

04-1761-CD  
BENARTEX, INC. vs. SUSAN L. FRENCH, eta.

Benartex Inc vs Susan French et al  
2004-1761-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO.  
CIVIL ACTION - LAW

BENARTEX, INC.,

Plaintiff

vs.

04-1761-CD

SUSAN L. FRENCH, t/d/b/a STITCHES ETC.,

Defendant

COMPLAINT  
NOTICE TO DEFEND

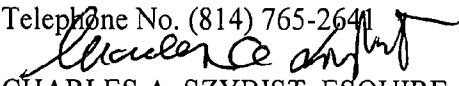
You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served by entering a written appearance personally, or by attorney, and filing, in writing, with the court your defenses 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, CONTACT":

Office of the Prothonotary  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830  
Telephone No. (814) 765-2641

"IF YOU CANNOT AFFORD A LAWYER, CONTACT":

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Clearfield County Courthouse  
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Clearfield, PA 16830  
Telephone No. (814) 765-2641

  
CHARLES A. SZYBIST, ESQUIRE  
Attorney for Plaintiff  
423 Mulberry Street  
Williamsport, PA 17701  
Telephone No. (570) 326-0559

1-7-05 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

  
Deputy Prothonotary

**FILED**

M 1:53 PM - Feb 25 00  
ICE to shift

NOV 03 2004

William A. Shaw  
Prothonotary

BENARTEX, INC.,	:	IN THE COURT OF COMMON PLEAS OF
	:	CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiff	:	
	:	
vs.	:	NO.
	:	
SUSAN L. FRENCH, t/d/b/a STITCHES	:	
ETC.,	:	
	:	
Defendant	:	CIVIL ACTION - LAW

### COMPLAINT

The Plaintiff, above-named, hereinafter referred to as "Plaintiff", claims of the Defendant, above-named, hereinafter referred to as "Defendant", the sum of \$2,044.67, with interest thereon, upon the following cause of action:

(1) Plaintiff, BENARTEX, INC., is a New York corporation having an office and principal place of business at 1359 Broadway, Suite 1100, New York, New York, 10018.

(2) Defendant, SUSAN L. FRENCH, is an adult individual trading and doing business as STITCHES ETC. and having an office and principal place of business at 602 West Dubois Avenue, Dubois, Clearfield County, Pennsylvania, 15801.

(3) At the specific instance and oral request of Defendant, Plaintiff sold and delivered to Defendant goods and services at the times, of the kinds, in the quantities and for the prices set forth in Plaintiff's books of original entry, a true and correct copy of which is attached hereto, made a part hereof and labeled Exhibit "A".

(4) Defendant received and accepted the goods and services described in Exhibit "A".

(5) The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and services and the prices which Defendant agreed to pay.

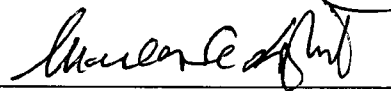
(6) Defendant made payments on account, thereby reducing the balance due and owing to \$2,044.67.

(7) All credits, if any, to which Defendant is entitled are set forth in Exhibit "A".

(8) Although Plaintiff has often demanded payment of the said sum of \$2,044.67, Defendant has and still does neglect and refuse to pay for same or any part thereof.

WHEREFORE, Plaintiff claims there is now justly due and owing by Defendant the sum of \$2,044.67, plus costs and interest from the due date thereof and within arbitration limits of this Common Pleas Court.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Charles A. Szybist", is written over a horizontal line.

CHARLES A. SZYBIST, ESQUIRE  
Attorney for Plaintiff  
Attorney I.D. #07574

423 Mulberry Street  
Williamsport, PA 17701  
Telephone No.: (570) 326-0559

STATE OF New York  
COUNTY OF New York

:  
SS  
:

Luba Fastag, being duly sworn according to law,  
deposes and says that he is Credit Manager of  
Bencutec Inc., the above-named plaintiff; that he  
makes this affidavit on its behalf, being authorized so to do; and that the facts  
set forth in the foregoing Complaint are true and correct to the best of his  
knowledge, information and belief.

