

04-264-CD
LEZZER CASH & CARRY OF CURM. vs. SURVIVOR TECHNOLOGIES, INC

Lezzer Cash & Carry vs. Survivor Tech.
2004-264-CD

William A. Shaw
Prothonotary/Clerk of Courts

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

LEZZER CASH & CARRY OF
CURWENSVILLE, INC., a
Pennsylvania Corporation,
Plaintiff,

vs.

SURVIVOR TECHNOLOGIES, INC.,
a New Jersey Corporation,
Defendant.

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*
*
*

No. 04 - - CD

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 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 COURT HOUSE
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

LEZZER CASH & CARRY OF *
CURWENSVILLE, INC., a *
Pennsylvania Corporation, *
Plaintiff,, *

vs. *

No. 04 - - CD

SURVIVOR TECHNOLOGIES, INC., *
a New Jersey Corporation, *
Defendant. *

C O M P L A I N T

NOW COMES the Plaintiff, Lezzer Cash & Carry of Curwensville, Inc., and by its attorney, James A. Naddeo, Esquire, sets forth the following:

1. The Plaintiff is Lezzer Cash & Carry of Curwensville, Inc., a Pennsylvania corporation, having its principal place of business located on Schofield Street, P.O. Box 217, Curwensville, Pennsylvania 16833.

2. The Defendant, Survivor Technologies, Inc., is a New Jersey corporation, having its principal place of business located at 1441 Chestnut Avenue, Hillside, New Jersey 07205.

3. At all times referred to herein, Plaintiff was engaged in the business of selling building materials at retail to the general public.

4. At all times referred to herein, Defendant was engaged in the business of manufacturing vinyl windows and patio doors.

5. At all times referred to herein, Defendant routinely conducted business in the Commonwealth of Pennsylvania by advertising and selling vinyl windows and patio doors within the Commonwealth.

6. On July 10, 2001, Plaintiff special ordered vinyl windows from Defendant for the purchase price of \$5,062.18, which windows were shipped to Plaintiff on July 17, 2001, as appears from the shipping invoice, a copy of which is attached hereto as Exhibit "A".

7. The special ordered windows purchased from Defendant were sold by Plaintiff to Shadeck Construction & Millwork (hereinafter "Shadeck") to be installed in a new dwelling to be constructed for a customer of Shadeck. A copy of the invoice to Shadeck Construction & Millwork is attached hereto as Exhibit "B".

8. Shadeck installed the windows manufactured by Defendant in the new dwelling of Shadeck's customer.

9. The owners of the dwelling took possession of said dwelling in February 2002.

10. Upon taking possession of the dwelling, the owners noticed severe condensation emanating from the windows manufactured by Defendant.

11. The condensation on the said windows was so severe that it caused moisture damage to the woodwork and walls of their dwelling.

12. Since February 2002 Plaintiff has done numerous moisture tests within the dwelling, all of which demonstrated that the humidity within the dwelling was at an acceptable level.

13. Plaintiff eventually installed a replacement window in the dwelling, which window does not generate condensation within the dwelling.

14. The windows manufactured by Defendant continue to emanate severe condensation with resulting damage to the woodwork and walls of the dwelling.

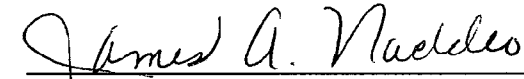
15. Plaintiff has agreed to replace the windows in the dwelling at a combined labor and materials cost of \$13,800.00.

16. The windows purchased by Plaintiff from the Defendant are defective and therefore unmerchantable and unfit for the purpose for which they were purchased as follows:

A. The seal between the double hung windowpane fails to obstruct the transfer of cold air from the outside of the dwelling to the inside of the dwelling.

B. The cross ribs on the window are in direct contact with the window glass resulting in the transfer of cold air from the outside of the glass to the inside of the glass.

WHEREFORE, Plaintiff claims damage from Defendant in the amount of Thirteen Thousand Eight Hundred (\$13,800.00) Dollars with interest thereon as allowable by law.


James A. Naddeo, Esquire
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared DAVID M. LEZZER, who being duly sworn according to law, deposes and states that he is the Executive V.P. of Lezzer Cash & Carry of Curwensville and that as such officer he is authorized to execute this Affidavit and further that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.

Paul M. L. 1857 Exp

SWORN and SUBSCRIBED before me this 16th day of January, 2004.

Jennifer L. Royer

Notarial Seal
Jennifer L. Royer, Notary Public
Clearfield Boro, Clearfield County

Notarial Seal
Jennifer L. Royer, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires May 17, 2007

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227

3



SURVIVOR
 Door & Window Systems

Leadership Through Technology

INV # : 367171
 ORDER #: 395097
 ORDER DATE: 07/10/01
 CUSTOMER #: 494000
 PAGE #: 0001
 PHO #: (814) 2360220
 FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-B/O	PO BOX 217	B/O OF REF 391230	1710N30	07/17/01

LINE	ORD	SHP	DESCRIPTION		
1	2	2	WHT 24 X 70 TT , PROFILE 4/4 , TEMPERED GLASS ,	204.00	408.00
2	1	1	F-LINE: FOR BILLING PURPOSES ONLY , BACKORDER OF REF 391230 , FOR BILLING PURPOSES ONLY BACKORDER OF REF 391230	0.00	0.00
SUB TOTAL: TAX: TOTAL INVOICE				408.00	408.00

