

Kruise Funeral Home vs Kathleen Sheroky  
2004-1038-CD

04-1038-CD  
KRUISE FUNERAL HOME, INC. VS KATHLEEN SHEROKY, et al

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

KRUISE FUNERAL HOME, INC.,  
Plaintiff

vs.

KATHLEEN SHEROKY and  
CHRISTINE MORRONI c.t.a. of  
the DANIEL E. MORRONI a/k/a  
D. ERNEST MORRONI ESTATE,  
Defendants

: No.: 2004-1038-CD  
: Type of Case: Civil  
: Type of Pleading:  
: Praeclipe for  
: Satisfaction  
: Filed on behalf of:  
: Plaintiff  
: Counsel of Record for  
: This Party:  
: Girard Kasubick, Esq.  
: Supreme Court #30109  
: LEHMAN & KASUBICK  
: 611 Brisbin Street  
: Houtzdale, PA 16651  
: (814) 378-7840

E6K

FILED Atty pd 7.00  
01/14/2004 1 Cert. of Disc.  
AUG 26 2004 to Atty

William A. Shaw copy to cIA  
Prothonotary/Clerk of Courts



CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

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 15935

KRUISE FUNERAL HOME INC

TERM & NO. 04-1038-CD

DOCUMENT TO BE SERVED:

VS

COMPLAINT

KATHLEEN SHEROKY

SERVE BY: 08/08/2004

### MAKE REFUND PAYABLE TO:

LEHMAN & KASUBICK, ESQ.

SERVE: KATHLEEN SHEROKY

ADDRESS: 131 LIONS DRIVE, FREDERICKSBURG, PA. 17026

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF LEBABON COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 8th Day of JULY 2004

Respectfully,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

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

KRUISE FUNERAL HOME, INC., Plaintiff : No.: 2004-1638-CD  
vs. : Type of Case: Civil  
KATHLEEN SHEROKY and : Type of Pleading:  
CHRISTINE MORRONI c.t.a. of : Complaint  
the DANIEL E. MORRONI a/k/a : Filed on behalf of:  
D. ERNEST MORRONI ESTATE, : Plaintiff  
Defendants : Counsel of Record for  
 : This Party:  
 : Girard Kasubick, Esq.  
 : Supreme Court #30109  
 : LEHMAN & KASUBICK  
 : 611 Brisbin Street  
 : Houtzdale, PA 16651  
 : (814) 378-7840

FILED

JUL 08 2004  
6/11:35 AM  
William A. Shaw  
Prothonotary/Clerk of Courts  
2 Cents to Mtry

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

KRUISE FUNERAL HOME, INC., :  
Plaintiff :  
vs. : No.: 2004- -CD  
: :  
KATHLEEN SHEROKY and :  
CHRISTINE MORRONI c.t.a. of :  
the DANIEL E. MORRONI a/k/a :  
D. ERNEST MORRONI ESTATE, :  
Defendants :  
:

**NOTICE**

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiffs. 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.

**David S. Meholic**  
Court Administrator's Office  
Clearfield County Courthouse  
One North Second Street  
Clearfield, PA 16830  
(814) 765-2641 Ext. 5982

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

KRUISE FUNERAL HOME, INC., :  
Plaintiff :  
vs. : No.: 2004- -CD  
: :  
KATHLEEN SHEROKY and :  
CHRISTINE MORRONI c.t.a. of :  
the DANIEL E. MORRONI a/k/a :  
D. ERNEST MORRONI ESTATE, :  
Defendants :  
:

COMPLAINT

AND NOW comes Kruise Funeral Home, Inc., Plaintiff, by and through its attorney, Girard Kasubick, Esq., and files the following Complaint:

1. The Plaintiff is Kruise Funeral Homes, Inc., a corporation formed under the laws of the Commonwealth of Pennsylvania, having its principal place of business at 254 Lynn Street, P.O. Box 587, Madera, Pennsylvania 16661.

2. The Defendant is Kathleen Sheroky who resides at 131 Lions Drive, Fredericksburg, Lebanon County, Pennsylvania 17026.

3. The Defendant, Daniel E. Morroni a/k/a D. Ernest Morroni died on July 9, 2003 and by his estate file in Clearfield County Register of Wills Office to File No. 2003-375 Christine Morroni, his daughter, has been appointed Administrator c.t.a. of the Estate and her address is 272 Capital Hill Road, Glen Richey, PA 16863.

