

04-1754-CD
ELEANOR M. STEIN vs. MARK F. JONES, etal.

Eleanor Stein vs Mark Jones
2004-1754-CD

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)

WRIT OF EXECUTION
(Money Judgment)

Vs.

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

FILED Atty
m/2:14/ 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

Ran Dehl
PROTHONOTARY

Charles Ws 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)**

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

Peggy Hooker, Esquire
Attorney for Plaintiff

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

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:

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.

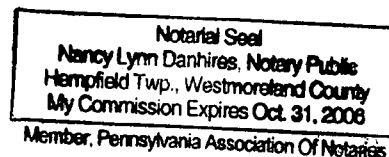
HOOKE & BROKER, LLC

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



FILED
m 11:09 AM
OCT 18 2005
Atty. pd.
700
No Cost.
of Sat.
requested,
No
SASE
GK

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
01:00 PM
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 INSTRUMENT
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 INSTRUMENT
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

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 INSTRUMENT

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 FROM 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

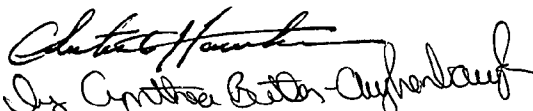
SHERIFF HAWKINS \$260.82

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

Case No. X7782 OF 2004

Eleanor M. Stein
Plaintiff(s)

WRIT OF EXECUTION
(Money Judgment)

Vs.

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:

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- (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.

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

Date: October 19, 2004

Ken Dehl
PROTHONOTARY

Charles Wolfe
DEPUTY

Received November 5, 2004 @ 9:00 A.M.
Chesta A. Hanks
by Cynthia Butler-Arghandrea

CASE NO: **x 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:

RDR	9.00
SERVICE	9.00
MILEAGE	15.39
LEVY	20.00
MILEAGE	15.39
POSTING	9.00
HANDBILLS	10.00
COMMISSION	0.00
POSTAGE	1.48
HANDBILLS	10.00
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
ADD'L POSTING	9.00
ADD'L MILEAGE	15.39
ADD'L LEVY	
BID AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	15.00
MISCELLANEOUS	102.17
TOTAL SHERIFF COSTS	\$260.82

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	5,108.50
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	66.75
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$5,456.07

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	260.82
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$260.82
TOTAL COSTS	\$5,456.07

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

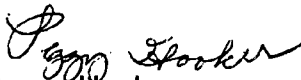
Re: **Stein vs. Jones**
No. 04-1754 C.D.

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 BROKER533 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

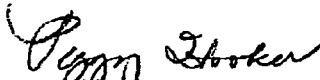
Dear Sheriff Hawkins:

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 & 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 & BROKER, LLC


Peggy Hooker
Attorney at Law

PH/dju

cc: Eleanor M. Stein

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