PAID
AUG - 2 2001

RECEIVED
JUL 23 2001

EXHIBIT "A"

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
Door & Window Systems

Leadership Through Technology

INV # : 368937
ORDER #: 386168
ORDER DATE: 07/13/01
CUSTOMER #: 494000
PAGE #: 0001
PHD #: (814) 2360220
FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK2-DB	PO BOX 217	OUR TRUCK	1%10N30	07/24/01

LINE	ORD	SHP	DESCRIPTION		
1	1	1	1 ARC /4 DH	10.00	10.00
2	1	1	2500, CIRCLE TOP, WHITE 34 X 17, EX O, PROFILE, 3 BAR SUNBURST 34 12.844 LBS	169.60	169.60
3	1	1	2500 DH, STANDARD,,, WHITE 34 X 50, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 5 , 34 84 UI, 48.505 LBS.	132.40	132.40
4	1	1	F-PART: 25 EXT. JAMB FOR 34" //6 9/16 , 1/2 ROUND //WHT , CHARGEABLE ,	18.00	18.00
5	1	1	F-LINE: CHG677JS P/DENNY 7/16 , SHAPE 7/13 CHG677JS P/DENNY 7/16 SHAPE IS HERE 7/18 DIANE	0.00	0.00
ACCT # 401 DATE 8/10 AUG 09 2001 BY: _____				RECEIVED JUL 30 2001	SUB TOTAL: 330.00 TAX: 0.00 TOTAL INVOICE: 330.00 330

I N V O I C E

JRVIVOR TECHNOLOGIES INC.
O BOX 10227
NEWARK NJ 07193-0227



S U R V I V O R

Door & Window Systems

Leadership Through Technology

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE

FA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE

PA16833

INV # : 381128

ORDER #: 400090

ORDER DATE: 08/22/01

CUSTOMER #: 494000

PAGE #: 0001

PHO #: (814) 2360220

FAX #: (814) 2361666

PER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
PR	SHADECK-B	TOM KAVILLIC	U 1ZX18872034548497	1X10N30	08/31/01

LINE	ORD	SHP	DESCRIPTION
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1	4	4	F-PART: JAMB# 2328 FOR , 1/2 RND , 34 X 17 , CHARGEABLE ,
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JAMES ARE HERE 8/27 DIANE

79.20

316.80

ACCT # 401
DUE DATE 9/13

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SEP - 1 2001

SUB TOTAL: 1.42

TAX:

TOTAL INVOICE

316.80

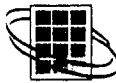
0.00

316.80

274

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
 P O BOX 10227
 NEWARK NJ 07193-0227



SURVIVOR
 Door & Window Systems

Leadership Through Technology

INV # : 379308
 ORDER #: 397551
 ORDER DATE: 08/15/01
 CUSTOMER #: 494000
 PAGE #: 0001
 PHO #: (814) 2360220
 FAX #: (814) 2361666

SOLD-TO:
 LEZZER CASH & CARRY
 PO BOX 217
 SCHOFIELD STREET
 CURWENSVILLE PA16833

SHIP-TO:
 LEZZER CASH & CARRY
 PO BOX 217
 CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK/JN	PO BOX 217	OUR TRUCK	1%10N30	08/28/01

LINE	ORD	SHP	DESCRIPTION		
1	1	1	2500 DH, STANDARD,,, WHITE 32 X 40 1/2, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS CHG91SL 8/16 , 73 UI, 36.978 LBS. CHG91SL 8/16	117.00	117.00
<i>SP-1524</i> RECEIVED SEP - 4 2001 ACCT # <u>401</u> DUE DATE <u>9/13</u> SEP 13 2001				SUB TOTAL:	117.00
				TAX:	0.00
				TOTAL INVOICE	117.00
					1.17

BY: _____

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
 Door & Window Systems

Leadership Through Technology

INV # : 364884
 ORDER #: 381230
 ORDER DATE: 06/28/01
 CUSTOMER #: 494000
 PAGE #: 0005
 PHO #: (814) 2360220
 FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-TK	PO BOX 217	OUR TRUCK	1%10N30	07/10/01

LINE	ORD	SHP	DESCRIPTION		
29	3	3	F-PART: 25 6 9/16 EXT JAMB FOR , 34" TT 1/2 RND /WHITE , SHAPE / TEMPERED 6/28 TEMP GLS RECD 7/2 JOHN SHAPE IS HERE 7/2 DIANE	18.00	54.00
SUB TOTAL: TAX: TOTAL INVOICE				3941.52	0.00
				3941.52	39.42

SP 6294.00

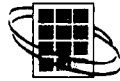
ACCT # 401-91
DUE DATE 7/10/01

PAID
 JUL 26 2001
 BY:

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 JUL 16 2001
3902.10

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
Door & Window Systems

Leadership Through Technology

INV # : 364884
ORDER #: 381230
ORDER DATE: 06/28/01
CUSTOMER #: 494000
PAGE #: 0004
PHO #: (814) 2360220
FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-TK	PO BOX 217	OUR TRUCK	1X10N30	07/10/01

