

03-1350-CD
NATURE'S BLEND WOOD PRODUCTS, INC. vs. RYAN HORCHEN, et al.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NATURE'S BLEND WOOD
PRODUCTS, INC.,

Plaintiff

: No. 93-1350-4D

vs.

RYAN HORCHEN, DUSTIN
HORCHEN and BRUNIE
HORCHEN, d/b/a HORCHEN'S
CABINETRY AND FINE
WOODWORK,

Defendants

: Type of Pleading:

**COMPLAINT IN CONFESSION
OF JUDGMENT**

: Filed on Behalf of:
PLAINTIFF

: Counsel of Record for This Party:
Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED

SEP 15 2003

William A. Shaw
Prothonotary

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

NATURE'S BLEND WOOD	:	
PRODUCTS, INC.,	:	
Plaintiff	:	
	:	
vs.	:	No. _____
	:	
RYAN HORCHEN, DUSTIN	:	
HORCHEN and BRUNIE	:	
HORCHEN, d/b/a/ HORCHEN'S	:	
CABINETRY AND FINE	:	
WOODWORK,	:	
Defendants	:	

COMPLAINT - CONFESSION OF JUDGMENT

Plaintiff, NATURE'S BLEND WOOD PRODUCTS, INC., by his undersigned attorney avers as follows:

1. Plaintiff is NATURE'S BLEND WOOD PRODUCTS, INC., is a corporation organized under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 202 First Avenue, Ford City, Armstrong County, Pennsylvania, 16226.
2. Defendant, RYAN HORCHEN, is an adult individual with a business mailing address of 305 Aspen Way, DuBois, Clearfield County, Pennsylvania, 15801.
3. Defendant, DUSTIN HORCHEN, is an adult individual with a business mailing address of 305 Aspen Way, DuBois, Clearfield County, Pennsylvania, 15801.

4. Defendant, BRUNIE HORCHEN, is an adult individual with a business mailing address of 305 Aspen Way, DuBois, Clearfield County, Pennsylvania, 15801.

5. Defendants collectively due business as HORCHEN'S CABINETRY AND FINE WOODWORK.

6. On June 3, 2003, Defendants executed a Judgment Cognovit Note in favor of Plaintiff. A true and correct copy of said Note is attached hereto and marked as Exhibit "A".

7. By the terms of said Note, Defendants were required to pay Plaintiff Forty-two Thousand and 00/100 (\$42,000.00) Dollars payable in 21 consecutive monthly installments of Two Thousand and 00/100 (\$2,000.00) Dollars.

8. Said Note provided for acceleration of debt and confession of judgment upon Defendants' default of thirty (30) days in making the required payments to Plaintiff.

9. Defendants made one payment of Two Thousand and 00/100 (\$2,000.00) Dollars when they executed the Note.

10. The next payment was due July 1, 2003. Defendants have failed to make this or any other further payment.

11. Judgment is not being entered by confession against a natural person in connection with a consumer credit transaction.

12. Judgment has not been entered on the attached Note in any other jurisdiction.

WHEREFORE, Plaintiff, NATURE'S BLEND WOOD PRODUCTS, INC., respectfully requests that judgment be entered in its favor and against the Defendants, as follows:

Principal Due	\$42,000.00
Less payments made by	
Defendant(s)	- 2,000.00
Costs	\$ 80.00
Attorney's fees	<u>\$ 1,500.00</u>
Total	\$41,580.00

Matthew B. Taladay
Matthew B. Taladay
Attorney for Plaintiff

VERIFICATION

I, JOE GOLDCAMP, GENERAL MANAGER of Nature's Blend Wood Products, Inc., do hereby verify that I have read the foregoing Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: 9/9/03

A handwritten signature in black ink, appearing to read "JOE GOLDCAMP", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'J' at the beginning.

JUDGMENT COGNOVIT NOTE

ON DEMAND, the Undersigned, **RYAN HORCHEN, DUSTIN HORCHEN, and BRUNIE HORCHEN, d/b/a HORCHEN'S CABINETRY AND FINE WOODWORK**, of DuBois, Pennsylvania. ("the Maker") does hereby promise to pay to the order of **NATURE'S BLEND WOOD PRODUCTS, INC.** (the "Payee"), its heirs, successors, and assigns, the sum of Forty-two Thousand and 00/100 (\$42,000.00) Dollars, for a period of 21 months, which shall be paid on an installment basis, payable in 21 monthly installments of \$2,000.00 per month commencing on June 1, 2003, and on the like day of each month thereafter until paid in full with 0% annual percentage rate. The Obligors shall have the right to anticipate any and all payments.

In case default be made for a space of thirty (30) days in the payment of principal, or in the performance by the Undersigned of any of the obligations of this Note, the entire unpaid balance of the principal debt, shall at the option of the holder become due and payable and one or more executions may issue forthwith on any judgment or judgments obtained by virtue hereof, and no failure on the part of any holder hereof to exercise any of the rights hereunder shall be deemed a waiver of any of such rights, or of any default hereunder.

The Maker hereby empowers any attorney of any court of record within the United States of America or elsewhere to appear for the Maker and, with or without complaint filed, confess judgment, or a series of judgments, against the Maker in favor of any holder hereof, as of any term, for the unpaid balance of the principal debt pursuant to the terms of this Note, together with costs of suit and attorney's fees and commissions actually incurred, on which judgment or judgments one or more executions may issue forthwith upon failure to comply with any of the terms and conditions of this Note. The Maker hereby forever waives and releases all errors in said proceedings, waives stay of execution, the right of inquisition and extension of time payment, agrees to execution and waives all exemptions from levy and sale of any property that now is or hereafter may be exempted by law.

