

U4-295-CD  
LEE-SIMPSON ASSOCIATES, INC. vs. VAPCO ENGINEERING  
COMPANY, INC.

Lee Simpson Associates vs VAPCO Engineer.  
2004-595-CD

Date: 6/4/2009  
Time: 02:09 PM  
Page 1 of 1

**Clearfield County Court of Common Pleas**

ROA Report  
Case: 2004-00595-CD

User: LMILLER

Current Judge: Fredric Joseph Ammerman  
Lee-Simpson Associates, Inc. vs. Vapco Engineering Company, Inc.

Civil Other

Date	Judge
4/29/2004	<input checked="" type="checkbox"/> Filing: Civil Complaint Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1878064 Dated: 04/29/2004 Amount: \$85.00 (Check) Two CC Attorney Hopkins No Judge
5/19/2004	<input checked="" type="checkbox"/> Filing: Reissue Writ/Complaint Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1879424 Dated: 05/19/2004 Amount: \$7.00 (Check) Praecipe To Reinstate Complaint. filed by, s/David J. Hopkins, Esquire 1 No Judge cc & 2 Reinstated Compl. to Attorney No Judge
6/8/2004	<input checked="" type="checkbox"/> Now, May 11, 2004, attempted to serve Complaint upon Defendant by deputizing the Sheriff of Jefferson County. "Not Found" address is in Indiana County. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm No Judge
	<input checked="" type="checkbox"/> Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm No Judge
8/6/2004	<input checked="" type="checkbox"/> Filing: Judgment Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1884195 Dated: 08/06/2004 Amount: \$20.00 (Check) Judgment entered against defendant in the amount of \$10,645.09 Notice to Defendant Statement to Atty. No Judge
9/9/2004	<input checked="" type="checkbox"/> Filing: Exemplified Record Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1886235 Dated: 09/09/2004 Amount: \$15.00 (Check) Praecipe for Certification of Judgement, filed on behalf of : Lee-Simpson Associates, Inc., Plaintiff. Certification, by William A. Shaw, Prothonotary. Filed by s/David J. Hopkins, Esquire. 1CC & Certification to Atty. Hopkins. No Judge
3/20/2009	<input checked="" type="checkbox"/> Petition to Require Defendant to answer Interrogatories in aid of Execution, filed by s/ David J. Hopkins, Esquire. 1CC Atty. Hopkins No Judge
3/23/2009	<input checked="" type="checkbox"/> Order, this 23rd day of March, 2009, it is Ordered that Vapco engineering Company, Inc., shall answer the Interrogatories in Aid of Execution within 30 days of the date of this Order. by the Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC to Atty. Fredric Joseph Ammerman
5/11/2009	<input checked="" type="checkbox"/> Petition to Hold Defendant in Contempt and to Incarcerate Defendant's President, Van Plocus for filing to Comply with the Court's Order Requiring Interrogatories In Aid Of Execution to be Answered Within Thirty Days of March 23, 2009. filed by s/ david J. Hopkins, Esquire. no CC No Judge
5/14/2009	<input checked="" type="checkbox"/> Scheduling Order, AND NOW, this 14th day of May 2009, upon consideration of the Petition to Hold Defendant in Contempt and to Incarcerate Defendant's President, Van Plocus for Failing to Comply with the Court's Order and hearing on disputed issues of material fact shall be held at the No. 1 of the Clearfield County Courthouse. BY THE COURT: /s/ Fredric J. Ammerman, P. Judge. 1CC Atty Hopkins. Fredric Joseph Ammerman

6-16-09 order 6-12-09

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

TONYA D. BLOOM,

Plaintiff,

vs.

THEODORE T. CASHER,

Defendant.

No.

**CERTIFICATE OF SERVICE**

I, Courtney L. Kubista, Esquire, hereby certify that service of the foregoing Complaint for Custody was made upon Theodore T. Casher, by mailing certified restricted delivery and by first class, postage prepaid, a true copy on May 21, 2009, at the following address:

Mr. Theodore T. Casher  
106 Spring Street  
Clearfield, PA 16830

*Courtney L. Kubista*  
Courtney L. Kubista, Esquire  
Counsel for Petitioner

NEISWENDER & KUBISTA  
211 ½ North Second Street  
Clearfield, PA 16830

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595-CD  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant : Type of Pleading: Complaint  
: Filed on behalf of: Lee-Simpson  
: Associates, Inc.  
: Counsel of Record for this party:  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 900 Beaver Drive  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

**FILED**

**APR 29 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: :  
vs. : No.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**NOTICE**

TO DEFENDANT:

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.

Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**COMPLAINT**

NOW, comes the Plaintiff, Lee-Simpson Associates, Inc., by and through their attorneys, Hopkins Heltzel LLP, and says as follows:

**COUNT I**

1. Plaintiff is a Pennsylvania corporation with a principal business address at 203 West Weber Avenue, DuBois, Pennsylvania 15801.
2. Defendant Vapco Engineering Company, Inc. is a Pennsylvania corporation with a principal business address at Routes 119 and 210, Punxsutawney, Pennsylvania 15767.
3. Defendant requested Plaintiff to provide professional services for Defendant consisting of CAD drafting for three projects. The projects consisted of a treatment building, a dust hood and conveyors. Plaintiff completed project as requested by Defendant.

4. Plaintiff's fee to Defendant for the three projects was:

Treatment building	\$2,458.75;
Dust Hood	131.25
Conveyors	<u>8,365.09</u>
Total	\$10,955.09

5. Plaintiff demanded payment from Defendant but Defendant refused to tender payment. (See Exhibit "A")

6. On February 19, 2003, Plaintiff and Defendant agreed to settle the account (See Exhibit "B") by Defendant paying Plaintiff \$10,710.00 and Defendant had agreed to make payments as follows:

February 28, 2003	\$5,000.00
March 28, 2003	\$2,500.00
April 28, 2003	Balance (\$3,210.00)

7. In March 2003, Defendant paid Plaintiff \$2,703.75 leaving a balance due of \$8,006.25. The payment was made to Plaintiff's office located in Clearfield County and therefore venue for this action is proper in Clearfield County.