LINE	ORD	SHF	DESCRIPTION		
20	1	1	2500, PW, WHITE 22 X 60, EX, DOUBLE STRENGTH, PROFILE 2 X 4, 82 UI, 33.1 LBS.	108.28	108.28
21	1	1	1 ARC /4 DH /5 DH	20.00	20.00
22	1	1	2500, CIRCLE TOP, WHITE 34, EX 0, PROFILE, 3 BAR SUNBURST 34 .0000 LBS	169.60	169.60
23	1	1	2500 DH, STANDARD,,, WHITE 34 X 60, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 5 , 34 94 UI, 58.206 LBS.	146.40	146.40
24	1	1	2500 DH, STANDARD,,, WHITE 34 X 60, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 5 , 34 94 UI, 58.206 LBS.	146.40	146.40
25	1	1	F-LINE: ABOVE 1/2 RND TO BE MULLED , OVER CENTER OF TWIN DH ,	0.00	0.00
26	1	1	1 ARC /4 DH	10.00	10.00
27	1	1	2500, CIRCLE TOP, WHITE 34 X 17, EX 0, PROFILE, 3 BAR SUNBURST 34 12.844 LBS	169.60	169.60
28	1	1	2500 DH, STANDARD,,, WHITE 34 X 50, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 5 , 34 84 UI, 48.505 LBS.	132.40	132.40

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JUL 16 2001

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
Door & Window Systems

Leadership Through Technology

INV # : 364884
ORDER #: 381230
ORDER DATE: 06/28/01
CUSTOMER #: 494000
PAGE #: 0003
PHO #: (814) 2360220
FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-TK	PO BOX 217	OUR TRUCK	1X10N30	07/10/01

LINE	ORD	SHP	DESCRIPTION		
13	2	2	2500 DH/DH SETUP, WHITE 67 1/2 X 60, EX THE FOLLWING 2 LINES MAKE THE BALANCE OF THIS TWIN UNIT.	10.00	20.00
14	2	2	2500 DH, STANDARD,,, WHITE 33 1/2 X 60, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 2 , 94 UI, 57.350 LBS.	146.40	292.80
15	2	2	2500 DH, STANDARD,,, WHITE 33 1/2 X 60, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 2 , 94 UI, 57.350 LBS.	146.40	292.80
16	1	1	/2 ARC /4 PW /5 PW /6 PW	30.00	30.00
17	1	1	2500, CIRCLE TOP, WHITE 34, EX 0, PROFILE, 3 BAR SUNBURST .0000 LBS	169.60	169.60
18	1	1	2500, PW, WHITE 22 X 60, EX, DOUBLE STRENGTH, PROFILE 2 X 4, 82 UI, 33.1 LBS.	108.28	108.28
19	1	1	2500, PW, WHITE 34 X 60, EX, DOUBLE STRENGTH, PROFILE 3 X 4, 94 UI, 51.1 LBS.	121.96	121.96

CONTINUED...

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JUL 16 2001

**** I N V O I C E ****

SURVIVOR TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
Door & Window Systems

Leadership Through Technology

INV # :364884
ORDER #: 381230
ORDER DATE: 06/28/01
CUSTOMER #: 494000
PAGE #: 0002
PHO #: (814) 2360220
FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-TK	PO BOX 217	OUR TRUCK	1X10N30	07/10/01

LINE	ORD	SHP	DESCRIPTION		
7	2	2	2500 DH/DH SETUP, WHITE 67 1/2 X 72, EX THE FOLLWING 2 LINES MAKE THE BALANCE OF THIS TWIN UNIT.	10.00	20.00
8	2	2	2500 DH, STANDARD,,, WHITE 33 1/2 X 72, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 2 , 106 UI, 68.820 LBS.	163.20	326.40
9	2	2	2500 DH, STANDARD,,, WHITE 33 1/2 X 72, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 2 , 106 UI, 68.820 LBS.	163.20	326.40
10	1	1	2500 DH/DH SETUP, WHITE 67 1/2 X 42, EX THE FOLLWING 2 LINES MAKE THE BALANCE OF THIS TWIN UNIT.	10.00	10.00
11	1	1	2500 DH, STANDARD,,, WHITE 33 1/2 X 42, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, TEMPERED, TEMPERED, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 2 , 76 UI, 40.145 LBS.	169.20	169.20
12	1	1	2500 DH, STANDARD,,, WHITE 33 1/2 X 42, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, TEMPERED, TEMPERED, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 2 , 76 UI, 40.145 LBS.	169.20	169.20

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RECEIVED
JUL 16 2001

**** I N V O I C E ****

SURVIVOR-TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
Door & Window Systems

Leadership Through Technology

INV # : 364884
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PAGE #: 0001
PHO #: (814) 2360220
FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-TK	PO BOX 217	OUR TRUCK	1X10N30	07/10/01

LINE	ORD	SHP	DESCRIPTION		
1	2	2	2500 DH, STANDARD,, WHITE 34 X 72, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 106 UI, 69.847 LBS.	163.20	326.40
2	1	1	2500 DH, STANDARD,, WHITE 32 X 36, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 68 UI, 32.867 LBS.	110.00	110.00
3	2	0	2500 DH, STANDARD,, WHITE 24 X 70, EX, PROFILE ALL 2 X 2 TOP , 2 X 2, TEMPERED TEMPERED, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 94 UI, 47.934 LBS.	204.00	0.00
4	2	2	2500 DH, STANDARD,, WHITE 34 X 56, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 90 UI, 54.326 LBS.	140.80	281.60
5	1	1	2500 DH, STANDARD,, WHITE 26 X 42, EX, PROFILE ALL 2 X 2 TOP , 2 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 68 UI, 31.157 LBS.	110.00	110.00
6	1	1	2500 DH, STANDARD,, WHITE 26 X 35, EX, PROFILE ALL 2 X 2 TOP , 2 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 61 UI, 25.964 LBS.	100.20	100.20
CONTINUED...					

