

04-1754-CD  
ELLENOR M. STEIN vs. MARK F. JONES, et al.

2004-1754-CD  
Ellenor Stein vs. Mark Jones

IN THE COURT OF COMMON PLEAS, WESTMORELAND COUNTY, PENNA.  
CIVIL ACTION – LAW

Case No. X7782 OF 2004

04-1754-CD

**Eleanor M. Stein**

Plaintiff(s)

Vs.

**Mark E. Jones, t/d/b/a M.E. Jones Hearing Instruments**  
Defendant(s)

**WRIT OF EXECUTION**  
(Money Judgment)

**FILED** Atty  
m/2/14 601 P. Hooker  
NOV 04 2004, pd.  
20.00

COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF WESTMORELAND }

William A. Shaw  
Prothonotary/Clerk of Courts

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against **Mark E. Jones, t/d/b/a M.E. Jones Hearing Instruments** Defendant(s);

- (1) you are directed to levy upon the property of the defendant(s) and to sell his interest therein;
- (2) you are also directed to attach the property of the defendant(s) not levied upon in the possession of as Garnishee(s).  
(Specifically described property)

and to notify the garnishee(s) that

- (a) an attachment has been issued;
- (b) the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof.
- (3) if property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee(s), you are directed to notify him that he has been added as a garnishee(s) and is/are enjoined as above stated.

AMOUNT DUE	\$ 5,108.50
Interest from - - -	\$ - - -
(Cost to be added):	\$ 66.75

Date: October 19, 2004

Ray Diehl  
PROTHONOTARY

Charles W. Ye  
DEPUTY

Case No. X 7782 of 2004

**COMMON PLEAS**

**Eleanor M. Stein**  
Plaintiff(s)

**Vs.**

**Mark E. Jones, t/d/b/a M.E. Jones Hearing Instruments**  
Defendant(s)

**TO THE SHERIFF OF CLEARFIELD COUNTY**

**WRIT OF EXECUTION  
(MONEY JUDGMENT)**

<b>AMOUNT DUE</b>	<b>\$ 5,108.50</b>
Interest from - - -	\$ - - -
Attorney Com	\$
Attorney	\$ 66.75
Plaintiff	\$
Defendant	\$
Prothonotary	\$
Other	\$
Sheriff	\$
Deputy Sheriff	\$

Peggy Hooker, Esquire  
Attorney for Plaintiff

NOV 04 2004  
William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

**DATE JUDGMENT ENTERED: October 19, 2004**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

ELEANOR M. STEIN, )  
Plaintiff )  
 )  
 )  
 ) No. 04-1754 CD  
 )  
vs. )  
 )  
 )  
MARK E. JONES, t/d/b/a )  
M.E. JONES HEARING INSTRUMENTS )  
Defendant )

PRAECIPE

TO THE PROTHONOTARY:

FILED Atty pd.  
m11109 700  
OCT 18 2005 No Cr. t.  
of Sat.  
William A. Shaw requested,  
Prothonotary/Clerk of Courts No  
SASE  
GR

You are hereby authorized, empowered and directed to enter of record satisfaction of the judgment entered at the above caption against Mark E. Jones, t/d/b/a M.E. Jones Hearing Instruments. Judgment and costs have been paid by the Defendant, as acknowledged by the Plaintiff. I hereby verify that all costs have been paid.

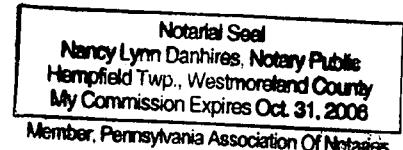
HOOKER & BROKER, LLC

by:

Peggy Hooker  
Peggy Hooker  
Attorney for Plaintiff, Eleanor M. Stein

SWORN TO AND SUBSCRIBED BEFORE ME  
this 14th day of October, 2005.

Nancy Lynn Danhires  
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20036  
NO: 04-1754-CD

PLAINTIFF: ELEANOR M. STEIN

vs.

DEFENDANT: MARK E. JONES, T/D/B/A M. E. JONES HEARING INSTRUMENTS

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 11/05/2004

LEVY TAKEN 01/21/2005 @ 11:00 AM

POSTED 03/08/2005 @ 1:30 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 11/29/2006

DATE DEED FILED

PROPERTY ADDRESS 101 NORTH MAIN STREET DUBOIS , PA 15680

SEE ATTACHED SHEETS FOR SERVICE INFORMATION

FILED  
NOV 29 2006  
S/ W.A. Shaw  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20036  
NO: 04-1754-CD

PLAINTIFF: ELEANOR M. STEIN

vs.