8. Defendant made no further payments to Plaintiff. The amount now due and owing with finance charges is \$10,373.28.

9. Plaintiff has made demand upon Defendant for payment. Defendant has refused to tender payment. Defendant's action constitute a breach of contract and Plaintiff has suffered damages.

WHEREFORE, Plaintiff demands judgment against Defendant for compensatory damages in the amount of \$10,373.28 together with pre-judgment interest, post-judgment interest, cost of suit and such other and further relief as the Court deems fair, just and equitable.

**COUNT II - QUANTUM MERUIT**

10. Plaintiff repeats and incorporates the allegations of Count I as if set forth at length herein.

11. Plaintiff provided CAD drafting services for three projects at the request and for the benefit of Defendant.

12. Defendant has received the benefits of Plaintiff's work, the fair market value of which is \$8,006.25 plus finance charges for a total amount in value of \$10,373.28.

13. Defendant has failed to pay Plaintiff. Plaintiff is entitled to recovery together with accrued interest under the theory of quantum meruit.

WHEREFORE, Plaintiff demands judgment against Defendant for compensatory damages in the amount of \$10,373.28 together with pre-judgment interest, post-judgment interest, cost of suit and such other and further relief as the Court deems fair, just and equitable.

**COUNT III - UNJUST ENRICHMENT**

14. Plaintiff repeats and incorporates the allegations of Count I and Count II as if set forth at length herein.

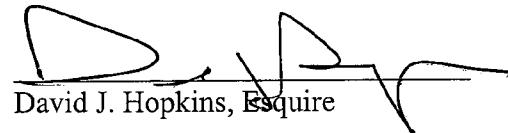
15. Defendant has received the benefits of Plaintiff's work and has not paid Plaintiff.

16. The actions of Defendant have caused Defendant to be unjustly enriched at the expense of Plaintiff. Said unjust enrichment is \$8,006.25 in CAD drafting services together with finance charges for a total amount of said unjust enrichment of \$10,373.28.

17. Plaintiff is entitled to recover under the theory of unjust enrichment.

WHEREFORE, Plaintiff demands judgment against Defendant for compensatory damages in the amount of \$10,373.28 together with pre-judgment interest, post-judgment interest, cost of suit and such other and further relief as the Court deems fair, just and equitable.

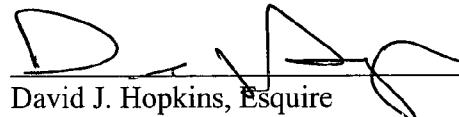
Respectfully submitted,

  
David J. Hopkins, Esquire

**DEMAND FOR ARBITRATION**

Plaintiff demands arbitration on all issues presented herein.

Respectfully submitted,



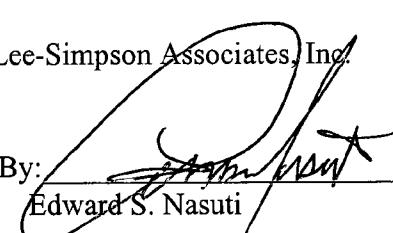
David J. Hopkins, Esquire

**VERIFICATION**

I hereby verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities.

Lee-Simpson Associates, Inc.

By:



Edward S. Nasuti

Date: April 27, 2004

**LEE-SIMPSON ASSOCIATES, INC., CONSULTING ENGINEERS**

203 W. Weber Avenue

P.O. Box 504

PHONE: 814-371-7750

DuBois, PA 15801

FAX: 814-371-8864



September 5, 2002

Van Plocus  
Vapco Engineering Co., Inc.  
Route 119 & 210  
Punxsutawney, PA 15767

Dear Mr. Plocus:

During July, August, and September of 2001 we provided professional services to your firm, specifically CAD drafting, for three projects. The projects consisted of a treatment building, a dust hood, and conveyors.

As a result of these services we submitted invoices to your firm as follows:

<input type="checkbox"/> Treatment Building	\$ 2,458.75
<input type="checkbox"/> Dust Hood	131.25
<input type="checkbox"/> Conveyors	<u>8,365.09</u>
Total	\$10,955.09

To date, including service charges, the total outstanding amount of your account is \$11,820.11, and we have not received a payment on your account since January 30, 2002.

I have tried to reach you by telephone several times during the past couple of months to discuss these outstanding invoices but I have been unable to connect with you, and my calls have not been returned.

Van, as you recall, we made Marc Deasey, our CAD draftsman, available to you in the evenings and on weekends to meet your project schedule. It is extremely disappointing that one year after we provided the services that we have not received payment.

Please contact me as soon as possible to discuss payment of your account. If we do not hear from you within two weeks we will be forced to begin legal action.

Very truly yours,

LEE-SIMPSON ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Edward S. Nasuti, P.E." It is written in a cursive, flowing style.

esn/js

cc: David Hopkins, Esquire

~~PAID~~

203 West Weber Avenue, P.O. Box 504, DuBois, PA 15801  
TELEPHONE: (814)371-7750 FAX: (814) 371-8864

# LEE-SIMPSON ASSOCIATES, INC.

**Fax**

● **Comments:**

On February 19, 2003 we agreed to a settlement of your account as follows:

Total amount due : \$10,710.00 to be paid as follows:

February 28 \$5,000.00

MARCH — February 28 \$2,500.00

April 28 Balance (\$3,210.00)

We received a payment of \$2,703.75 at the end of March 2003.

Please let me know your intentions regarding your outstanding account.

