

04-595-CD
LEE-SIMPSON ASSOCIATES, INC. vs. VAPCO ENGINEERING
COMPANY, INC.

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

Date: 6/4/2009

Clearfield County Court of Common Pleas

User: LMILLER

Time: 02:09 PM

ROA Report

Page 1 of 1

Case: 2004-00595-CD

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 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 Indian County. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm <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.

No.

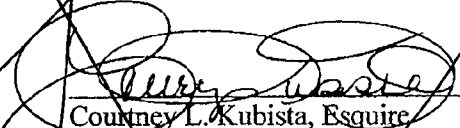
THEODORE T. CASHER,

Defendant.

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, 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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595-ED

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.

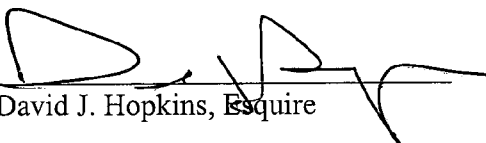
15. Defendant has received the benefits of Plaintiff's work and has not paid Plaintiff.

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.

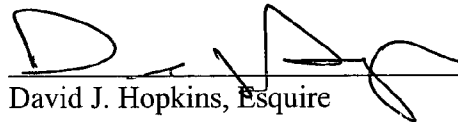
Respectfully submitted,


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 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 |
| <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.



Edward S. Nasuti, P.E.

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

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 |
| 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 ☒ NO

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

EXHIBIT "B"

FILED

acc

APR 29 2004

Aug Hopkins

William A. Shaw

Notary Public/Clerk of Courts

Aug 20. 85.00

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

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.


VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint filed in the above captioned matter.

Respectfully submitted,


David J. Hopkins, Esquire
Attorney for Plaintiff

FILED

01/17/2004
MAY 19 2004

William A. Shaw

Prothonotary/Clerk of Courts

1000-2 Reinstated
Comp. to Atty

Atty ad. 700

In The Court of Common Pleas of Clearfield County, Pennsylvania

LEE-SIMPSON ASSOCIATES INC

VS.

VAPCO ENGINEERING COMPANY, INC.

Sheriff Docket # 15512

04-595-CD

COMPLAINT

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.

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 Marley Harris
Chester A. Hawkins
Sheriff

FILED

JUN 08 2004

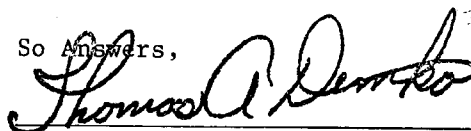
William A. Shaw
Prothonotary

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,


Sheriff
JEFFERSON COUNTY, PENNSYLVANIA

Sworn and subscribed

to before me this

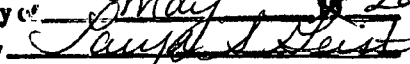
11th

day of

May

2004

By



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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595-02

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

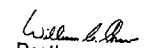
900 Beaver Drive
DuBois, Pennsylvania 15801

(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.


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

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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 | : | |

COMPLAINT

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

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| 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:

| | |
|-------------------|----------------------|
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| March 28, 2003 | \$2,500.00 |
| April 28, 2003 | Balance (\$3,210.00) |

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

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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.

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.

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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.

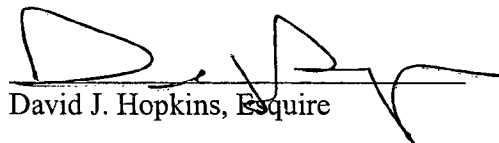
15. Defendant has received the benefits of Plaintiff's work and has not paid Plaintiff.

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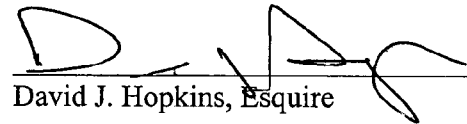
Respectfully submitted,


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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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.

Edward S. Nasuti, P.E.

esn/js

cc: David Hopkins, Esquire

EXHIBIT "A"

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

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

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.

EXHIBIT "B"

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.

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
by Marilyn Hamer

Chester A. Hawkins
Sheriff

FILED

JUN 08 2004

William A. Shaw
Prothonotary

INDIANA COUNTY SHERIFF'S OFFICE

PLAINTIFF

LEE-SIMPSON A

date 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

Robert E. Fyock

ROBERT E. FYOCK, SHERIFF

BY: *Amy Shellenberger*
DEPUTY

AMY SHELLENBERGER

NOTARIAL SEAL

LORETTA J. WISSINGER, NOTARY PUBLIC

INDIANA, INDIANA CO

MY COMMISSION EXPIRES MARCH 8, 2008



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

DOCUMENT TO BE SERVED:

VS

COMPLAINT

VAPCO ENGINEERING COMPANY INC

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 deputize the SHERIFF OF
~~INDIANA JEFFERSON~~ COUNTY, Pennsylvania to execute this writ. This
Deputation being made at the request and risk of the Plaintiff this 21st Day of
MAY 2004

Respectfully,


CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

2004 MAY 24 A 9:29
INDIANA COUNTY SHERIFF

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

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

01:42/87
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.