DEFENDANT: MARK E. JONES, T/D/B/A M. E. JONES HEARING INSTRUMENTS

Execution PERSONAL PROPERTY

**SHERIFF RETURN**

---

**SERVICES**

01/20/2005 @ 12:00 PM SERVED MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUME  
SERVED MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUMENT AT HIS PLACE OF EMPLOYMENT 101 NORTH MAIN STREET,  
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JERRY PANNETTE, CO-OWNER

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM THE  
CONTENTS THEREOF.

03/08/2005 @ 1:30 PM SERVED MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUME  
SERVED MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUMET AT HIS PLACE OF EMPLOYMENT 101 NORTH MAIN STREET,  
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JERRY PANNETTE, CO-OWNER

A NOTICE OF SALE AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

@ SERVED

A SALE DATE OF MARCH 18, 2005 WAS SET. NOW, MARCH 16, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO  
POSTPONE THE SHERIFF SALE SCHEDULED FOR MARCH 18, 2006.

@ SERVED

A NEW SALE DATE OF APRIL 22, 2005 WAS SET. 03/17/05 PROPERTY WAS REPOSTED FOR SALE.

@ SERVED MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUME

SERVED, MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUMENT AT HIS PLACE OF EMPLOYMENT 101 NORTH MAIN STREET  
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JERRY PANNETTE, CO-OWNER

A NOTICE OF SALE AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

@ SERVED

NOW, APRIL 21, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY CANCELING THE SHERIFF SALE SCHEDULED FOR  
APRIL 22, 2005

@ SERVED

NOW, OCTOBER 14, 2005 RECEIVED A FAX LETTER FORM THE PLAINTIFF'S ATTORNEY. THE DEFENDANT PAID THE JUDGMENT. BILLED  
THE ATTORNEY FOR COSTS DUE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20036  
NO: 04-1754-CD

PLAINTIFF: ELEANOR M. STEIN

vs.

DEFENDANT: MARK E. JONES, T/D/B/A M. E. JONES HEARING INSTRUMENTS

Execution PERSONAL PROPERTY

SHERIFF RETURN

---

SHERIFF HAWKINS \$260.82

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,

  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS, WESTMORELAND COUNTY, PENNA.  
CIVIL ACTION - LAW

04-1754-CD

Eleanor M. Stein

Plaintiff(s)

Vs.

Case No. X7782 OF 2004

WRIT OF EXECUTION  
(Money Judgment)

Mark E. Jones, t/d/b/a M.E. Jones Hearing Instruments  
Defendant(s)

COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF WESTMORELAND

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against Mark E. Jones, t/d/b/a M.E. Jones Hearing Instruments Defendant(s);

- (1) you are directed to levy upon the property of the defendant(s) and to sell his interest therein;
- (2) you are also directed to attach the property of the defendant(s) not levied upon in the possession of as Garnishee(s).  
(Specifically described property)

and to notify the garnishee(s) that

(a) an attachment has been issued;

(b) the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof.

- (3) if property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee(s), you are directed to notify him that he has been added as a garnishee(s) and is/are enjoined as above stated.

AMOUNT DUE	\$ 5,108.50
Interest from - - -	\$ - - -
(Cost to be added):	\$ 66.75

Date: October 19, 2004

Received November 5, 2004 at 9:00 A.M.  
Chester A. Henshaw  
by Captain Butter-Augusta

Ron Dehl  
PROTHONOTARY

Charles Wolfe  
DEPUTY

CASE NO: *7782 of 2004*

### Writ of Execution Notice

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The laws provide that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may be applicable to you. Within is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly:

- 1.) Fill out the attached claim form and demand for a prompt hearing.
- 2.) Deliver the form or mail it to the Sheriff's office at the address noted.

\*You should refer to the Pennsylvania Rules of Civil Procedure, specifically Rule 3123 and Rule 3123.1, for the procedure to follow in filing your claims of exemption or immunity from levy or attachment.

You should come to court ready to explain and present evidence to support your claim of exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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.