RECEIVED
JUL 16 2001

**** I N V O I C E ****

SURVIVOR-TECHNOLOGIES INC.
P O BOX 10227
NEWARK NJ 07193-0227



SURVIVOR
Door & Window Systems

Leadership Through Technology

INV # : 364884
ORDER #: 381230
ORDER DATE: 06/28/01
CUSTOMER #: 494000
PAGE #: 0001
PHO #: (814) 2360220
FAX #: (814) 2361666

SOLD-TO:
LEZZER CASH & CARRY
PO BOX 217
SCHOFIELD STREET
CURWENSVILLE PA16833

SHIP-TO:
LEZZER CASH & CARRY
PO BOX 217
CURWENSVILLE PA16833

OPER	P.O. #	JOB NAME	SHIPPED VIA	TERMS	SHIP DAT
APR	SHADECK-TK	PO BOX 217	OUR TRUCK	1%10N30	07/10/01

LINE	ORD	SHF	DESCRIPTION		
1	2	2	2500 DH, STANDARD,,, WHITE 34 X 72, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 106 UI, 69.847 LBS.	163.20	326.40
2	1	1	2500 DH, STANDARD,,, WHITE 32 X 36, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 68 UI, 32.867 LBS.	110.00	110.00
3	2	0	2500 DH, STANDARD,,, WHITE 24 X 70, EX, PROFILE ALL 2 X 2 TOP , 2 X 2, TEMPERED TEMPERED, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 94 UI, 47.934 LBS.	204.00	0.00
4	2	2	2500 DH, STANDARD,,, WHITE 34 X 56, EX, PROFILE ALL 3 X 2 TOP , 3 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 90 UI, 54.326 LBS.	140.80	281.60
5	1	1	2500 DH, STANDARD,,, WHITE 26 X 42, EX, PROFILE ALL 2 X 2 TOP , 2 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 68 UI, 31.157 LBS.	110.00	110.00
6	1	1	2500 DH, STANDARD,,, WHITE 26 X 35, EX, PROFILE ALL 2 X 2 TOP , 2 X 2, CLEAR, CLEAR, EXT. FULL SCREEN, FIBER. MESH,, SINGLE LOCKS 61 UI, 25.964 LBS.	100.20	100.20
CONTINUED...					

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JUL 16 2001



SCHOFIELD STREET
CURWENSVILLE, PA 16833
814-236-0220

SHAFFER ROAD
DUBOIS, PA 15801
814-371-9311

1280 WAYNE AVENUE
INDIANA, PA 15701
724-349-2281

777 E. BUTLER RD.
BUTLER, PA 16001
724-282-3100

164 CHAD ROAD
PENNSDALE, PA 17756
570-546-8026

2350 E. COLLEGE AVE.
STATE COLLEGE, PA 16801
814-237-3511

INDUSTRIAL DRIVE
GROVE CITY, PA 16127
724-458-5501

CRANBERRY MALL
CRANBERRY, PA 16319
814-677-7422

LEZZER TRUSS SYSTEMS, INC.
BAILOR DRIVE - CURWENSVILLE, PA 16833
814-236-0975

LEZZER COMMERCIAL DOORS OF WMPT, INC.
739 GRACE STREET - WILLIAMSPORT, PA 17701
570-323-8889

LEZZER COMMERCIAL DOORS, INC.
SCHOFIELD STREET - CURWENSVILLE, PA 16833
814-236-0220

TYPE OF TRANSACTION	LOCATION
CHARGE SALE	STR 1 Page: 1 CURWENSVILLE

SOLD TO:

SHIP TO:

A B 664048

SHADECK CONST & MILLWORK 814-263-7166
TIM JANOCKO JOB
R.D.#1 BOX 211
FRENCHVILLE PA 16836

INVOICE NO.
664048

CUST CODE	SEQ.NO.	TIME	TRANS NO.	TRANS DT.	STR	SLSM	W/B	OP#	DATE DELV'D	LOADER
17166001		09:05	664048	073101	1	38	38	181101	07/31/01	

ORDER/QUOTE NO.	P.O. NO.	JOB NUMBER	TRUCK NO.	DRIVER	SALESMAN
18582			1 VAN 1011	1	Tom Kavelak

ITEM NO.	QU.ORD.	QU.SHP.	DESCRIPTION	UNITS	PRICE/UNIT	EXTENSION
SURVIVOR	1	1	SURVIVOR SPECIAL ORDER WINDOW CONSISTING OF THE FOLLOWING: SURVIVOR 2500 SERIES VINYL UNITS ALL ARE WHITE W/FULL SCREENS ALL UNITS WITH PROFILE GRIDS 1-EA. 34" X 67" DH W/C-TOP AND 6-9/16" C-TOP E.J. 2-EA. 68" X 72" DH TWIN 2-EA. 34" X 72" DH 1-EA. 32" X 36" DH 2-EA. 24" X 70" DH TEMPERED 2-EA. 34" X 56" DH 1-EA. 26" X 42" DH 1-EA. 68" X 42" DH TWIN TEMPERED 1-EA. 26" X 35" DH 2-EA. 68" X 60" DH TWIN 1-EA. 68" X 60" DH TWIN W/C-TOP, AND 6-9/16" C-TOP E.J. 1-EA. 78" X 60" DH TRIPLE W/C-TO AND 6-9/16" C-TOP E.J. HERE 7-10-01 - ON DOCK TICKET #381230	1.000	5862.000EA	5862.00

WE WILL BE GLAD TO ASSIST IN LOADING YOUR ORDER, HOWEVER,
WE ARE NOT LIABLE FOR IMPROPER LOADING DAMAGE.