Luba Fastag

Sworn to and subscribed  
before me this 25 day  
of October, 2004

Janice Cantor  
Notary Public

My commission expires:

JANICE CANTOR  
Notary Public, State of New York  
No. 01CA4801688  
Qualified in New York County  
Commission Expires Aug. 31, 2004

# BENARTEX, INC.

10/25/04 PAGE 1

STI15801  
Stitches Etc.602 W. Dubois Avenue  
Dubois, PA  
15801  
814-371-9665TYPE : REGULAR  
CUR. ORDER : 0.00  
CRED. LIMIT: 0.00  
CUR. BAL. : 2044.67  
BEGIN BAL. : 2044.67  
UNAPPLD CR : 0.00  
REP : 64PTD CREDIT : 0.00  
PTD DEBIT : 0.00  
YTD CREDIT : 105.92  
YTD DEBIT : 74.47  
TERM CODE : 22  
COL  
LAST DB : 01/09/04

INV/CR #	TR	DATE	TM	REFERENCE	DEBITS	CREDITS	TR BALAN
45096	I	11/14/03	20	262332 / 42043	190.28		84.36
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45884	I	11/25/03	20	261815	892.46		892.46
45965	I	11/26/03	20	261817	535.10		535.10
46481	I	12/10/03	20	261817	51.71	\$51.71 pd. 7/23/04	51.71
46573	I	12/10/03	20	261815	54.21	\$54.21 pd. 7/23/04	54.21
47422	I	01/09/04	20	261816	74.47		74.47

Codes Q - QUIT, F1 - CREDIT, F2 - ORDERS, F3 - CC, F4 - SI OR PGUP.

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**BENARTEX, INC.**

**VS.**

**FRENCH, SUSAN L. t/d/b/a STITCHES ETC.**

**COMPLAINT**

Sheriff Docket # 16580  
04-1761-CD

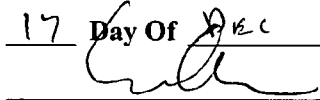
**SHERIFF RETURNS**

NOW DECEMBER 17, 2004 RETURN THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO SUSAN L. FRENCH t/d/b/a STITCHES ETC., DEFENDANT. SEVERAL ATTEMPTS, NEVER OPEN.

**Return Costs**


Cost	Description
75.00	SHERIFF HAWKINS PAID BY: ATTY CK# 21123
10.00	SURCHARGE PAID BY: ATTY CK# 21124

**Sworn to Before Me This**

17 Day Of Dec 2004  


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

**So Answers,**

  
Chester A. Hawkins  
Sheriff

**FILED**  
DEC 17 2004

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO.  
CIVIL ACTION - LAW

BENARTEX, INC.,

Plaintiff

vs.

04-1761-C1

SUSAN L. FRENCH, t/d/b/a STITCHES ETC.,

Defendant

COMPLAINT  
NOTICE TO DEFEND

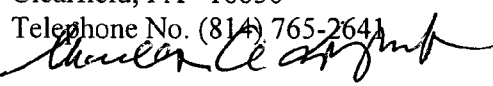
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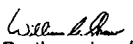
David S. Meholick, Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
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Telephone No. (814) 765-2641

  
CHARLES A. SZYBIST, ESQUIRE  
Attorney for Plaintiff  
423 Mulberry Street  
Williamsport, PA 17701  
Telephone No. (570) 326-0559

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

NOV 05 2004

Attest.

  
Prothonotary/  
Clerk of Courts



BENARTEX, INC.,

Plaintiff

vs.

SUSAN L. FRENCH, t/d/b/a STITCHES  
ETC.,

Defendant

: IN THE COURT OF COMMON PLEAS OF  
: CLEARFIELD COUNTY, PENNSYLVANIA

:

:

: NO.

:

:

:

:

: CIVIL ACTION - LAW

### COMPLAINT

The Plaintiff, above-named, hereinafter referred to as "Plaintiff", claims of the Defendant, above-named, hereinafter referred to as "Defendant", the sum of \$2,044.67, with interest thereon, upon the following cause of action:

(1) Plaintiff, BENARTEX, INC., is a New York corporation having an office and principal place of business at 1359 Broadway, Suite 1100, New York, New York, 10018.