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

LAWYER REFERRAL SERVICE  
WESTMORELAND BAR ASSOCIATION  
P.O. BOX 565  
GREENSBURG, PA 15601  
(724) 834-8490

Pennsylvania and Federal law provide numerous exemptions of property from execution, including the following:

Exemptions under Pennsylvania Law

1. General \$300.00 statutory exemption, 42 Pa. C.S. 8123
2. Particular personal property exemption -- wearing apparel, bibles and school books, sewing machines, uniforms and equipment, 42 Pa. C.S. 8124(a)
3. Certain retirement funds and accounts, 42 Pa. C.S. 8124(b)
  - Public School Employees' Retirement Fund, 24 Pa. C.S. 8533 and 42 Pa. C.S. 8124(b)(1)(i)
  - State Employee's Retirement Fund, 42 Pa. C.S. 8124(b)(1)(ii) and 71 Pa. C.S. 5953
  - Police Pension Funds, 42 Pa. C.S. 8124(b)(1)(iii)
  - Philadelphia Pension Funds, 42 Pa. C.S. 8124(b)(1)(iv)
  - Pittsburgh Pension Fund, 42 Pa. C.S. 8124(b)(1)(v)
  - Pennsylvania Municipal Retirement Fund, 42 Pa. C.S. 8124(b)(1)(vi)
  - Private employees' pensions or annuity funds, 42 Pa. C.S. 8124(b)(1)(vii)
  - Self-employed retirement or annuity funds, 42 Pa. C.S. 8124(b)(1)(viii)
  - Retirement or annuity funds provided for under the Internal Revenue Code, 42 Pa. C.S. 8124(b)(1)(ix)
4. Certain insurance proceeds, 42 Pa. C.S. 8124(c)
  - Fraternal society benefits, 42 Pa. C.S. 8124(c)(1), (8)
  - Workmen's Compensation, 42 Pa. C.S. 8124(c)(2)
  - Group insurance, 42 Pa. C.S. 8124(c)(5)
  - Life Insurance and annuities, 42 Pa. C.S. 8124(c)(3), (4), (6)
  - Accident and disability insurance, 42 Pa. C.S. 8124(c)(7)
  - No-fault motor vehicle accident benefits, 42 Pa. C.S. 8124(c)(9)
  - Unemployment Compensation, 42 Pa. C.S. 8124(c)(10)
5. Personal earnings, subject to the exceptions under 23 Pa. C.S. Pt IV relating to divorce and for support, board, certain damages arising from a residential lease, and student loan obligations, 42 Pa. C.S. 8127
6. Tangible personal property on international exhibition, 42 Pa. C.S. 8125
7. Common carrier, property in interstate transit, 42 Pa. C.S. 8126
8. Certain veteran benefits:
  - Veterans' litigation awards (Vietnam herbicide), 51 Pa. C.S. 7902(a)
    - Sums payable under:
      - The Veterans' Compensation Act, 51 P.S. 20012
      - The World War II Veterans Compensation Act, 51 P.S. 20048
      - The Korean Conflict Veterans Compensation Act, 51 P.S. 20098
      - The Vietnam Conflict Veterans' Compensation Act, 51 P.S. 20127

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME MARK E. JONES T/D/B/A M. E. JONES HEARING INSTRUME

NO. 04-1754-CD

NOW, November 29, 2006, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Mark E. Jones, T/D/B/A M. E. Jones Hearing Instruments to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR SERVICE	9.00	DEBT-AMOUNT DUE	5,108.50
MILEAGE	9.00	INTEREST @ %	0.00
LEVY	15.39	FROM TO	
MILEAGE	15.39	PROTH SATISFACTION	
POSTING	9.00	LATE CHARGES AND FEES	
HANDBILLS	10.00	COST OF SUIT-TO BE ADDED	66.75
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	1.48	ATTORNEY COMMISSION	
HANDBILLS	10.00	REFUND OF ADVANCE	
DISTRIBUTION		REFUND OF SURCHARGE	20.00
ADVERTISING		SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
		PROPERTY INSPECTIONS	
ADD'L POSTING	9.00	INTEREST	
ADD'L MILEAGE	15.39	MISCELLANEOUS	
ADD'L LEVY			
BID AMOUNT		TOTAL DEBT AND INTEREST	\$5,456.07
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
BILLING/PHONE/FAX	5.00	ADVERTISING	0.00
CONTINUED SALES	15.00	TAXES - COLLECTOR	
MISCELLANEOUS	102.17	TAXES - TAX CLAIM	
<b>TOTAL SHERIFF COSTS</b>	<b>\$260.82</b>	DUE	
		LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	260.82
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$260.82</b>
		<b>TOTAL COSTS</b>	<b>\$5,456.07</b>