ORIGINAL TO FOLLOW BY MAIL:  YES  X  NO

**PLEASE CONTACT US IMMEDIATELY IF MESSAGE IS UNCLEAR OR ALL PAGES HAVE NOT BEEN RECEIVED.**

**FILED**

2cc

On 10:00 AM  
APR 29 2004  
Andy Hopkins  
William A. Shaw  
449 Pd. \$5.00

*SPC*  
*SPC*

Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: :  
vs. : No. 04-595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
: :  
: : Type of Pleading: Praecipe to Reinstate  
: : Complaint  
: :  
: : Filed on behalf of: Lee-Simpson  
: : Associates, Inc., Plaintiff  
: :  
: : Counsel of Record for this party:  
: :  
: : DAVID J. HOPKINS, ESQUIRE  
: : Attorney at Law  
: : Supreme Court No. 42519  
: :  
: : 900 Beaver Drive  
: : DuBois, Pennsylvania 15801  
: :  
: : (814) 375-0300

**FILED**

**MAY 19 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**PRAECIPE TO REINSTATE COMPLAINT**

Kindly reinstate the Complaint filed in the above captioned matter.

Respectfully submitted,

  
David J. Hopkins, Esquire  
Attorney for Plaintiff

FILED  
OCT 17 2004  
MAY 19 2004  
William A. Shaw  
Prothonotary/Clerk of Courts  
449 Madison Avenue  
Albany, New York 12207-1000

1cc & 2 Reinstated

449 Comp to Atty

In The Court of Common Pleas of Clearfield County, Pennsylvania

LEE-SIMPSON ASSOCIATES INC

VS.

VAPCO ENGINEERING COMPANY, INC.

COMPLAINT

Sheriff Docket # 15512

04-595-CD

**SHERIFF RETURNS**

NOW MAY 3, 2004, THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A . HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON VAPCO ENGINEERING COMPANY INC., DEFENDANT.

NOW MAY 11, 2004 ATTEMPTED TO SERVE THE WITHIN COMPLAINT ON VAPCO ENGINEERING COMPANY INC. , DEFENDANT BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND" ADDRESS IS IN INDIANA COUNTY.

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**Return Costs**

Cost	Description
23.97	SHERIFF HAWKINS PAID BY: ATTY CK# 14264
10.00	SURCHARGE PAID BY: ATTY CK# 14265
29.64	JEFFERSON CO.SHFF. PAID BY; ATTY.

---

Sworn to Before Me This

8th Day Of June 2004

William A. Shaw

So Answers,

Chester A. Hawkins  
By Manley Barr  
Chester A. Hawkins  
Sheriff

**FILED**

JUN 06 2004

**William A. Shaw**  
Prothonotary

No. 595 C.D. 2004

Now, May 11, 2004, I return the within Notice and Complaint for VAPCO ENGINEERING COMPANY, INC., Defendant, to the Clearfield County Sheriff's Department. Defendant's address is in Indiana County.

Advance Costs Received:	\$125.00
My Costs:	\$ 27.64 Paid
Prothy:	\$ 2.00
Total Costs:	\$ 29.64
Refunded:	\$ 95.36

So Answers,  
  
Thomas A. Denko  
Sheriff  
JEFFERSON COUNTY, PENNSYLVANIA

Sworn and subscribed  
to before me this 11th  
day of May 2004  
By Thomas A. Denko  
My Commission Expires The  
First Monday January 2008

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595-CD  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant : Type of Pleading: Complaint  
: Filed on behalf of: Lee-Simpson  
: Associates, Inc.  
: Counsel of Record for this party:  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 900 Beaver Drive  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

APR 29 2004

Attest.

*William L. Orr*  
Prothonotary/  
Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

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Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

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4. Plaintiff's fee to Defendant for the three projects was:

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5. Plaintiff demanded payment from Defendant but Defendant refused to tender payment. (See Exhibit "A")

6. On February 19, 2003, Plaintiff and Defendant agreed to settle the account (See Exhibit "B") by Defendant paying Plaintiff \$10,710.00 and Defendant had agreed to make payments as follows:

February 28, 2003	\$5,000.00
March 28, 2003	\$2,500.00
April 28, 2003	Balance (\$3,210.00)

7. In March 2003, Defendant paid Plaintiff \$2,703.75 leaving a balance due of \$8,006.25. The payment was made to Plaintiff's office located in Clearfield County and therefore venue for this action is proper in Clearfield County.

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WHEREFORE, Plaintiff demands judgment against Defendant for compensatory damages in the amount of \$10,373.28 together with pre-judgment interest, post-judgment interest, cost of suit and such other and further relief as the Court deems fair, just and equitable.

**COUNT II - QUANTUM MERUIT**

10. Plaintiff repeats and incorporates the allegations of Count I as if set forth at length herein.

11. Plaintiff provided CAD drafting services for three projects at the request and for the benefit of Defendant.

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**COUNT III - UNJUST ENRICHMENT**

14. Plaintiff repeats and incorporates the allegations of Count I and Count II as if set forth at length herein.

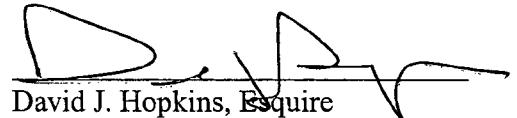
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Respectfully submitted,

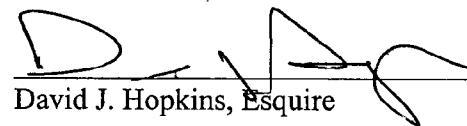


David J. Hopkins, Esquire

**DEMAND FOR ARBITRATION**

Plaintiff demands arbitration on all issues presented herein.

Respectfully submitted,

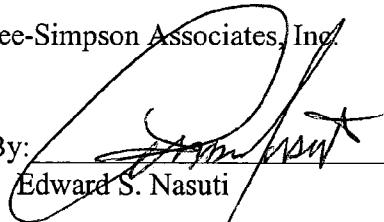
  
David J. Hopkins, Esquire

**VERIFICATION**

I hereby verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities.

Lee-Simpson Associates, Inc.

