

04-189-CD
NATIONAL FUEL GAS DIST. CORP. vs. GEORGE T. BROSKY, et al.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

VS

GEORGE T. BROSKY AND YVONNE
M. BROSKY

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY PENNSYLVANIA
:
:
:
:
:
: No. cd 2004-189

PRAECIPE


TO: The Prothonotary:

Received satisfaction in full of this judgment, debt,
interest and costs and hereby discharge the same of record.

DATE: November 5, 2007

Respectfully submitted,
QUINN, BUSECK, LEEMHUIS, TOOHEY AND
KROTO, INC.

by:


Lawrence C. Bolla, Esquire
2222 West Grandview
Erie, Pennsylvania 16506
814-833-2222

FILED ^{no} cc
m12:4861
NOV 09 2007
Any pd 7:00
William A. Shaw
Prothonotary/Clerk of Courts (CK)

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

VS

GEORGE T. BROSKY AND
YVONNE M. BROSKY

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY, PENNSYLVANIA
:
:
: NO. cd 2004-189

PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

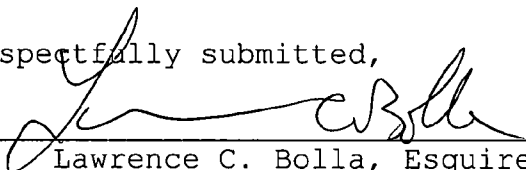
TO: THE PROTHONOTARY

Pursuant to Pa.R.C.P. 237.1, I hereby certify as attorney for the above-named Plaintiff that a written notice of intention to file praecipe for default judgment was mailed or delivered to the above-named Defendant(s), who is the party against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe. A copy of said notice is attached hereto and made a part hereof.

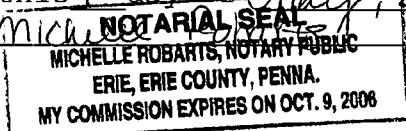
Therefore, please enter default judgment against the Defendant(s), above-captioned, in the sum of \$2,084.16, plus interest from February 6, 2004, and all costs of suit for failure to answer or otherwise plead.

Respectfully submitted,

By


Lawrence C. Bolla, Esquire
2222 West Grandview Boulevard
Erie, PA 16506-4508
(814) 833-2222

Sworn to and subscribed before
me this 4th day of May, 2004.



FILED

MAY 10 2004

William A. Shaw
Prothonotary

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY PENNSYLVANIA
:

VS

GEORGE T. BROSKY AND
YVONNE M. BROSKY

:
:
: NO. cd 2004-189

TO: George T. Brosky
119 South Brady Street
DuBois, Pennsylvania 15801

Yvonne M. Brosky
119 South Brady Street
DuBois, Pennsylvania 15801

DATE: April 13, 2004

IMPORTANT NOTICE

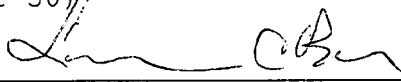
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Raymond Billotte
Court Administrator
2nd floor, Court House
Clearfield, Pennsylvania 16830
814-765-2641 (ext 50)

BY:


Lawrence C. Bolla, Esquire
2222 West Grandview
Erie, Pennsylvania 16506
814-833-2222

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

VS

GEORGE T. BROSKY AND
YVONNE M. BROSKY

: IN THE COURT OF COMMON PLEAS
:
: OF CLEARFIELD COUNTY,
: PENNSYLVANIA

:
:
:

NO. cd 2004-189

TO: THE ABOVE DEFENDANTS:

You are hereby notified as required by law that a judgment-
order-decree has been entered against you in the amount of
\$2,084.16, plus interest from February 6, 2004, plus the costs of
suit at the above term and number on _____.

If a judgment has been entered by confession, you will find
enclosed copies of all documents filed in this office in support
of the confession of judgment.

Prothonotary

FILED

M 2:15 PM PL 20.00 Def
MAY 10 2004 Nitro to Def
Stutts Atty

Q
N/A

William A. Shaw
Prothonotary

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

National Fuel Gas Distribution Corporation
Plaintiff(s)

No.: 2004-00189-CD

Real Debt: \$2,084.16

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

George T. Brosky
Yvone M. Brosky
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 10, 2004

Expires: May 10, 2009

Certified from the record this 10th day of May, 2004

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

NATIONAL FUEL GAS DISTRIBUTION CORP.

VS.

BROSKY, GEORGE T. & YVONNE M.

Sheriff Docket # 15171

04-189-CD

COMPLAINT

SHERIFF RETURNS

NOW FEBRUARY 27, 2004, THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON GEORGE T. BROSKY and YVONNE M. BROSKY, DEFENDANTS.