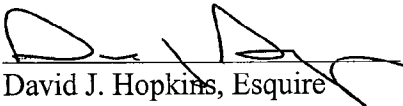
VAPCO ENGINEERING COMPANY, INC.,
Defendant

PRECIPE 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

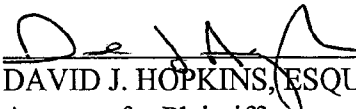
DATE OF NOTICE: July 21, 2004

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

COPY

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

COPY

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

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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

Type of Pleading: Praecipe 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 ^{ELK}
m/3:0261 100 Certification
SEP 09 2004 to Arty Hopkins
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 15.00

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

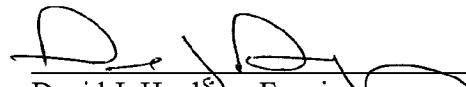
No. 04-595 C.D.

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**

007

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 Pleas 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) | No Judge |
| | Praecipe To Reinstate Complaint. filed by, s/David J. Hopkins, Esquire cc & 2 Reinstated Compl. to Attorney. | 1 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 | No Judge |
| | Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm | 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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

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 ^{icc}
01:30 PM
MAR 20 2009
Amy Hopkins

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 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.

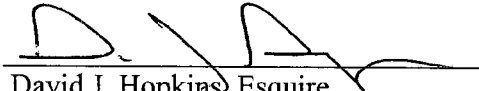
2. Defendant, Vapco Engineering Company, Inc. is a Pennsylvania corporation with a principal business address at Routes 119 and 210, Punxsutawney, Pennsylvania 15767.

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

A handwritten signature in black ink, appearing to read 'D. J. Hopkins', is written over a horizontal line.

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 20th 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

UA

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

FILED

MAR 23 2009

0/3:46/c
William A. Shaw
Prothonotary/Clerk of Courts

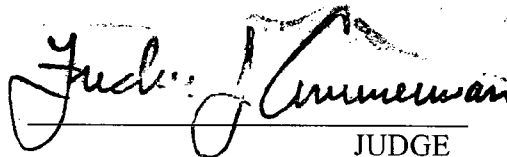
1 clerk to (60)
Att

ORDER

AND NOW, this 23rd 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

FILED

MAR 23 2009

**William A. Shaw
Prothonotary/Clerk of Courts**

DATE: 3-23-09

☒ 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:

1/8

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

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 CC
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 Heltzel 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

Lea Ann Heltzel
Licensed in PA

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

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.

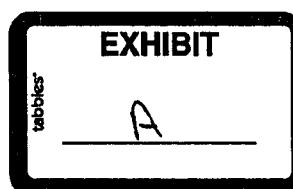
Should you have any questions, please feel free to contact me.

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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

ORDER

AND NOW, this 23rd 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

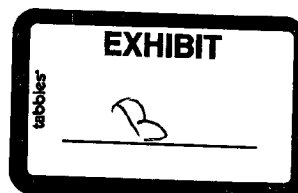
JUDGE

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

MAR 28 2009

Attest.

William A. Brown
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

March 25, 2009

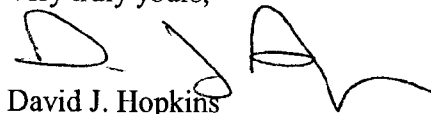
Vapco Engineering Company, Inc.
19693 Route 119 Highway North
Punxsutawney, PA 15767

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 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 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;

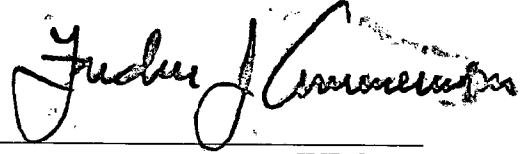
4. A Hearing on disputed issues of material fact shall be held on the 12th day of June, 2009, at 2:00 o'clock P.M., in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania;

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03:49:37
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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. Ammon", written over a horizontal line.

JUDGE

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MAY 14 2009

William A. Shaw
Prothonotary/Clerk of Courts

FILED

011:37801
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. (GW)

19693 Route 119 Hwy N.
Punxsutawney, PA 15767

LEE-SIMPSON ASSOCIATES, INC. :

-VS-

No. 04-595-CD

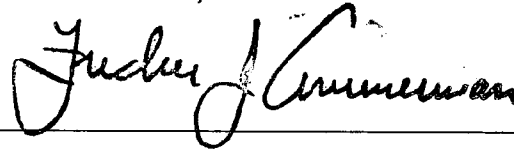
VAPCO ENGINEERING COMPANY,
INC. :

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 cursive script, appearing to read "Judge J. Crumman", written over a horizontal line.

President Judge

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JUN 16 2009

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 6/16/09

 You are responsible for serving all appropriate parties.

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

 Plaintiff(s) X 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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

Type of Pleading: Praecipe 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

01/10/59/64
FEB 21 2012

William A. Shaw
Prothonotary/Clerk of Courts

2000/1 writ
Atty Hopkins
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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant


:
:
:
: No. 2004-00595 C.D.
:
:

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.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

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: 2/2/12

William H. Hargrett
Prothonotary

By: _____
Deputy

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

No. 04-595 C.D.

Type of Pleading: Praecipe
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

William A. Shaw
Prothonotary/Clerk of Courts

Cmt to Atty

+ 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
Prothonotary/Clerk of Courts

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

LEE-SIMPSON ASSOCIATES, INC.,
Plaintiff

vs.

VAPCO ENGINEERING COMPANY, INC.,
Defendant

:
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:
:
:

No. 04-595 C.D.

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