By:

  
Edward S. Nasuti

Date: April 22, 2004

**LEE—SIMPSON ASSOCIATES, INC., CONSULTING ENGINEERS**

203 W. Weber Avenue

PHONE: 814-371-7750

P.O. Box 504

DuBois, PA 15801

FAX: 814-371-8864



September 5, 2002

Van Plocus  
Vapco Engineering Co., Inc.  
Route 119 & 210  
Punxsutawney, PA 15767

Dear Mr. Plocus:

During July, August, and September of 2001 we provided professional services to your firm, specifically CAD drafting, for three projects. The projects consisted of a treatment building, a dust hood, and conveyors.

As a result of these services we submitted invoices to your firm as follows:

<input type="checkbox"/> Treatment Building	\$ 2,458.75
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Van, as you recall, we made Marc Deasey, our CAD draftsman, available to you in the evenings and on weekends to meet your project schedule. It is extremely disappointing that one year after we provided the services that we have not received payment.

Please contact me as soon as possible to discuss payment of your account. If we do not hear from you within two weeks we will be forced to begin legal action.

Very truly yours,

LEE-SIMPSON ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Edward S. Nasuti, P.E." It is enclosed within a large, stylized oval.

Edward S. Nasuti, P.E.

esn/js

cc: David Hopkins, Esquire

*FAXED*

203 West Weber Avenue, P.O. Box 504; DuBois; PA 15801  
TELEPHONE: (814)371-7750 FAX: (814) 371-8864

**LEE-SIMPSON  
ASSOCIATES, INC.**

# Fax

**To:** Van Plocus **From:** Ed Nasuti  
**Company:** VAPCO Engineering **Pages:** 1  
**FAX:** 938-4700 **Date:** December 29, 2003  
**Re:** Invoices **CC:**  
  
 **Urgent**  **For Review**  **Please Comment**  **Please Reply**  **Please Recycle**

**• Comments:**

On February 19, 2003 we agreed to a settlement of your account as follows:

Total amount due : \$10,710.00 to be paid as follows:

February 28	\$5,000.00
<i>MARCH</i> - February 28	\$2,500.00
April 28	Balance (\$3,210.00)

We received a payment of \$2,703.75 at the end of March 2003.

Please let me know your intentions regarding your outstanding account.

ORIGINAL TO FOLLOW BY MAIL:  YES  NO

PLEASE CONTACT US IMMEDIATELY IF MESSAGE IS UNCLEAR OR ALL PAGES HAVE NOT BEEN RECEIVED.

In The Court of Common Pleas of Clearfield County, Pennsylvania

LEE-SIMPSON ASSOCIATES INC  
VS.  
VAPCO ENGINEERING COMPANY, INC.  
COMPLAINT

Sheriff Docket # 15512  
04-595-CD

**SHERIFF RETURNS**

NOW MAY 21, 2004, ROBERT FYOCK, SHERIFF OF INDIANA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON VAPCO ENGINEERING COMPANY INC., DEFENDANT.

NOW MAY 26, 2004 SERVED THE WITHIN COMPLAINT ON VAPCO ENGINEERING COMPANY INC., DEFENDANT BY DEPUTIZING THE SHERIFF OF INDIANA COUNTY. THE RETURN OF SHERIFF FYOCK IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED FRAN CLARK, RECPT.

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Return Costs

Cost	Description
19.20	SHERIFF HAWKINS PAID BY: ATTY CK# 14334
10.00	SURCHARGE PAID BY: ATTY CK# 14335
67.00	INDIANA CO. SHFF. PAID BY: ATTY.

---

Sworn to Before Me This  
8th Day Of June 2004  
William A. Shaw

So Answers,

  
Chester A. Hawkins  
Sheriff

FILED

JUN 08 2004

William A. Shaw  
Prothonotary

## INDIANA COUNTY SHERIFF'S OFFICE

PLAINTIFF LEE-SIMPSON A data received: 5/19/04 status: C

VS case number: 04595CD

DEFENDANT VAPCO ENGINE paper type: COMPLAINT

ATTORNEY'S NAME: CLEARFIELD CTY SHF

LAST DAY OF SERVICE: 6/19/04

ATTORNEY'S ADDRESS:

# of services: 1

ADVANCE CHARGED: \$67.00

RECEIVING DOCKETING: \$9.00 SURCHARGE: \$0.00

FOUND SERVICE: \$9.00 NOTARY FEE: \$3.00

NOT FOUND: \$0.00 MILEAGE: \$46.00

ADDITIONAL DEFENDANTS SERVED: \$0.00 POSTAGE: \$0.00

DEPUTIZATION: \$0.00

TOTAL COSTS: \$67.00

REFUND DUE: \$0.00

RETURN OF SERVICE:

NOW 5/26/04 AT 12:40PM SERVED VAPCO ENGINEERING CO BY

HANDING TO FRAN CLARK, RECEP AT RTS 119 & 210

PUNXSUTAWNEY PA-SHELLENBERGER

SWORN AND SUBSCRIBED BEFORE ME  
THIS 4 DAY OF JUNE 2004

Loretta J. Wissinger

NOTARIAL SEAL  
LOHETTA J. WISSINGER, NOTARY PUBLIC  
INDIANA, INDIANA CO  
MY COMMISSION EXPIRES MARCH 8, 2006

*Robert E. Fyock*

ROBERT E. FYOCK, SHERIFF

BY: *Debra M. Shellenberger*  
DEPUTY AMY SHELLENBERGER



# Sheriff's Office Clearfield County

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

CHESTER A. HAWKINS  
SHERIFF

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

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  
PAGE 15512

LEE-SIMPSON ASSOCIATES INC

TERM & NO. 04-595-CD

VS

DOCUMENT TO BE SERVED:

VAPCO ENGINEERING COMPANY INC

COMPLAINT  
SERVE BY: 06/18/2004

**MAKE REFUND PAYABLE TO:** HOPKINS LAW FIRM

**SERVE:** VAPCO ENGINEERING COMPANY INC.

**ADDRESS:** RTS. 119 & 210, PUNXSUTAWNEY, PA.

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depose the SHERIFF OF ~~INDIANA~~ COUNTY, Pennsylvania to execute this writ. This Deposition being made at the request and risk of the Plaintiff this 21st Day of MAY 2004

Respectfully,

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

INDIANA COUNTY SHERIFF  
2004 MAY 24 A. M. 29

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
: Type of Pleading: Praecipe to Enter  
: Default Judgment  
: Filed on Behalf of: Plaintiffs  
: Counsel of Record for this party:  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: PA I.D. No. 42519  
: 900 Beaver Drive  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

FILED  
01/42/04  
AUG 06 2004  
William A. Shaw  
Prothonotary/Clerk of Courts  
ICC & Statement  
to Atty  
Atty pd 20.00  
Notice to Def.