4. Plaintiff is in the business of embalming, providing viewing, and making other arrangements for burial of the deceased persons.

5. The said Daniel E. Morroni a/k/a D. Ernest Morroni is the father of Kathleen Sheroky and Christine Morroni.

6. On or about July 10, 2003, Kathleen Sheroky and Christine Morroni contacted Plaintiff and talked to Debora A. Kruise and Frank A. Kruise to provide embalming, viewing, and make other arrangements for the burial of their father, Daniel E. Morroni a/k/a D. Ernest Morroni.

7. On or about July 10, 2003, Kathleen Sheroky did sign and execute an agreement for burial services of her father, Daniel E. Morroni a/k/a D. Ernest Morroni, which agreement was also executed by Frank A. Kruise on behalf of the Plaintiff, a copy of which is attached hereto and incorporated herein and marked Exhibit "A".

8. The Plaintiff did provide to the Defendants the services as charged on Exhibit "A" incorporated herein and attached hereto.

9. The prices charged by Plaintiff were fair, reasonable, and market prices that prevailed at the time of the agreement in Plaintiff's business.

10. The prices charged by Plaintiff were the prices the Defendants agreed to pay.

11. The total amount for all services performed by the Plaintiff is Eight Thousand Five Hundred Sixty-seven (\$8,567.00) Dollars, as shown on Exhibit "A" incorporated herein and attached hereto.

12. The agreement, being Exhibit "A" attached hereto and incorporated herein, contains a late charge provision of 1.5% per month for any unpaid balance after thirty (30) days from the date of the date of Agreement, which was July 10, 2003.

13. Plaintiff agreed not to charge late charges until January 1, 2004 by October 27, 2003 letter to Christine Morroni.

14. The late charges from January 1, 2004 to July 31, 2004 amounts to Nine Hundred Forty-one and 02/100 (\$941.02) Dollars.

15. The total amount of damages due the Plaintiff as of filing this Complaint is Nine Thousand Five Hundred Eight and 02/100 (\$9,508.02) Dollars, plus additional late charges or interest, court cost, and attorney fees.

16. The Plaintiff has made several requests to the Defendant to make payment and Defendant has failed and refused to pay any part of the balance to the Plaintiff.

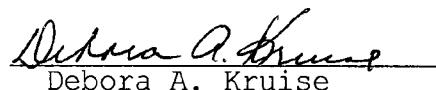
WHEREFORE, Plaintiff request your Honorable Court to enter judgment in an amount of Nine Thousand Five Hundred

Eight and 02/100 (\$9,508.02) Dollars, plus additional late charges, court costs, and attorney fees in favor of the Plaintiff and against the Defendants.

  
\_\_\_\_\_  
Girard Kasubick, Esq.  
Attorney for Plaintiff

**VERIFICATION**

I verify that the statements made in the foregoing Complaint are true and correct and that false statements made herein are subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Debora A. Kruise

# KRUISE FUNERAL HOMES, INC.

Debora A. Kruise  
Supervisor  
254 Lynn St.  
Madera, Pennsylvania 16661

(814) 378-7161

Frank A. Kruise  
Supervisor  
273 Main St.  
Ramey, Pennsylvania 16671

## STATEMENT OF FUNERAL GOODS AND SERVICES SELECTED

Charges are only for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use any items, we will explain in writing below. If you selected a funeral that may require embalming, such as a funeral with viewing, you may have to pay for embalming. You do not have to pay for embalming you did not approve if you selected arrangements such as direct cremation or immediate burial. If we charge you for an embalming, we will explain why below.