(2) Defendant, SUSAN L. FRENCH, is an adult individual trading and doing business as STITCHES ETC. and having an office and principal place of business at 602 West Dubois Avenue, Dubois, Clearfield County, Pennsylvania, 15801.

(3) At the specific instance and oral request of Defendant, Plaintiff sold and delivered to Defendant goods and services at the times, of the kinds, in the quantities and for the prices set forth in Plaintiff's books of original entry, a true and correct copy of which is attached hereto, made a part hereof and labeled Exhibit "A".

(4) Defendant received and accepted the goods and services described in Exhibit "A".

(5) The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and services and the prices which Defendant agreed to pay.

(6) Defendant made payments on account, thereby reducing the balance due and owing to \$2,044.67.

(7) All credits, if any, to which Defendant is entitled are set forth in Exhibit "A".

(8) Although Plaintiff has often demanded payment of the said sum of \$2,044.67, Defendant has and still does neglect and refuse to pay for same or any part thereof.

WHEREFORE, Plaintiff claims there is now justly due and owing by Defendant the sum of \$2,044.67, plus costs and interest from the due date thereof and within arbitration limits of this Common Pleas Court.

Respectfully submitted:



---

CHARLES A. SZYBIST, ESQUIRE  
Attorney for Plaintiff  
Attorney I.D. #07574

423 Mulberry Street  
Williamsport, PA 17701  
Telephone No.: (570) 326-0559

STATE OF New York  
COUNTY OF New York

:  
SS  
:

Luba Fastag, being duly sworn according to law,  
deposes and says that he is Credit Manager of  
Bencutec Inc., the above-named plaintiff; that he  
makes this affidavit on its behalf, being authorized so to do; and that the facts  
set forth in the foregoing Complaint are true and correct to the best of his  
knowledge, information and belief.

Luba Fastag

Sworn to and subscribed  
before me this 25 day  
of October, 2004

Janice Cantor  
Notary Public

My commission expires:

JANICE CANTOR  
Notary Public, State of New York  
No. 01CA4801688  
Qualified in New York County  
Commission Expires Aug. 31, 2004

# BENARTEX, INC.

10/25/04 PAGE 1

STI15801  
Stitches Etc.602 W. Dubois Avenue  
Dubois, PA  
15801  
814-371-9665TYPE : REGULAR  
CUR. ORDER : 0.00  
CRED. LIMIT: 0.00  
CUR. BAL. : 2044.67  
BEGIN BAL. : 2044.67  
UNAPPLD CR : 0.00  
REP : 64PTD CREDIT : 0.00  
PTD DEBIT : 0.00  
YTD CREDIT : 105.92  
YTD DEBIT : 74.47  
TERM CODE : 22  
COL  
LAST DB : 01/09/04

INV/CR #	TR	DATE	TM	REFERENCE	DEBITS	CREDITS	TR BALAN
45096	I	11/14/03	20	262332 / 42043	190.28		84.36
45737	I	11/20/03	20	261816	352.36		352.36
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BENARTEX, INC.,

Plaintiff

vs.

SUSAN L. FRENCH, t/d/b/a STITCHES,  
ETC.,

Defendant

: IN THE COURT OF COMMON PLEAS OF  
: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 2004-01761-CD

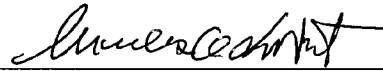
: CIVIL ACTION - LAW

PRAECIPE

TO THE PROTHONOTARY:

Please reinstate the Complaint in the above-captioned matter.

Respectfully submitted:



CHARLES A. SZYBIST, ESQUIRE

Attorney for Plaintiff

Attorney I.D. #07574

423 Mulberry Street

Williamsport, PA 17701

Telephone No. (570) 326-0559

Dated: December 29, 2004

cc: ~~Montour~~ County Sheriff

CLEARFIELD

FILED NOCC

m 12:02 PM 12/29/04  
JAN 07 2005

William A. Shaw  
Prothonotary/Clerk of Courts

Compl. Reinstated  
to Sheriff  
44y pd 7.00

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 1 Services

Sheriff Docket # **100118**

BENARTEX, INC.