SUB-TOTAL	TAX %	TAX AMT.	TOTAL

WE CANNOT GUARANTEE PRICES ON THIS INVOICE UNLESS MATERIAL IS PICKED UP WITHIN
10 DAYS OF INVOICE DATE.
All merchandise must be checked when received. No claims for shortages will be allowed after 24 hours of delivery.
Material returned in good condition will be credited, but subject to a 20% charge to cover cost of handling.

NO MATERIAL MAY BE RETURNED AFTER 30 DAYS.
Parties receiving an estimate will please examine the same carefully as we agree to furnish only the articles herein.
Errors in extensions, omissions and footings are subject to corrections. A finance charge of 1-1/2% PER MONTH =
APR 18% will be added to any unpaid balance past 30 days.

X

I RECEIVED THE ABOVE MATERIAL IN GOOD CONDITION

EXHIBIT "B"



SCHOFIELD STREET
CURWENSVILLE, PA 16833
814-236-0220

SHAFFER ROAD
DUBOIS, PA 15801
814-371-9311

1260 WAYNE AVENUE
INDIANA, PA 15701
724-349-2281

777 E. BUTLER RD.
BUTLER, PA 16001
724-282-3100

194 CHAD ROAD
PENNSDALE, PA 17756
570-546-8026

2350 E. COLLEGE AVE.
STATE COLLEGE, PA 16801
814-237-3511

INDUSTRIAL DRIVE
GROVE CITY, PA 16127
724-458-5501

CRANBERRY MALL
CRANBERRY, PA 16319
814-677-7422

LEZZER TRUSS SYSTEMS, INC.
BAILOR DRIVE - CURWENSVILLE, PA 16833
814-236-0875

LEZZER COMMERCIAL DOORS OF WMPT, INC.
739 GRACE STREET - WILLIAMSPORT, PA 17701
570-323-9889

LEZZER COMMERCIAL DOORS, INC.
SCHOFIELD STREET - CURWENSVILLE, PA 16833
814-236-0220

TYPE OF TRANSACTION	LOCATION
CHARGE SALE	STR 1 Page: 2 CURWENSVILLE

SOLD TO:

SHIP TO:

A B 664048

SHADECK CONST & MILLWORK 814-263-7166

INVOICE NO.
664048

CUST CODE	SEQ.NO.	TIME	TRANS NO.	TRANS DT.	STR	SLSM	W/B	OP#	DATE DELV'D	LOADER
17166001		09:05	664048	073101	1	38	38		181101	07/31/01

ORDER/QUOTE NO.		P.O. NO.	JOB NUMBER	TRUCK NO.	DRIVER	SALESMAN	
18582				1 VAN 1011	1	Tom Kavelak	
ITEM NO.	QU.ORD.	QU.SHP.	DESCRIPTION		UNITS	PRICE/UNIT	EXTENSION
			ORDERED FROM SURVIVOR - CHRIS C. FACTORY ORDER NO. 381230				
Freight Amt:				0.00	Misc Chrg Amt:		

WE WILL BE GLAD TO ASSIST IN LOADING YOUR ORDER, HOWEVER,
WE ARE NOT LIABLE FOR IMPROPER LOADING DAMAGE.

SUB-TOTAL	TAX %	TAX AMT.	TOTAL
5862.00	6.000	351.72	6213.72

WE CANNOT GUARANTEE PRICES ON THIS INVOICE UNLESS MATERIAL IS PICKED UP WITHIN
10 DAYS OF INVOICE DATE.
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Errors in extensions, omissions and footings are subject to corrections. A finance charge of 1-1/2% PER MONTH =
APR 18% will be added to any unpaid balance past 30 days.

OPEN AMOUNT DUE:

X

I RECEIVED THE ABOVE MATERIAL IN GOOD CONDITION



SCHOFIELD STREET
CURWENSVILLE, PA 16833
814-236-0220

SHAFFER ROAD
DUBOIS, PA 15801
814-371-9311

1260 WAYNE AVENUE
INDIANA, PA 15701
724-349-2281

777 E. BUTLER RD.
BUTLER, PA 16001
724-282-3100

194 CHAD ROAD
PENNSDALE, PA 17756
570-548-8028

2350 E. COLLEGE AVE.
STATE COLLEGE, PA 16801
814-237-3511

INDUSTRIAL DRIVE
GROVE CITY, PA 16127
724-458-5501

CRANBERRY MALL
CRANBERRY, PA 16319
814-877-7422

LEZZER TRUSS SYSTEMS, INC.
BAILOR DRIVE - CURWENSVILLE, PA 16833
814-236-0975

LEZZER COMMERCIAL DOORS OF WMPT, INC.
739 GRACE STREET - WILLIAMSPORT, PA 17701
570-323-9889

LEZZER COMMERCIAL DOORS, INC.
SCHOFIELD STREET - CURWENSVILLE, PA 16833
814-236-0220

TYPE OF TRANSACTION	LOCATION	
CHARGE SALE	STR 1	Page: 1
	CURWENSVILLE	

SOLD TO:

SHIP TO:

A B 744510

SHADECK CONST & MILLWORK 814-263-7166

TIM JANOCKO JOB

R.D.#1 BOX 211

FRENCHVILLE

PA 16836

INVOICE NO.