For Services of	Daniel E. Morroni	Date Of Death	July 9, 2003	Date of Contract	July 10, 2003
Charge to	Christine Morroni	Address	1318 S. Second St.	City	Clearfield, PA
Name				State	16830
				Zip	

### A. CHARGE FOR SERVICES SELECTED:

#### 1. PROFESSIONAL SERVICES

Services of Funeral Director and Staff	\$ 1345.00
Embalming	\$ 525.00
Casketing, dressing, cosmetology	\$ 145.00
Other Preparation of body	\$ 0
	\$ 0
	\$ 0
	\$ 0
<b>SUB-TOTAL PROFESSIONAL SERVICES</b>	<b>A1 \$ 2,015.00</b>

#### C. SPECIAL CHARGES

Forwarding Remains to other Funeral Home	\$ 0
Receiving Remains from other Funeral Home	\$ 0
Immediate Burial	\$ 0
Direct Cremation	\$ 0
	\$ 0
<b>SUB-TOTAL OF SPECIAL CHARGES</b>	<b>C \$ 0.00</b>

#### D. CASH ADVANCED

Opening Grave/Crypt	\$ 300.00
Newspaper Tent	\$ 80.00
Newspaper	\$ 0
Clergy / Mass Offering	\$ 50.00
Certified Copies of Death Certificate	\$ 20.00
Family Flowers	\$ 100.00
Resod Reseed	\$ 50.00
	\$ 0
	\$ 0
	\$ 0
<b>SUB-TOTAL OF CASH ADVANCED</b>	<b>D \$ 600.00</b>

We charge you for our services in obtaining the following:

### SUMMARY OF CHARGES

<b>TOTAL ABOVE ITEMS (A,B,C,D)</b>	<b>\$ 8,567.00</b>
Sales Tax (if App) @ %	\$

<b>TOTAL OF ALL SECTIONS</b>	<b>\$ 8,567.00</b>
LESS: Payment Made	\$
LESS: Credits Pending	\$
LESS: Credits granted	\$
<b>BALANCE DUE</b>	<b>Aug 9, 2003</b>

A late charge of 1.5% per month on the outstanding balance (annual rate of 18%) will be added to the balance.

### REASON FOR REQUIRED SERVICES OR MERCHANDISE

### DISCLAIMER OF WARRANTIES

Our funeral home makes no representations or warranties regarding caskets or outer burial containers. The only warranties, expressed or implied, granted in connection with goods sold with the funeral service are the express written warranties, if any, extended by the manufacturer thereof. No other warranties including the implied warranties of merchantability or fitness for particular purpose are extended by the seller.

I agree that I have examined the items of goods and services selected above and found them to be correct and according to the arrangements I have requested. I acknowledge receipt of a copy of this Statement of Funeral Goods and Services Selected. I represent that I have sufficient funds available for payment of the cash price for the goods and services selected. I also agree to make payment of \$ 8567.00 within 30 days. I agree to be jointly and severally liable with anyone else who signs below. A LATE CHARGE of 1.5% per month (18% per annum) will be applied to the unpaid balance beginning 30 days after the date of this contract. I will also pay the Funeral Director all reasonable costs paid by the Funeral Director to collect amounts I owe under this agreement. Those costs may include attorney fees and court costs. Any items requested after the date of this agreement will be considered part of this agreement and will be reflected on the final bill.

(Seal)

*Rosemary J. Shuey*  
Purchaser

(Seal)

Purchaser

July 10, 2003

Contract Date

*Frank A. Kruise*  
Frank A. Kruise Licensed Funeral Director

In The Court of Common Pleas of Clearfield County, Pennsylvania

KRUISE FUNERAL HOMES, INC.

VS.

SHEROKY, KATHLEEN a1

COMPLAINT

Sheriff Docket # 15935

04-1038-CD

**SHERIFF RETURNS**

NOW JULY 21, 2004 AT 9:45 AM SERVED THE WITHIN COMPLAINT ON CHRISTINE MORRONI c.t.a. of DANIEL E. MORRONI a/k/a D. ERNEST MORRONI ESTATE, DEFENDANT AT RESIDENCE, 272 CAITAL HILL ROAD, GLEN RICHEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CHRISTINE MORRONI A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF. SERVED BY: HUNTER

NOW JULY 8, 2004, MICHAEL DELEO, SHERIFF OF LEBANON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON KATHLEEN SHEROKY, DEFENDANT.

NOW JULY 23, 2004 SERVED THE WITHIN COMPLAINT ON KATHLEEN SHEROKY, DEFENDANT BY DEPUTIZING THE SHERIFF OF LEBANON COUNTY. THE RETURN OF SHERIFF DELEO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED SCOTT SHEROKY, HUSBAND.