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**PRECIEPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of Plaintiff, Lee-Simpson Associates, Inc. and against Defendant, Vapco Engineering Company, Inc. for failure to file within the required time an answer to a Complaint which contained a Notice to Defend. Judgment should be in the amount set forth below:

Damages	\$ 10,373.28
Prothonotary Costs	112.00
Sheriff Fees	<u>159.81</u>
 Total	\$ 10,645.09

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

TO: Vapco Engineering Company, Inc.  
c/o Edwin M. Clark, Jr., Esquire  
832 Philadelphia Street  
Indiana, PA 15701

DATE OF NOTICE: July 21, 2004

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641

  
DAVID J. HOPKINS, ESQUIRE  
Attorney for Plaintiff  
Supreme Court No. 42519  
900 Beaver Drive  
DuBois, PA 15801  
(814) 375-0300

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: :  
vs. : No. 04-595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

TO: Vapco Engineering Company, Inc.  
Routes 119 & 219  
Punxsutawney, PA 15757

DATE OF NOTICE: July 21, 2004

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Office of the Court Administrator  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641

  
DAVID J. HOPKINS, ESQUIRE  
Attorney for Plaintiff  
Supreme Court No. 42519  
900 Beaver Drive  
DuBois, PA 15801  
(814) 375-0300

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**TO: Vapco Engineering Company, Inc.**

**JUDGMENT NOTICE**

Notice is hereby given that judgment has been entered against you for failure to file a responsive pleading to Plaintiff's Complaint as set forth below:

Damages	\$ 10,373.28
Prothonotary Costs	112.00
Sheriff Fees	<u>159.81</u>
 Total	 \$ 10,645.09

---

Prothonotary

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

COPY

Lee-Simpson Associates, Inc.  
Plaintiff(s)

No.: 2004-00595-CD

Real Debt: \$10,645.09

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Vapco Engineering Company, Inc.  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 6, 2004

Expires: August 6, 2009

Certified from the record this 6th day of August, 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  
(CIVIL DIVISION)

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: vs. : No. 04-595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
: :  
: Type of Pleading: Praeclipe for Certification  
of Judgment  
: :  
: Filed on behalf of: Lee-Simpson  
Associates, Inc., Plaintiff  
: :  
: Counsel of Record for this party:  
: :  
: DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519  
: :  
: 900 Beaver Drive  
DuBois, Pennsylvania 15801  
: :  
: (814) 375-0300

FILED <sup>EGR</sup>  
100 Certification  
M/3/02/04 SEP 09 2004 to Atty Hopkins  
Atty pd. 15.00  
William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: :  
vs. : No. 04-595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

TO: PROTHONOTARY

**PRAECIPE FOR CERTIFICATION OF JUDGMENT**

Kindly certify the judgment entered in the above captioned matter.

Respectfully submitted,

  
\_\_\_\_\_  
David J. Hopkins, Esquire  
Attorney for Plaintiff

**FILED**

**SEP 09 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
OFFICE OF THE PROTHONOTARY



**Lee-Simpson Associates, Inc.**

**Vs.**

**NO. 2004-00595-CD**

**Vapco Engineering Company, Inc.**

**CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT**

I, William A. Shaw, Prothonotary of the Court of Common Please of Clearfield County, Pennsylvania, do hereby certify that the attached is a certified and full copy of the docket entries in the above captioned case.

I further certify that a Judgment was entered in the above captioned matter in favor of Lee-Simpson Associates, Inc. and against Vapco Engineering Company, Inc. on August 6, 2004, in the amount of \$10,645.09.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the said Court, on the 9th day of September, A.D., 2004.

William A. Shaw  
Prothonotary

BY: \_\_\_\_\_  
Deputy

Date: 09/09/2004

**Clearfield County Court of Common Pleas**

User: BHUDSON

Time: 03:00 PM

**ROA Report**

Page 1 of 1

Case: 2004-00595-CD

Current Judge: No Judge

Lee-Simpson Associates, Inc. vs. Vapco Engineering Company, Inc.

*Copy*

Civil Other

Date	Judge	
04/29/2004	Filing: Civil Complaint Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1878064 Dated: 04/29/2004 Amount: \$85.00 (Check) Two CC Attorney Hopkins	No Judge
05/19/2004	Filing: Reissue Writ/Complaint Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1879424 Dated: 05/19/2004 Amount: \$7.00 (Check) Praecipe To Reinstate Complaint. filed by, s/David J. Hopkins, Esquire cc & 2 Reinstated Compl. to Attorney.	No Judge
06/08/2004	Now, May 11, 2004, attempted to serve Complaint upon Defendant by deputizing the Sheriff of Jefferson County. "Not Found" address is in Indiana County. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	1 No Judge
08/06/2004	Filing: Judgment Paid by: Hopkins, David J. (attorney for Lee-Simpson Associates, Inc.) Receipt number: 1884195 Dated: 08/06/2004 Amount: \$20.00 (Check) Judgment entered against defendant in the amount of \$10,645.09 Notice to Defendant Statement to Atty.	No Judge

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
: Type of Pleading: Petition to Require  
: Defendant to Answer Interrogatories  
: in Aid of Execution  
: Filed on behalf of: Lee-Simpson  
: Associates, Inc.  
: Counsel of Record for this party:  
: HOPKINS HELTZEL LLP  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 100 Meadow Lane, Suite 5  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

FILED  
01/30/2009 Atty Hopkins  
MAR 20 2009

William A. Shaw  
Prothonotary/Clerk of Courts

61

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**PETITION TO REQUIRE DEFENDANTS TO ANSWER**  
**INTERROGATORIES IN AID OF EXECUTION**

1. Plaintiff is Lee-Simpson Associates, Inc. who maintains a business address at 203 West Weber Avenue, DuBois, Pennsylvania 15801.