NOW MARCH 1, 2004 SERVED THE WITHIN COMPLAINT ON GEORGE T. BROSKY and YVONNE M. BROSKY, DEFENDANTS BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED BOTH COPIES ON YVONNE.

Return Costs

Cost	Description
50.25	SHERIFF HAWKINS PAID BY: ATTY CK# 244937
20.00	SURCHARGE PAID BY: ATTY CK# 244938
39.64	JEFFERSON CO. SHFF. PAID BY: ATTY.

Sworn to Before Me This

5th Day Of May 2004

William A. Shaw

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins

Chester A. Hawkins

Chester A. Hawkins

Sheriff

FILED

MAY 05 2004

William A. Shaw
Prothonotary/Clerk of Courts

No. 2004-189-C.D.

Personally appeared before me, Carl J. Gotwald, Sr., Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on March 1, 2004 at 2:30 o'clock P.M. served thd the Notice and Civil Action Complaint upon GEORGE T. BROSKY and YVONNE M. BROSKY, Defendants, at RD#2, Box 328, Brockway, Township of Snyder, County of Jefferson, State of Pennsylvania by handing to Yvonne, personally, two true copies of the Notice and Complaint and by making known to her the contents thereof.

Advance Costs Received:	\$125.00
My Costs:	\$ 37.64 Paid
Prothonotary:	\$ 2.00
Total Costs:	\$ 39.64
Refunded:	\$ 85.36

So Answers,

Carl J. Gotwald Sr. Deputy
Thomas A. Demko Sheriff
 JEFFERSON COUNTY, PENNSYLVANIA

Sworn and subscribed
 to before me this 5th
 day of March 2004
 By Laura A. Heist
 My Commission Expires The
 First Monday January 2008

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

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

VS

GEORGE T. BROSKY AND
YVONNE M. BROSKY

:
:
:
:
:
:
:

NO. 2004-189-CO

TYPE OF CASE:

Civil

TYPE OF PLEADING:

Complaint

FILED ON BEHALF OF:

Plaintiff

COUNSEL FOR THIS PARTY:

Lawrence C. Bolla, Esquire
2222 West Grandview
Erie, Pennsylvania 16506
(814)-833-2222

FILED

FEB 06 2004

m/3:05/wis
William A. Shaw
Prothonotary

2 CERT TO SHAW

NATIONAL FUEL GAS DISTRIBUTION : IN THE COURT OF COMMON PLEAS
CORPORATION :
VS : OF CLEARFIELD COUNTY, PENNSYLVANIA
GEORGE T. BROSKY AND :
YVONNE M. BROSKY : NO.

TO: GEORGE T. BROSKY AND YVONNE M. BROSKY

N O T I C E

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 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). THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Raymond Billotte
Court Administrator
2nd floor, Court House
Clearfield, Pennsylvania 16830
814-765-2641 (ext 50)

NATIONAL FUEL GAS DISTRIBUTION
CORPORATION

VS

GEORGE T. BROSKY AND
YVONNE M. BROSKY

: IN THE COURT OF COMMON PLEAS
:
:
: OF CLEARFIELD COUNTY, PENNSYLVANIA
:
:
:
: NO.

PURSUANT TO PROVISIONS OF THE FEDERAL FAIR DEBT
COLLECTION PRACTICE ACT, YOU ARE ADVISED AND WARNED THAT
THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED WILL BE USED FOR THAT PURPOSE.
SEE 15 U.S.C. §1692(e)(11).

NATIONAL FUEL GAS	:	IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION,	:	
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	
	:	
GEORGE T. BROSKY and	:	
YVONNE M. BROSKY,	:	
Defendants	:	NO.

CIVIL ACTION

AND NOW, comes the Plaintiff, National Fuel Gas Distribution Corporation, by and through its attorneys, Quinn, Buseck, Leemhuis, Toohey, and Kroto, Inc., and files this Civil Action Complaint of which the following is a statement:

1. The Plaintiff, National Fuel Gas Distribution Corporation, is a New York corporation with a place of business located at 1100 State Street, Erie, Pennsylvania.

2. The Defendants, George T. Brosky and Yvonne M. Brosky, are individuals residing at 119 South Brady Street, DuBois, Pennsylvania.

3. Pursuant to the provisions of the Federal Fair Debt Collection Practice Act [15 U.S.C. Section 1692(g)] attached hereto as Exhibit "A" is a **DEBT VALIDATION STATEMENT**.

4. At the Defendants' request, the Plaintiff supplied gas service to the Defendants up to and including October 6, 2003 (the "gas service").