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**Return Costs**

Cost	Description
39.25	SHERIFF HAWKINS PAID BY: ATTY CK# 11329
20.00	SURCHARGE PAID BY: ATTY CK# 11330
52.50	LEBANON COUNTY SHFF. PAID BY: ATTY

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Sworn to Before Me This

  
Day Of August 2004  
William A. Shaw  
Bd

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

  
My Marilyn Hams  
Chester A. Hawkins  
Sheriff

**FILED**

*04-1038-CD*  
AUG 09 2004  
EAS  
William A. Shaw  
Prothonotary/Clerk of Courts

**LEBANON COUNTY SHERIFF'S OFFICE**  
 400 South Eighth Street  
 Lebanon, Pennsylvania 17042  
 Telephone (717) 228-4410 Fax Number (717) 279-8398

PLAINTIFF(S): <b>KRUISE FUNERAL HOME, INC.</b>		CASE NUMBER <b>2004-1038-CD</b>	DATE FILED: <b>July 08, 2004</b>	
DEFENDANT(s): <b>KATHLEEN SHEROKY and CHRISTINE MORRONI c.t.a. of the DANIEL E. MORRONI a/k/a D. ERNEST MORRONI ESTATE</b>		TYPE OF WRIT OR COMPLAINT: <b>CIVIL COMPLAINT</b>		
<b>SERVE</b> → <b>AT:</b>	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO BE SERVE: <b>KATHLEEN SHEROKY</b>			
	ADDRESS (Street, Apartment No., City, Borough, Township, State and Zip Code): <b>131 Lions Drive, Fredericksburg, PA 17026</b>			
Name of Attorney or other Originator and address below: <b>Girard Kasubick, Esquire</b> <b>Lehman &amp; Kasubick</b> 611 Brisbin Street Houtzdale, PA 16651		Telephone Number <b>(814) 378-7840</b>	DATE: <b>July 25, 2004</b>	
		Return Service Sheets To: <b>Clearfield County Sheriff's Office</b> 1 North Second Street, Suite 116 Clearfield, PA 16830		
<b>RETURN OF SERVICE (To be completed by Sheriff)</b>				
<b>I acknowledge receipt of writ or complaint as indicated above. David A. Heath, Deputy Sheriff</b>				
INDIVIDUAL SERVED: <b>Scott Sheroky, Husband</b>		DATE: <b>July 23, 2004</b>	TIME: <b>2:10 P.M.</b>	
DOCKET PAGE <b>20944</b>				
LOCATION: (IF DIFFERENT FROM ABOVE): <b>Bethel Township</b>		BOROUGH, CITY, TOWNSHIP OF:		
<p><b>Served in the following manner:</b></p> <p>( <input type="checkbox"/> ) Defendant personally served</p> <p>( <input checked="" type="checkbox"/> ) Adult family member with whom said defendant resides</p> <p>( <input type="checkbox"/> ) Adult in Charge of defendant's residence</p> <p>( <input type="checkbox"/> ) Manager/Clerk of place of lodging in which defendant resides</p> <p>( <input type="checkbox"/> ) Agent or person in charge of defendant's office or place of business</p> <p>( <input type="checkbox"/> ) Officer of said defendant company</p> <p>( <input type="checkbox"/> ) Posted Property</p> <p>( <input type="checkbox"/> ) Levy on property</p>				
( COMMENTS )				
<b>Advanced Costs</b> <b>\$100.00</b>	<b>Total Costs</b> <b>\$52.50</b>	<b>Costs Due</b>	<b>Refund</b> <b>\$47.50</b>	<b>Check Number</b> <b>15834</b>
AFFIRMED and subscribed before me this 25 <sup>th</sup> day of July, 2004		<b>SO ANSWERS,</b>		
<u>Kimberly A. Brower</u> Notary Public		Signature of Deputy Sheriff <u>David A. Heath</u> <span style="float: right;">(KB)</span> Signature of Sheriff <u>Michael J. Dye</u> <span style="float: right;">(KB)</span>		
<b>NOTARIAL SEAL</b> KIMBERLY A. BROWER, Notary Public City of Lebanon, Lebanon County, Pa. My Commission Expires December 17, 2006		<b>SHERIFF OF LEBANON COUNTY</b> <b>COMMONWEALTH OF PENNSYLVANIA</b>		