2. Defendant, Vapco Engineering Company, Inc. is a Pennsylvania corporation with a principal business address at Routes 119 and 210, Punxsutawney, Pennsylvania 15767.

3. On August 6, 2004, Plaintiff obtained a judgment against Defendant. On October 2, 2008, Petitioner sent Defendant Interrogatories in Aid of Execution with notice that the Interrogatories were to be answered within thirty (30) days. Defendant has failed to answer the Interrogatories.

4. Petitioner requests an Order ordering Defendant to answer the Interrogatories within a set time frame.

WHEREFORE, Petitioner respectfully requests this Honorable Court enter an Order obligating Defendant, Vapco Engineering Company, Inc., to answer Interrogatories in Aid of Execution.

HOPKINS HELTZEL LLP



David J. Hopkins, Esquire  
100 Meadow Lane, Suite 5  
DuBois, PA 15801  
(814) 375-0300

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

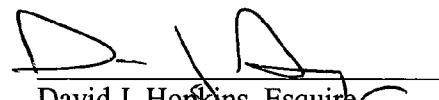
LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Petition to Require Defendant to Answer Interrogatories in Aid of Execution, filed on behalf of Plaintiff, Lee-Simpson Associates, Inc. was served on the 20<sup>th</sup> day of March, 2009, on all counsel of record by first-class mail, postage prepaid addressed as follows:

Vapco Engineering Company, Inc.  
19693 Route 119 Highway North  
Punxsutawney, PA 15767

HOPKINS HELTZEL LLP



David J. Hopkins, Esquire  
100 Meadow Lane, Suite 5  
DuBois, PA 15801

**FILED**

**MAR 20 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC.,  
Plaintiff

vs.

No. 04-595 C.D.

VAPCO ENGINEERING COMPANY, INC.,  
Defendant

FILED

MAR 23 2009

0/3:46/09

William A. Shaw

Prothonotary/Clerk of Courts

1 Client to (60)

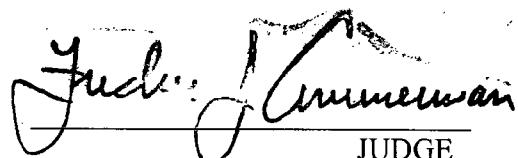
Att

**ORDER**

AND NOW, this 23<sup>rd</sup> day of March, 2009, upon consideration of the  
Petition filed by Plaintiff, Lee-Simpson Associates, Inc., it is hereby ORDERED and  
ADJUDGED as follows:

1. Vapco Engineering Company, Inc. shall answer the Interrogatories in Aid  
of Execution within thirty (30) days of the date of this Order.

BY THE COURT,

  
JUDGE

卷之三

MAR 23 2009

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 3-23-09

DR. E. — responsible for serving all appropriate parties.

You are responsible for service to the following  
 The Prothonotary's office has provided service to the following  
 Other

Plaintiff(s) \_\_\_\_\_ Plaintiff(s) Attorney \_\_\_\_\_

Defendant(s) \_\_\_\_\_ Defendants, Plaintiff(s) \_\_\_\_\_

Special Instructions:

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
: Type of Pleading: Petition to Hold  
: Defendant in Contempt and to  
: Incarcerate Defendant's President,  
: Van Plocus for Failing to Comply  
: with the Court's Order Requiring  
: Interrogatories In Aid of Execution  
: to be Answered Within Thirty  
: Days of March 23, 2009  
: Filed on behalf of: Lee-Simpson  
: Associates, Inc.  
: Counsel of Record for this party:  
: HOPKINS HELTZEL LLP  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 100 Meadow Lane, Suite 5  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

FILED NO  
MAY 11 2009  
S  
cc  
MAY 11 2009  
GW

William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**PETITION TO HOLD DEFENDANT VAPCO ENGINEERING COMPANY, INC.**  
**IN CONTEMPT AND TO INCARCERATE DEFENDANT'S PRESIDENT,**  
**VAN PLOCUS FOR FAILING TO COMPLY WITH THE**  
**COURT'S ORDER REQUIRING INTERROGATORIES IN AID OF**  
**EXECUTION TO BE ANSWERED WITHIN**  
**THIRTY DAYS OF MARCH 23, 2009**

AND NOW, comes Plaintiff, Lee-Simpson Associates, Inc., by and through its attorneys, Hopkins Heitzel LLP, and requests this Honorable Court to hold Defendant in contempt for failing to answer Interrogatories in Aid of Execution and to incarcerate Defendant's President, Van Plocus, until such time as the said Interrogatories are answered and in support thereof says as follows:

1. On August 6, 2004, a Judgment was entered in the Clearfield County Prothonotary's office against Defendant and in favor of Plaintiff in the amount of \$10,645.09.
2. On October 2, 2008, Plaintiff mailed to Defendant Interrogatories in Aid of Execution.

3. On March 3, 2009, counsel for Plaintiff wrote a letter to Defendant requesting that the Interrogatories in Aid of Execution be answered. A true and correct copy of this letter is attached hereto and marked as Exhibit "A".

4. Defendant failed to respond to said Interrogatories.

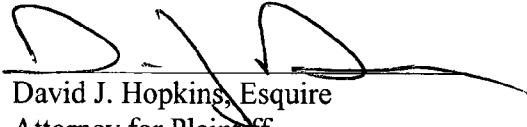
5. Plaintiff filed a Petition to Require Defendant to Answer Interrogatories in Aid of Execution.

6. By Order dated March 23, 2009, the Court ordered Defendant to provide full, complete and responsive answers to Plaintiff's Interrogatories in Aid of Execution within thirty (30) days. See Exhibit "B".