744510

CUST CODE	SEQ.NO.	TIME	TRANS NO.	TRANS DT.	STR	SLSM	W/B	OP#	DATE DELV'D	LOADER
17166001		15:33	744510	100901	1	38	28	181101	10/05/01	

ORDER/QUOTE NO	P.O. NO.		JOB NUMBER	TRUCK NO.	DRIVER	SALESMAN
15037				1 STAKE 110	7	Denny Borger
ITEM NO.	QU.ORD.	QU.SHP.	DESCRIPTION	UNITS	PRICE/UNIT	EXTENSION
SURVIVOR	1	1	2500 DH, STANDARD, BOTTOM SASH WINDOW SIZE REPAIR, WHITE, 34" X 50" EXACT, PROFILE BOTTOM 3 X 2, CLEAR, SINGLE LOCK	1.000	45.000EA	45.00
SURVIVOR	1	1	2500 DH, STANDARD, SCREEN WINDOW SIZE REPAIR, WHITE, 34" X 50" EXACT, EXT. FULL SCREEN, FIBERGLASS MESH, SINGLE LOCK HERE - 10/4/01 - ON DOCK TICKET 410587 ORDERED FROM SURVIVOR FACTORY ORDER NO. 410587 (09-19-01) NOTE TO BACK OFFICE: DELIVER TO JOBSITE WHEN IN.	1.000	15.000EA	15.00
Freight Amt:				0.00	Misc Chrg Amt:	

WE WILL BE GLAD TO ASSIST IN LOADING YOUR ORDER, HOWEVER,
WE ARE NOT LIABLE FOR IMPROPER LOADING DAMAGE.

SUB-TOTAL	TAX %	TAX AMT.	TOTAL
60.00	6.000	3.60	63.60

WE CANNOT GUARANTEE PRICES ON THIS INVOICE UNLESS MATERIAL IS PICKED UP WITHIN
10 DAYS OF INVOICE DATE.
All merchandise must be checked when received. No claims for shortages will be allowed after 24 hours of delivery.
Material returned in good condition will be credited, but subject to a 20% charge to cover cost of handling.

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Parties receiving an estimate will please examine the same carefully as we agree to furnish only the articles herein.
Errors in extensions, omissions and footings are subject to corrections. A finance charge of 1-1/2% PER MONTH =
APR 18% will be added to any unpaid balance past 30 days.

OPEN AMOUNT DUE:

X

I RECEIVED THE ABOVE MATERIAL IN GOOD CONDITION



SCHOFIELD STREET
CURWENSVILLE, PA 16833
814-236-0220

SHAFFER ROAD
DUBOIS, PA 15801
814-371-9311

1260 WAYNE AVENUE
INDIANA, PA 15701
724-349-2281

777 E. BUTLER RD.
BUTLER, PA 16001
724-282-3100

194 CHAD ROAD
PENNSDALE, PA 17756
570-546-8026

2350 E. COLLEGE AVE.
STATE COLLEGE, PA 16801
814-237-3511

INDUSTRIAL DRIVE
GROVE CITY, PA 16127
724-458-5501

CRANBERRY MALL
CRANBERRY, PA 16319
814-877-7422

LEZZER TRUSS SYSTEMS, INC.
BAILOR DRIVE - CURWENSVILLE, PA 16833
814-236-0975

LEZZER COMMERCIAL DOORS OF WMPT, INC.
739 GRACE STREET - WILLIAMSPORT, PA 17701
570-323-9889

LEZZER COMMERCIAL DOORS, INC.
SCHOFIELD STREET - CURWENSVILLE, PA 16833
814-236-0220

TYPE OF TRANSACTION	LOCATION
CHARGE SALE	STR 1 Page: 1 CURWENSVILLE

SOLD TO:

SHIP TO:

A B 683388

SHADECK CONST & MILLWORK 814-263-7166

TIM JANOCKO JOB

R.D.#1 BOX 211

FRENCHVILLE

PA 16836

INVOICE NO.

683388

CUST CODE	SEQ.NO.	TIME	TRANS NO.	TRANS DT.	STR	SLSM	W/B	OP#	DATE DELV'D	LOADER
17166001		10:06	683388	081601	1	38	28	181101	08/16/01	

ORDER/QUOTE NO.	P.O. NO.		JOB NUMBER	TRUCK NO.	DRIVER	SALESMAN
19275				1 TANDEM 11	2	Denny Borger
ITEM NO.	QU.ORD.	QU.SHP.	DESCRIPTION	UNITS	PRICE/UNIT	EXTENSION
SURVIVOR	1	1	SURVIVOR SPECIAL ORDER WINDOW CONSISTING OF THE FOLLOWING WHITE FULL SCREENS PROFILE GRIDS GBG 1-EA. 34" X 67" DH W/C-TOP 1-EA. 34" C-TOP 6-9/16" E.J. HERE - 08/01 - TKT 386168 ORDERED FROM SURVIVOR FACTORY ORDER NO. 386168	1.000	432.000EA	432.00
Freight Amt:				0.00	Misc Chrg Amt:	

WE WILL BE GLAD TO ASSIST IN LOADING YOUR ORDER, HOWEVER,
WE ARE NOT LIABLE FOR IMPROPER LOADING DAMAGE.