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

**Hooker & Broker, LLC**  
ATTORNEYS AT LAW

PEGGY HOOKER  
LINDA BROKER

533 RUGH STREET, SUITE 3  
GREENSBURG, PA 15601-5615

(724) 838-8895  
FAX (724) 838-8896

October 14, 2005

Attn: Cindy  
Chester A. Hawkins, Sheriff  
Clearfield County Courthouse  
1 North Second Street  
Suite 116  
Clearfield, PA 16830

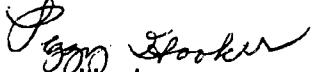
**Re: Stein vs. Jones  
No. 04-1754 C.D.**

Dear Cindy:

I am writing you in regard to the case of Eleanor M. Stein vs. Mark E. Jones t/d/b/a M.E. Jones Hearing Instruments. We had previously asked your office to levy against the property of Mark E. Jones. You had levied on property and scheduled a sheriff's sale for March 18, 2005, and you had rescheduled it for April 22, 2005. At this time the defendant has paid the judgment, and there will be no need for a sheriff's sale. Thank you for your efforts in this matter. We have filed a satisfaction of judgment with the Prothonotary's Office. Please call me if you have any questions.

Sincerely yours,

HOOKER & BROKER, LLC

  
Peggy Hooker  
Attorney at Law

PH:nld

cc: Eleanor M. Stein

**Hooker & Broker, LLC**  
**ATTORNEYS AT LAW****PEGGY HOOKER**  
**LINDA BROKER**533 RUGH STREET, SUITE 3  
GREENSBURG, PA 15601-5615(724) 838-8895  
FAX (724) 838-8896

March 16, 2005

Chester A. Hawkins, Sheriff  
1 North Second Street  
Courthouse, Suite 116  
Clearfield, PA 16830  
Attn: Cindy

Dear Sheriff Hawkins:

Eleanor Stein and I are in receipt of your notice that a public sale of property of Mark E. Jones Hearing Instruments, pursuant to execution and levy, is scheduled for Friday, March 18, 2005. I am required to appear in the Court of Common Pleas of Westmoreland County at that time and will not be available to attend on behalf of the plaintiff, Eleanor Stein. Mrs. Stein is also unable to be present at that time. We request that you postpone and re-schedule the sale.

I am sorry for the inconvenience. If we are able to reach some accommodation with the defendant before you re-schedule the sale, we will notify you. If it is possible for you to give us at least two weeks' notice of the rescheduled date, it would be appreciated. Thank you.

Sincerely yours,

HOOKER &amp; BROKER, LLC

  
Peggy Hooker  
Attorney at Law

PH/lpt

cc: Eleanor M. Stein

**Hooker & Broker, LLC**  
**ATTORNEYS AT LAW****PEGGY HOOKER**  
**LINDA BROKER**533 RUGH STREET, SUITE 3  
GREENSBURG, PA 15601-5615(724) 838-8895  
FAX (724) 838-8896

April 21, 2005

Chester A. Hawkins, Sheriff  
1 North Second Street  
Courthouse, Suite 116  
Clearfield, PA 16830

Attn: Cindy

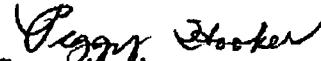
Dear Sheriff Hawkins:

Eleanor Stein and I are in receipt of your notice that a public sale of property of Mark E. Jones Hearing Instruments, pursuant to execution and levy, is scheduled for Friday, April 22, 2005. On behalf of the plaintiff, Eleanor M. Stein, and at her direction, I request that you cancel the sale. We are attempting to determine if the defendant has assets other than those that you located. Mrs. Stein does not want to pursue a sale if no assets other than those listed on your notice of sale can be found.

I am sorry for the inconvenience. Thank you.

Sincerely yours,

HOOKER &amp; BROKER, LLC

  
Peggy Hooker  
Attorney at Law

PH/dju

cc: Eleanor M. Stein

**SENT VIA REGULAR MAIL; FAXED TO FAX NO. 814-765-5915**