7. On March 25, 2009, Plaintiff mailed said Order to Defendant. Assuming three (3) days for United States mail to reach Defendant, the said thirty (30) days have past and Defendant has not provided answers to Plaintiff's Interrogatories in Aid of Execution and has disregarded the Court's March 23, 2009 Order. See Exhibit "C".

WHEREFORE, Plaintiff respectfully requests this Court enter an Order finding Defendant, Vapco Engineering Company, Inc. is in contempt of the Court's March 23, 2009 Order and the Court further incarcerate the Defendant's President, Van Plocus for such period of time as the Court deems appropriate.

Respectfully submitted,



David J. Hopkins, Esquire  
Attorney for Plaintiff

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

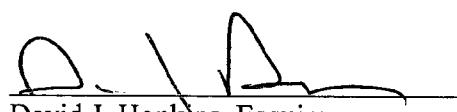
LEE-SIMPSON ASSOCIATES, INC.,	:	
Plaintiff	:	
	:	
vs.	:	No. 04-595 C.D.
	:	
VAPCO ENGINEERING COMPANY, INC.,	:	
Defendant	:	

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the Petition to Hold Defendant, Vapco Engineering Company, Inc. in Contempt and to Incarcerate Defendant's President, Van Plocus, for Failing to Comply with the Court's Order Requiring Interrogatories in Aid of Execution to be Answered within Thirty Days from March 23, 2009, filed on behalf of Plaintiff, Lee-Simpson Associates, Inc., was forwarded on the 8th day of May, 2009, by United States Mail, postage prepaid, to all counsel of record, addressed as follows:

Vapco Engineering Company, Inc.  
19693 Route 119 Highway North  
Punxsutawney, PA 15767

Van Plocus, P.E.  
Vapco Engineering Company  
P.O. Box 327  
Punxsutawney, PA 15767

  
\_\_\_\_\_  
David J. Hopkins, Esquire  
Attorney for Plaintiff

# HOPKINS HELTZEL LLP

---

100 Meadow Lane, Suite 5 • DuBois, PA 15801

**David J. Hopkins**

Licensed in PA & NJ  
Masters in Taxation

• Voice: (814) 375 - 0300

• Fax: (814) 375 - 5035

• Email: [hhlaw@comcast.net](mailto:hhlaw@comcast.net)

**Lea Ann Heltzel**

Licensed in PA

March 3, 2009

Vapco Engineering Company, Inc.  
19693 Route 119 Highway North  
Punxsutawney, PA 15767

Re: Lee-Simpson Associates, Inc. vs. Vapco Engineering Company, Inc.

Dear Sir or Madam:

Please be advised that we forwarded Interrogatories in Aid of Execution on or about October 2, 2008. To date, we have not received a response. We will extend you an additional ten (10) days to respond to the Interrogatories. If we do not receive the discovery within that time period, we will file a Motion to Compel with the Court.

Should you have any questions, please feel free to contact me.

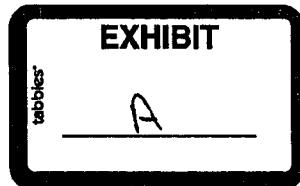
Very truly yours,



David J. Hopkins  
Attorney at Law

DJH/bjr

Enclosure



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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**ORDER**

AND NOW, this 23<sup>rd</sup> day of MARCH, 2009, upon consideration of the Petition filed by Plaintiff, Lee-Simpson Associates, Inc., it is hereby ORDERED and ADJUDGED as follows:

1. Vapco Engineering Company, Inc. shall answer the Interrogatories in Aid of Execution within thirty (30) days of the date of this Order.

BY THE COURT,

/S/ Fredric J Ammerman

JUDGE

I hereby certify this to be a true and attested copy of the original statement filed in this case.

MAR 23 2009

Attest.

William J. Ammerman  
Prothonotary  
Clerk of Courts



# HOPKINS HELTZEL LLP

---

100 Meadow Lane, Suite 5 • DuBois, PA 15801

**David J. Hopkins**  
Licensed in PA & NJ  
Masters in Taxation

**Lea Ann Heltzel**  
Licensed in PA

---

- Voice: (814) 375 - 0300
- Fax: (814) 375 - 5035
- Email: [hhlaw@comcast.net](mailto:hhlaw@comcast.net)

March 25, 2009

Vapco Engineering Company, Inc.  
19693 Route 119 Highway North  
Punxsutawney, PA 15767

Re: Lee-Simpson Associates, Inc. vs. Vapco Engineering Company, Inc.

Dear Sir or Madam:

Enclosed herewith please find Order of Court dated March 23, 2009. Please be advised that you have thirty (30) days from the date of the Order to answer the Interrogatories in Aid of Execution for the above captioned matter.

Very truly yours,

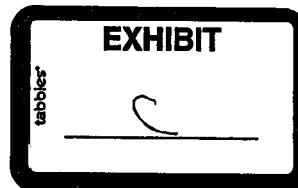


David J. Hopkins  
Attorney at Law

DJH/bjr

Enclosure

cc: Lee-Simpson Associates, Inc.



FILED

MAY 11 2009

William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: vs. : No. 04-595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**SCHEDULING ORDER**

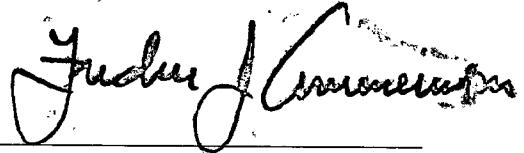
AND NOW, this 14<sup>th</sup> day of May, 2009, upon consideration of the Petition to Hold Defendant in Contempt and to Incarcerate Defendant's President, Van Plocus for Failing to Comply with the Court's Order requiring Interrogatories in Aid of Execution to be answered within thirty (30) days from March 23, 2009 it is hereby ORDERED that:

1. A Rule is issued upon Respondent to show cause why the moving party is not entitled to the relief requested.
2. The Respondent shall file an Answer to the Petition within \_\_\_\_\_ days of this date;
3. The Petition shall be decided under Pa.R.C.P. §206.7;
4. A Hearing on disputed issues of material fact shall be held on the 12<sup>th</sup> day of June, 2009, at 2:00 o'clock P.M., in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania;

FILED <sup>ICC</sup>  
03-49371 May 14 2009 Amy Hopkins  
MAY 14 2009  
S  
William A. Shaw  
Prothonotary/Clerk of Courts

5. Notice of the entry of this Order shall be provided to all parties by the moving party.

BY THE COURT,

A handwritten signature in black ink, appearing to read "Judge J. Conner".