The obligation shall bind the Maker and the Maker's successors and assigns, and the benefits hereof shall inure to the Payees, their heirs, successors and assigns.

06/02/2003 18:16 8143715922

05-30-03 02:46pm From:MANAK GUIDO TALADAY

TRIWOODS

8143715974

PAGE 03

T-786 P.03/03 F-532

WITNESS the due execution hereof the 03 day of
JUNE, 2003.

WITNESS:

Dennis Conrad

Dennis Conrad

Dennis Conrad

Ryan Horchen

Dustin Horchen

Brunie Horchen

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

NATURE'S BLEND WOOD	:	
PRODUCTS, INC.,	:	
Plaintiff	:	
vs.	:	No. _____
RYAN HORCHEN, DUSTIN	:	
HORCHEN and BRUNIE	:	
HORCHEN, d/b/a/ HORCHEN'S	:	
CABINETRY AND FINE	:	
WOODWORK,	:	
Defendants	:	

TO THE PROTHONOTARY:

Pursuant to the authority contained in the warrant of attorney, an original or copy of which is attached to the Complaint filed in this action, I appear for the Defendants and confess judgment in favor of the Plaintiff and against Defendants as follows:

Principal Due	\$40,000.00
Other authorized items	
Costs:	\$ 80.00
Attorney's fees	<u>\$ 1,500.00</u>
	\$41,580.00

Matthew B. Taladay
Matthew B. Taladay
Attorney for Defendants

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

NATURE'S BLEND WOOD	:	
PRODUCTS, INC.,	:	
Plaintiff	:	
vs.	:	No. <u>03-1350-C0</u>
RYAN HORCHEN, DUSTIN	:	
HORCHEN and BRUNIE	:	
HORCHEN, d/b/a/ HORCHEN'S	:	
CABINETRY AND FINE	:	
WOODWORK,	:	
Defendants	:	

TO: RYAN HORCHEN
c/o Horchen's Cabinetry and Fine Woodwork
305 Aspen Way
DuBois, PA 15801

NOTICE

Notice is hereby given that Judgment in the above captioned matter has been entered against you in the amount of \$41,580.00 on September ____, 2003.

Prothonotary

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

NATURE'S BLEND WOOD
PRODUCTS, INC.,

Plaintiff

vs.

No. 03-1350-C

RYAN HORCHEN, DUSTIN
HORCHEN and BRUNIE
HORCHEN, d/b/a/ HORCHEN'S
CABINETRY AND FINE
WOODWORK,

Defendants

TO: DUSTIN HORCHEN
c/o Horchen's Cabinetry and Fine Woodwork
305 Aspen Way
DuBois, PA 15801

NOTICE

Notice is hereby given that Judgment in the above captioned matter has been entered against you in the amount of \$41,580.00 on September ____, 2003.

Prothonotary

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

NATURE'S BLEND WOOD
PRODUCTS, INC.,

Plaintiff

vs.

No. 03-1350-C

RYAN HORCHEN, DUSTIN
HORCHEN and BRUNIE
HORCHEN, d/b/a/ HORCHEN'S
CABINETRY AND FINE
WOODWORK,

Defendants

TO: BRUNIE HORCHEN
c/o Horchen's Cabinetry and Fine Woodwork
305 Aspen Way
DuBois, PA 15801

NOTICE

Notice is hereby given that Judgment in the above captioned matter has been entered against you in the amount of \$41,580.00 on September ____, 2003.

Prothonotary

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

Nature's Blend Wood Products, Inc.
Plaintiff(s)

No.: 2003-01350-CD

Real Debt: \$41,580.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Ryan Horchen
Dustin Horchen
Brunie Horchen
Horchen's Cabinetry and Fine Woodworking
Defendant(s)

Entry: \$20.00

Instrument: Confession of Judgment

Date of Entry: September 15, 2003

Expires: September 15, 2008

Certified from the record this 15th day of September, 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

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NATURE'S BLEND WOOD
PRODUCTS, INC.,

Plaintiff

1358

No. 03-~~1305~~-CD

vs.

RYAN HORCHEN, DUSTIN
HORCHEN and BRUNIE
HORCHEN, d/b/a HORCHEN'S
CABINETRY AND FINE
WOODWORK,

Defendants

Type of Pleading:

NOTICE OF SERVICE

Filed on Behalf of:
PLAINTIFF

Counsel of Record for This Party:
Matthew B. Taladay, Esq.
Supreme Court No. 49663
S. Casey Bowers, Esq.
Supreme Court No. 89032
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED

NOV 26 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

NATURE'S BLEND WOOD
PRODUCTS, INC.,
Plaintiff

vs.

No. 03-1350-CD

RYAN HORCHEN, DUSTIN
HORCHEN and BRUNIE
HORCHEN, d/b/a/ HORCHEN'S
CABINETRY AND FINE
WOODWORK,

Defendants

NOTICE OF SERVICE OF INTERROGATORIES
IN AID OF EXECUTION
DIRECTED TO RYAN HORCHEN, DUSTIN HORCHEN
AND BRUNIE HORCHEN

This is to certify that on the 25th day of November, 2003, I mailed an original and two copies of Interrogatories in Aid of Execution Directed to Ryan Horchen, Dustin Horchen and Brunie Horchen by first class mail, postage prepaid, to:

Benjamin S. Blakley, Esq.
Blakley & Jones
90 Beaver Drive, Box 6
DuBois, PA 15801



S. Casey Bowers
Attorney for Plaintiff