SUB-TOTAL	TAX %	TAX AMT.	TOTAL
432.00	6.000	25.92	457.92

WE CANNOT GUARANTEE PRICES ON THIS INVOICE UNLESS MATERIAL IS PICKED UP WITHIN
10 DAYS OF INVOICE DATE.
All merchandise must be checked when received. No claims for shortages will be allowed after 24 hours of delivery.
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Errors in extensions, omissions and footings are subject to corrections. A finance charge of 1-1/2% PER MONTH =
APR 18% will be added to any unpaid balance past 30 days.

OPEN AMOUNT DUE:

X

I RECEIVED THE ABOVE MATERIAL IN GOOD CONDITION



SCHOFIELD STREET
CURWENSVILLE, PA 16833
814-236-0220

1260 WAYNE AVENUE
INDIANA, PA 15701
724-349-2281

194 CHAD ROAD
PENNSDALE, PA 17756
570-546-8026

INDUSTRIAL DRIVE
GROVE CITY, PA 16127
724-458-5501

SHAFFER ROAD
DUBOIS, PA 15801
814-371-9311

777 E. BUTLER RD.
BUTLER, PA 16001
724-282-3100

2350 E. COLLEGE AVE.
STATE COLLEGE, PA 16801
814-237-3511

CRANBERRY MALL
CRANBERRY, PA 16319
814-677-7422

LEZZER TRUSS SYSTEMS, INC.
BAILOR DRIVE - CURWENSVILLE, PA 16833
814-236-0975

LEZZER COMMERCIAL DOORS OF WMPT, INC.
739 GRACE STREET - WILLIAMSPORT, PA 17701
570-323-9889

LEZZER COMMERCIAL DOORS, INC.
SCHOFIELD STREET - CURWENSVILLE, PA 16833
814-236-0220

TYPE OF TRANSACTION	LOCATION
CHARGE SALE	STR 1 Page: 1 CURWENSVILLE

SOLD TO:

SHIP TO:

A B 699176

SHADECK CONST & MILLWORK 814-263-7166
TIM JANOCKO JOB
R.D.#1 BOX 211
FRENCHVILLE PA 16836

INVOICE NO.
699176

CUST CODE	SEQ.NO.	TIME	TRANS NO.	TRANS DT	STR	SLSM	W/B	DP#	DATE DELV'D	LOADER
17166001		08:49	699176	083001	1	38	43	181101		

ORDER/QUOTE NO.		P.O. NO.		JOB NUMBER		TRUCK NO.		DRIVER		SALESMAN	
12145		JANOCKO						0		Jim Norris	
ITEM NO.	QU.ORD.	QU.SHP.	DESCRIPTION				UNITS	PRICE/UNIT		EXTENSION	
SURVIVOR	1	1	SURVIVOR 2500 SERIES WHITE VINYL D.H. WINDOW, 32 X 40-1/2,WITH FULL SCREEN, AND PROFILE GRIDS ORDERED FROM 532 DELIVER WHEN RECEIVED. HERE - 08/30/01 - ON DOCK TICKET 397551				1.000	152.100EA		152.10	
				Freight Amt:				0.00		Misc Chrg Amt:	

WE WILL BE GLAD TO ASSIST IN LOADING YOUR ORDER, HOWEVER,
WE ARE NOT LIABLE FOR IMPROPER LOADING DAMAGE.

SUB-TOTAL	TAX %	TAX AMT	TOTAL
152.10	6.000	9.13	161.23

WE CANNOT GUARANTEE PRICES ON THIS INVOICE UNLESS MATERIAL IS PICKED UP WITHIN
10 DAYS OF INVOICE DATE.
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APR 18% will be added to any unpaid balance past 30 days.

OPEN AMOUNT DUE:

X

I RECEIVED THE ABOVE MATERIAL IN GOOD CONDITION

JAMES A. NADDEO
ATTORNEY AT LAW
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED
Ad. 85.00
013:47
FEB 23 2004
William A. Shaw
Prothonotary/Clerk of Courts
1cc Atty Naddo

✓

LEZZER CASH & CARRY OF
CURWENSVILLE, INC., a
Pennsylvania Corporation,
Plaintiff,

SURVIVOR TECHNOLOGIES, INC.,
a New Jersey Corporation,
Defendant.

211 1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

William A. Shaw
Prothonotary/Clerk of Courts

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

LEZZER CASH & CARRY OF
CURWENSVILLE, INC., a
Pennsylvania Corporation,
Plaintiff,

vs.

SURVIVOR TECHNOLOGIES, INC.,
a New Jersey Corporation,
Defendant.

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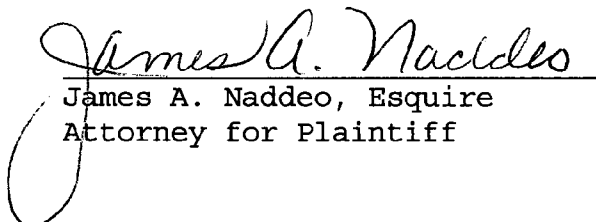
No. 04 - 264 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Notice of Default in the above-captioned action was served on the following person and in the following manner on the 5th day of April, 2004:

First-Class Mail, Postage Prepaid

Survivor Technologies, Inc.
1441 Chestnut Avenue
Hillside, NJ 07205


James A. Naddeo

James A. Naddeo, Esquire
Attorney for Plaintiff

JAMES A. NAPDEO
ATTORNEY AT LAW
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED
of 33081
APR 05 2004
William A. Straw
Prothonotary Clerk of Courts

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

LEZZER CASH & CARRY OF
CURWENSVILLE, INC., a
Pennsylvania corporation,
Plaintiff

vs.