5. The gas service was supplied to the Defendants at 132 South Brady Street, DuBois, Pennsylvania (the "premises") all in accordance with the rules and regulations of the Pennsylvania Public Utility Commission.

COUNT I

National Fuel Gas Distribution Corporation

v.

George T. Brosky and Yvonne M. Brosky

6. The Plaintiff hereby incorporates paragraphs one (1) through five (5) above as if fully set forth.

7. In regard to this gas service, the Plaintiff opened an account for the Defendants and assigned the Defendants Account Number 505315104 (the "Defendants' Account").

8. For and in consideration of the Plaintiff supplying the gas service as stated, the Defendants expressly or implicitly promised to pay the Plaintiff the amount charged to the Defendants' account for the gas service.

9. The Plaintiff has kept accurate records of the amount of gas consumed by the Defendants under the aforementioned account, as well as all debits and credits to that account, and the Plaintiff has sent the Defendants statements of the account on a regular basis which summarize this information (the "statement of account"). A true and correct copy of some of the Plaintiff's records of the Defendants' account is attached hereto, made a part hereof and marked as Exhibit "B."

10. The Defendants have never disputed the Plaintiff's statement of account.

11. As of the date of the last statement of account, the Defendants owed the Plaintiff Two Thousand Eighty-four and 16/100 (\$2,084.16) Dollars for gas service on this account.

12. The Plaintiff has demanded that the Defendants pay the Plaintiff the aforementioned

amount, but the Defendants are either unable or unwilling to pay the amount due.

WHEREFORE, the Plaintiff demands judgment against the Defendants, above-captioned, in the amount of Two Thousand Eighty-four and 16/100 (\$2,084.16) Dollars, plus interest, plus the costs incurred as a result of this action.

COUNT II

National Fuel Gas Distribution Corporation

v.

George T. Brosky and Yvonne M. Brosky

13. The Plaintiff hereby incorporates paragraphs one (1) through twelve (12) above as if fully set forth.

14. The Defendants, George T. Brosky and Yvonne M. Brosky, are the owners of and/or reside at the premises to which the Plaintiff supplied gas service. As such, the Defendants received the benefit of the gas service.

15. It would be inequitable and unconscionable, and the Defendants would thereby be unjustly enriched, if they are permitted to retain the benefits of the gas service without paying for the same.

WHEREFORE, the Plaintiff demands judgment against the Defendants, above-captioned, in the amount of Two Thousand Eighty-four and 16/100 (\$2,084.16) Dollars, plus interest, plus the costs incurred as a result of this action.

COUNT III

National Fuel Gas Distribution Corporation

v.
George T. Brosky and Yvonne M. Brosky

16. The Plaintiff hereby incorporates paragraphs one (1) through fifteen (15) above as if fully set forth.

17. The premises was, at all times relevant to this action, owned by the Defendants, who are husband and wife, as tenants by the entireties.

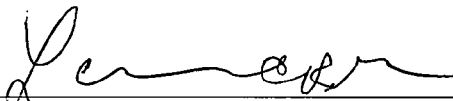
18. The benefit of the gas service inured to both Defendants as owners as tenants by the entireties of the premises.

19. George T. Brosky was acting as the agent for Yvonne M. Brosky in requesting that the Plaintiff supply gas service to the premises and Yvonne M. Brosky is otherwise bound by the contract to provide gas service to the premises.

WHEREFORE, the Plaintiff demands judgment against the Defendants, above-captioned, in the amount of Two Thousand Eighty-four and 16/100 (\$2,084.16) Dollars, plus interest, plus the costs incurred as a result of this action.

Respectfully submitted,

QUINN, BUSECK, LEEMHUIS, TOOHEY &
KROTO, INC.

By 

Lawrence C. Bolla, Esquire
Pa. I.D. No. 19679
2222 West Grandview Boulevard
Erie, PA 16506-4508
(814) 833-2222
Attorneys for Plaintiff,
National Fuel Gas
Distribution Corporation

EXHIBIT "A"

NATIONAL FUEL GAS DISTRIBUTION CORPORATION	:	IN THE COURT OF COMMON PLEAS
	:	
	:	OF CLEARFIELD COUNTY, PENNSYLVANIA
VS	:	
	:	
GEORGE T. BROSKY AND	:	
YVONNE M. BROSKY	:	NO.