JUDGE

**FILED**

**MAY 14 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

FILED

01/37801  
JUN 16 2009

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

William A. Shaw  
Prothonotary/Clerk of Courts

2cc Atty Hopkins

2cc Def.

19693 Route 119 Hwy N  
Pennsatawney, PA  
15767

LEE-SIMPSON ASSOCIATES, INC. :

-VS-

No. 04-595-CD

VAPCO ENGINEERING COMPANY,  
INC. :

O R D E R

AND NOW, this 12th day of June, 2009, this being the date set for hearing on the Plaintiff's Petition to Hold Defendant in Contempt and to incarcerate the Defendant's President Van Blocus; the Defendant Company not having an attorney of record and no one having appeared relative the Plaintiff's Petition; following the Court contacting the company by telephone and speaking with the secretary/receptionist, it is the ORDER of this Court that Vapco Engineering Company, Inc. have no later than July 3, 2009, in which to provide full, specific and complete Answers to the Interrogatories filed by the Plaintiff in aid of execution. In the event that they should fail to provide an Answer within the required time period, counsel for the Plaintiff may file a praecipe with the Court, notifying the Court on the record that no Answer has been filed and

requesting the Court to issue of a Bench Warrant without the necessity of further notice or hearing.

BY THE COURT,

A handwritten signature in black ink, appearing to read "Judge J. Schuyler Kimmelman". The signature is fluid and cursive, with "Judge" and "J. Schuyler" on the first line and "Kimmelman" on the second line.

President Judge

**FILED**

JUN 16 2009

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 6/16/09

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
: Type of Pleading: Praecept for  
: Writ of Revival  
: Filed on behalf of: Lee-Simpson  
: Associates, Inc.  
: Counsel of Record for this party:  
: HOPKINS HELTZEL LLP  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 100 Meadow Lane, Suite 5  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

FILED 2004 Writ  
01/10/2012 Atty Hopkins  
FEB 21 2012  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd  
20.00  
1 Writ mailed to  
Def.  
6K

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 2004-00595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**PRAECIPE FOR WRIT OF REVIVAL**

TO THE PROTHONOTARY:

Issue Writ of Revival of Lien of Judgment entered at 2004-00595 C.D. and enter it in  
the judgment index against Vapco Engineering Company, Inc. in the amount of \$10,645.09  
with interest from September 4, 2004.

HOPKINS HELTZEL LLP

  
\_\_\_\_\_  
David J. Hopkins, Esquire  
100 Meadow Lane, Suite 5  
DuBois, PA 15801  
(814) 375-0300

**FILED**

FEB 21 2012

William A. Shaw  
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant : Type of Pleading Writ of Revival  
: Filed on behalf of: Lee-Simpson  
: Associates, Inc.  
: Counsel of Record for this party:  
: HOPKINS HELTZEL LLP  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 100 Meadow Lane, Suite 5  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 2004-00595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**WRIT OF REVIVAL**

TO: VAPCO ENGINEERING COMPANY, INC.

(1) You are notified that the Plaintiff has commenced a proceeding to revive the lien of the judgment entered at Clearfield County Docket Number 2004-00595.

(2) The Plaintiff claims that the amount due and unpaid is \$10,645.09 with 6% interest from September 4, 2004.

(3) You are required within twenty (20) days after service of this Writ to file an answer or otherwise plead to this Writ. If you fail to do so judgment of revival in the amount claimed by the Plaintiff may be entered 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.

CLEARFIELD COUNTY PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
ONE NORTH SECOND STREET  
CLEARFIELD, PA 16830  
(814) 765-2641

Date: 2/21/12

  
Prothonotary

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

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
vs. : No. 04-595 C.D.  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
Type of Pleading: Praeclipe  
to Enter Judgment on Writ  
of Revival  
: Filed on behalf of: Lee-Simpson  
Associates, Inc.  
: Counsel of Record for this party:  
: HOPKINS HELTZEL LLP  
: DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519  
100 Meadow Lane, Suite 5  
DuBois, Pennsylvania 15801  
: (814) 375-0300

FILED

APR 24 2012  
01-401-  
William A. Shaw  
Prothonotary/Clerk of Courts  
Clerk toatty  
+ DEPT w/NOTICE

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
: vs. : No. 04-595 C.D.  
: :  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

TO: THE PROTHONOTARY

**PRAECIPE TO ENTER JUDGMENT ON WRIT OF REVIVAL**

Please enter judgment on Plaintiff's Writ of Revival against the Defendant, Jamie Vapco Engineering Company, Inc. in the amount of \$10,645.00 with interest from September 4, 2004.

Respectfully submitted,

HOPKINS HELTZEL LLP

  
\_\_\_\_\_  
David J. Hopkins, Esquire  
Attorney for Plaintiff

FILED  
APR 24 2012  
WILLIAM A. SHAW  
PROSECUTOR  
COMMONWEALTH OF MASSACHUSETTS

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

LEE-SIMPSON ASSOCIATES, INC., :  
Plaintiff :  
:  
vs. : No. 04-595 C.D.  
:  
VAPCO ENGINEERING COMPANY, INC., :  
Defendant :  
:

**JUDGMENT NOTICE**

Please take note that judgment has been entered against you in the amount of  
\$10,645.09 with interest from September 4, 2004 in the above captioned matter.



\_\_\_\_\_  
Prothonotary