SURVIVOR TECHNOLOGIES, INC.,
a New Jersey corporation,
Defendant

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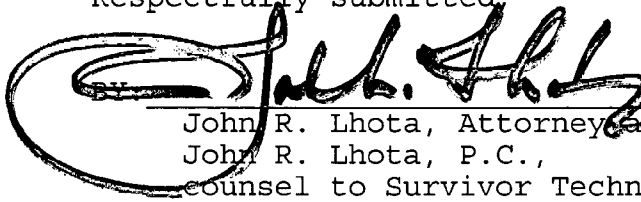
No. 04-264-CD

ENTRY OF APPEARANCE

TO: William A. Shaw, Prothonotary

Please enter my appearance on behalf of the defendant in the
above captioned matter.

Respectfully submitted,


John R. Lhota, Attorney at Law
John R. Lhota, P.C.,
counsel to Survivor Technologies,
Inc., defendant

DATED: April 14, 2004

JOHN R. LHOTA, P.C.
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

APR 14 2014

W. J. ...
Prothonotary, Clearfield

In The Court of Common Pleas of Clearfield County, Pennsylvania

LEZZER CASH & CARRY OF CURWENSVILLE, INC.

VS.

SURVIVOR TECHNOLOGIES, NIC.

COMPLAINT

Sheriff Docket #

15226

04-264-CD

SHERIFF RETURNS

NOW MARCH 1, 2004 SERVED THE WITHIN COMPLAINT ON SURVIVOR TECHNOLOGIES, IC., DEFENDANT BY CERT. MAIL # 7002 3150 0000 7854 5269 AT 1441 CHESTNUT AVE., HILLSIDE, NJ 07205 BEING THEIR LAST KNOWN ADDRESS. THE RETURN RECEIPT IS HERETO ATTACHED AND MADE A PART OF THIS RETURN (SIGNATURE UNKNOWN).

Return Costs

Cost	Description
23.75	SHERIFF HAWKINS PAID BY: ATT CK# 15907
10.00	SURCHARGE PAID BY: ATTY CK# 15908

Sworn to Before Me This

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
by Maelys Hays
Chester A. Hawkins
Sheriff

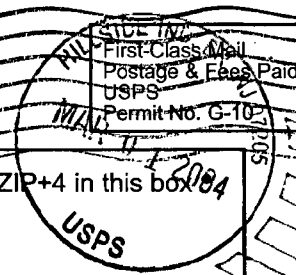
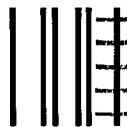
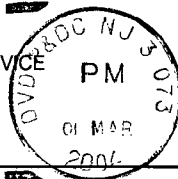
FILED

013:3608N
MAY 05 2004

William A. Shaw
Prothonotary/Clerk of Courts

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature  ☐ Agent ☒ Addressee B. Received by (Printed Name) <u>ESCO</u> C. Date of Delivery <u>MAR 1 2004</u>
1. Article Addressed to: SURVIVOR TECHNOLOGIES, INC. 1441 Chestnut Ave. Hillside, New Jersey 07205	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
	3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) ☐ Yes

UNITED STATES POSTAL SERVICE



• Sender: Please print your name, address, and ZIP+4 in this box

CHESTER A. HAWKINS
Sheriff of Clearfield County
1 N. 2nd St. Suite 116
Clearfield, Pa. 16830

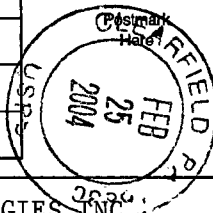
15226

6630+2355



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U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 1.29
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.34
Sent To	
SURVIVOR TECHNOLOGIES INC.	
Street, Apt. No., or PO Box No. 1441 Chestnut Ave.	
City, State, Zip+4 Hillside, NJ 07205	
PS Form 3800, June 2002	
See Reverse for Instructions	



Certified Mail Provides:

PS Form 3800, June 2002 (Reverse)

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.
Internet access to delivery information is not available on mail addressed to APOs and FPOs.

15226

William A. Shaw
Prothonotary/Clerk of Courts

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

LEZZER CASH & CARRY OF
CURWENSVILLE, INC., a
Pennsylvania Corporation,
Plaintiff,

vs.

SURVIVOR TECHNOLOGIES, INC.,
a New Jersey Corporation,
Defendant.

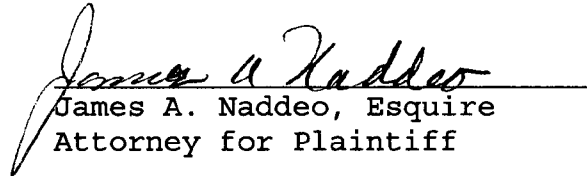
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*
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No. 04 - 264 - CD

PRAECIPE TO SETTLE AND DISCONTINUE

To the Prothonotary:

Please mark the above-captioned case settled and
discontinued.


James A. Naddeo, Esquire
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED

SEP 01 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Lezzer Cash & Carry, Inc.

Vs.

No. 2004-00264-CD

Survivor Technologies, Inc.

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on September 1, 2004, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of September A.D. 2004.

William A. Shaw, Prothonotary