DEBT VALIDATION STATEMENT

1. The amount of the debt is \$2,084.16.
2. The name of the creditor to whom the debt is owed is NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
3. Unless Defendant(s), GEORGE T. BROSKY AND YVONNE M. BROSKY, within thirty days after receipt of this Notice, disputes the debt validity, or any portion thereof, the attorney signing this Complaint will assume the debt to be valid.
4. If Defendant(s), GEORGE T. BROSKY AND YVONNE M. BROSKY, notifies the attorney signing this Complaint in writing within the thirty day period that the debt or any portion thereof is disputed, the attorney will obtain verification of the debt or a copy of a judgment against GEORGE T. BROSKY AND YVONNE M. BROSKY, and the attorney will mail a copy of such verification or judgment to GEORGE T. BROSKY AND YVONNE M. BROSKY; and if appropriate,
5. A statement that, upon GEORGE T. BROSKY AND YVONNE M. BROSKY written request within the thirty-day period, the attorney will provide GEORGE T. BROSKY AND YVONNE M. BROSKY with the original creditor's name and address if different from the current creditor.

ACCOUNTS RECEIVABLE PRINT

RBA NUM : 5053151 - 04
NAME : BROSKY, GEORGE T
PREM ADDR : 132 S BRADY ST DUBOIS PA
MAIL ADDR : 119 S BRADY ST DUBOIS PA 15801
RBA STATUS : INACTIVE CAC : OC

TRANS DATE	EMP ID	TRANSACTION TYPE	TRANS AMOUNT	BALANCE
100803		TOTAL BILLED CHARGES	58.85	2084.16
090903		TOTAL BILLED CHARGES	57.14	2025.31
090803	31071	CHARGEBACK	1000.00	1968.17
090803	31071	CHGBACK-COLLECTION F	6.00	968.17
081903	50951	RATEPAYER PYMT	-800.00	962.17
080803		TOTAL BILLED CHARGES	43.62	1762.17
080703	50951	RATEPAYER PYMT	-1000.00	1718.55
072103	50558	ADJ NET EFFECT	-363.02	2718.55
071003		TOTAL BILLED CHARGES	106.23	3081.57
071003	50979	RATEPAYER PYMT	-900.00	2975.34
061003		TOTAL BILLED CHARGES	477.13	3875.34
060203	50951	RATEPAYER PYMT	-1500.00	3398.21
050903		TOTAL BILLED CHARGES	533.05	4898.21
050903		60-DAY REBILL ADJUST	-547.32	4365.16
050903	50951	RATEPAYER PYMT	-1500.00	4912.48
043003	50951	RATEPAYER PYMT	-1500.00	6412.48
040903		TOTAL BILLED CHARGES	1308.35	7912.48
031103		TOTAL BILLED CHARGES	2112.88	6604.13
021003		TOTAL BILLED CHARGES	2032.32	4491.25
011003		TOTAL BILLED CHARGES	1450.17	2458.93
010303		RATEPAYER PYMT	-950.00	1008.76
120902		TOTAL BILLED CHARGES	1309.25	1958.76
111202	50517	ADJ NET EFFECT	-1098.74	649.51
110702	50517	ADJ NET EFFECT	797.01	1748.25
110602		TOTAL BILLED CHARGES	140.18	951.24
100802		TOTAL BILLED CHARGES	234.38	811.06
090902		TOTAL BILLED CHARGES	189.43	576.68
090902	50951	RATEPAYER PYMT	-1070.89	387.25
080802		TOTAL BILLED CHARGES	167.14	1458.14
072202	50517	ADJ NET EFFECT	-166.00	1291.00
071002		TOTAL BILLED CHARGES	220.11	1457.00
062702	50951	RATEPAYER PYMT	-1661.62	1236.89
062702	50951	RATEPAYER PYMT	-900.00	2898.51
061002		TOTAL BILLED CHARGES	551.04	3798.51
050902		TOTAL BILLED CHARGES	685.85	3247.47
042202		RATEPAYER PYMT	-1067.77	2561.62
041002		TOTAL BILLED CHARGES	1211.23	3629.39
040802	50951	RATEPAYER PYMT	-1200.00	2418.16
032002		RATEPAYER PYMT	-800.00	3618.16
031102		TOTAL BILLED CHARGES	1356.39	4418.16
021502		RATEPAYER PYMT	-1300.00	3061.77
021102	31071	ADJ NET EFFECT	173.48	4361.77
020802		TOTAL BILLED CHARGES	1267.36	4188.29
011002		TOTAL BILLED CHARGES	1538.28	2920.93
120701		TOTAL BILLED CHARGES	825.89	1382.65
120601		RATEPAYER PYMT	-600.00	556.76
111901	30929	ADJ NET EFFECT	151.61	1156.76
110601		TOTAL BILLED CHARGES	645.69	1005.15

EXHIBIT

B

VERIFICATION

I, Mary C. Murosky, Assistant Manager, Consumer Business Division, Pennsylvania, of National Fuel Gas Distribution Corporation, depose and say that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Mary C. Murosky

DATED: February 4, 2004