Case # 04-1761-CD

vs.

SUSAN L. FRENCH t/d/b/a STITCHES ETC.

**SHERIFF RETURNS**

NOW February 10, 2005 RETURNED THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO SUSAN L. FRENCH T/D/B/A STITCHES ETC., DEFENDANT. NEVER RECEIVED ADVANCE FROM ATTY.

SERVED BY: /

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	Szybist	21209	10.00
SHERIFF HAWKINS	Szybist	21209	5.74

**FILED**

64 FEB 23 2005  
0/92456  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,

  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO.  
CIVIL ACTION - LAW

BENARTEX, INC.,

04-1761-C2

Plaintiff

vs.

SUSAN L. FRENCH, t/d/b/a STITCHES ETC.,

Defendant

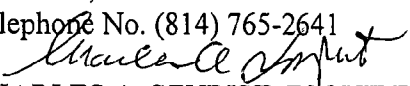
COMPLAINT  
NOTICE TO DEFEND

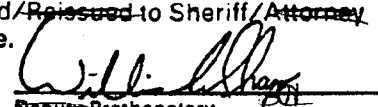
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1-7-05 Document  
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for service.  
  
Deputy Prothonotary

BENARTEX, INC.,

Plaintiff

vs.

SUSAN L. FRENCH, t/d/b/a STITCHES  
ETC.,

Defendant

: IN THE COURT OF COMMON PLEAS OF  
: CLEARFIELD COUNTY, PENNSYLVANIA

:

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: NO.

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: CIVIL ACTION - LAW

### COMPLAINT

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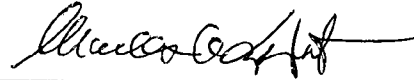
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Attorney for Plaintiff  
Attorney I.D. #07574

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Williamsport, PA 17701  
Telephone No.: (570) 326-0559

STATE OF New York  
COUNTY OF New York

:  
SS  
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Luba Fastag, being duly sworn according to law,  
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Bencutix Inc., the above-named plaintiff; that he  
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set forth in the foregoing Complaint are true and correct to the best of his  
knowledge, information and belief.

Luba Fastag

Sworn to and subscribed  
before me this 25 day  
of October, 2004

Janice Cantor  
Notary Public

My commission expires:

JANICE CANTOR  
Notary Public, State of New York  
No. 01CA4801688  
Qualified in New York County  
Commission Expires Aug. 31, 2004

# BENARTEX, INC.

10/25/04 PAGE 1

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Stitches Etc.602 W. Dubois Avenue  
Dubois, PA  
15801  
814-371-9665

TYPE :	REGULAR	PTD CREDIT :	0.00
CUR. ORDER :	0.00	PTD DEBIT :	0.00
CRED. LIMIT:	0.00	YTD CREDIT :	105.92
CUR. BAL. :	2044.67	YTD DEBIT :	74.47
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Plaintiff

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SUSAN L. FRENCH, STITCHES, ETC.

Defendants

: IN THE COURT OF COMMON PLEAS OF  
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NO. 2004-01761-CD

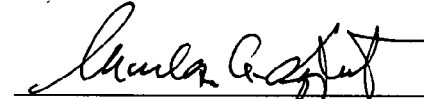
CIVIL ACTION - LAW

PRAECIPE

TO THE PROTHONOTARY:

Please discontinue the above-captioned matter without prejudice to Plaintiff.

Respectfully submitted:



CHARLES A. SZYBIST, ESQUIRE

Attorney for Plaintiff

Attorney I.D. #07574

423 Mulberry Street

Williamsport, PA 17701

Telephone No. (570) 326-0559

Dated: March 26, 2010

FILED

MAR 29 2010

William A. Shaw  
Prothonotary/Clerk of Courts

FILED

MAR 20 2010

William A. Shaw  
Prothonotary/Clerk of Courts