OF RECORD FOR
* THIS PARTY:

* David C. Mason, Esquire

* I.D. No. 39180

* MASON LAW OFFICE

* P.O. Box 28

* Philipsburg, PA 16866

* 814 342 2240
*

*
* COUNSEL OF RECORD FOR
* DEFENDANT:

* Robert N. Clarke, Esquire

* I.D. No. 17257

* ROBERT N. CLARKE & ASSOC.

* 15 West Beau Street

* Washington, PA 15301

* (724) 228-5000
*

FILED

MAR 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

no cert
KEA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual
and CHARLES NAVASKY & CO.

Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a Pennsylvania
Business Corporation

Defendant

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* No. 03-783-CD
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PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY OF SAID COURT:

Kindly mark the above captioned action settled and discontinued. Thanks very
much.

MASON LAW OFFICE

DATED: 3-23-04

By:


David C. Mason, Esquire,
Attorney for Plaintiffs

FILED

MAR 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

CHARLES L. NAVASKY, an individual
and CHARLES NAVASKY & CO.

Plaintiffs

vs.

MEL BLOUNT, an individual and MEL
BLOUNT YOUTH HOME OF
PENNSYLVANIA, INC., a Pennsylvania
Business Corporation

Defendant

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* No. 03-783-CD
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praecipe to Settle and Discontinue was served upon the following by depositing the same in the U.S. Mail, postage prepaid, and addressed as follows:

Robert N. Clarke, Esquire
ROBERT N. CLARKE & ASSOC.
15 West Beau Street
Washington, PA 15301

DATED: 3-23-04

MASON LAW OFFICE

By: 


David C. Mason, Esquire
Attorney for Plaintiffs

FILED

MAR 23 2004

0/10:10:10
William A. Shaw

Prothonotary/Clerk of Courts

no case


FILED

MAR 23 2004

William A. Shaw
Prothonotary/Clerk of Courts

Date: 12/26/2003

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 01:34 PM

ROA Report

Page 1 of 1

Case: 2003-00783-CD

Current Judge: Fredric Joseph Ammerman

Charles L. Navasky, Charles Navasky Co. vs. Mel Blount, Mel Blount Youth Home of Pennsylvania, Inc.

Civil Other

Date		Judge	
05/28/2003	Filing: Civil Complaint Paid by: Mason, David C. (attorney for Charles Navasky & Co.) Receipt number: 1860583 Dated: 05/28/2003 Amount: \$85.00 (Check) 3 cc to Atty.	No Judge	X
07/07/2003	Praeipce For Appearance On Behalf of Defendants, MEL BLOUNT and MEL BLOUNT UYOUTH HOME OF PENNSYLVANIA, INC. filed by s/Robert N. Clarke, Esquire Answer and New Matter. filed by s./Robert M. Clarke, Esq. Verification s/Mel Blount 3 cc to Atty	No Judge	X
07/30/2003	Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge	X
08/01/2003	Plaintiffs' Reply To Defendants' Answer And New Matter. filed by s/David C. Mason, Esquire Verification s/Charles L. Navasky no cc	No Judge	X
	Certificate of Service, Plaintiffs' Reply to Defendants' Answer And New Matter upon: ROBERT N. CLARK, ESQ. filed by s/David C. Mason, Esq. no cc	No Judge	X
11/10/2003	Praeipce To List For Non-Jury Trial. filed by s/David C. Mason, Esquire No CC, Copy to C/A	No Judge	X
	Certificate of Service, Praeipce to List for Non-Jury Trial upon: Robert N. Clarke, Esquire. filed by s/David C. Mason, Esquire no cc	No Judge	X