

04-1904-CD  
SANDY TOWNSHIP VS. PHILIP J. TABONE LIMITED

2004-1904-CD  
Sandy Twp vs Philip Tabone

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
v. ) No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
DEFENDANT. )

**CERTIFICATE OF SERVICE**

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, attorney for Philip P. Tabone, LTD, real party in interest in the above captioned matter, do hereby certify that I did mail, this 15th day of February, 2004, a true and correct copy of the ORDER issued upon Defendant's MOTION TO STRIKE LIEN, to the below indicated person, being counsel of record for the Plaintiff, by depositing the same in the US Mail, first class, postage prepaid, addressed as follows:

R. Edward Ferraro, Esquire  
690 Main Street  
Brockway, PA 15824

Respectfully Submitted,

  
\_\_\_\_\_  
Theron G. Noble, Esquire  
Ferraraccio & Noble  
Attorney for Philip P. Tabone, LTD  
301 E. Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D.No.: 55942



6K M 10:55 AM NOCC  
FEB 17 2005

William A. Shaw  
Prothonotary

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
v. ) No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
DEFENDANT. )

**CERTIFICATE OF SERVICE**

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, attorney for Philip P. Tabone, LTD, real party in interest in the above captioned matter, do hereby certify that I did mail, this 28th day of December, 2005, a true and correct copy of the RULE RETURNABLE issued upon Defendant's MOTION TO STRIKE LINE, to the below indicated person, being counsel of record for the Plaintiff, by depositing the same in the US Mail, first class, postage prepaid, addressed as follows:

R. Edward Ferraro, Esquire  
690 Main Street  
Brockway, PA 15824

Respectfully Submitted,



Theron G. Noble, Esquire  
Ferraraccio & Noble  
Attorney for Philip P. Tabone, LTD  
301 E. Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D. No.: 55942

64 m10:56 AM  
DEC 29 2004  
NCC

William A. Scott  
Prothonotary Clerk of Courts

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

TOWNSHIP OF SANDY :  
VS. : NO. 04-1904-CD  
PHILIP J. TABONE LIMITED :

O R D E R

NOW, this 9th day of February, 2005, this being the date set for hearing relative Motion to Strike Lien filed on behalf of the Defendant, Philip J. Tabone, Ltd; the said Defendant and his counsel having appeared; no representative or attorney for the Township of Sandy having appeared; it appearing from the certificate of service filed on December 26, 2004, by Attorney Theron G. Noble, Esquire, that the Township of Sandy was appropriately provided notice of the hearing; in consideration of the items as set forth within the Motion, and it appearing that there is a defect in the lien in that the caption lists the Defendant's middle initiall incorrectly, it is hereby ORDERED that the municipal lien entered on December 1, 2004, be and is hereby stricken.

BY THE COURT:

  
President Judge

FEB 10 2005  
0731451  
William A. Shaw  
Prothonotary Clerk of Courts

Cent to Atty Noble (2)  
+  
E. Fenner (1)  
Sandy Twp (1)  
E. Fenner (1)

(1)

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

TOWNSHIP OF SANDY, :  
PLAINTIFF, :  
v. : No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, :  
715 S. Brady Street :  
DuBois, PA 15801 :  
DEFENDANT. :  
:

:  
: Type of Pleading:  
: **MOTION TO STRIKE LIEN**  
:

: Filed By:  
: **PHILIP P. TABONE, LTD,**  
real party in interest  
:

: Counsel of Record:  
: Theron G. Noble, Esquire  
Ferraraccio & Noble  
: 301 East Pine Street  
Clearfield, PA 16830  
: (814)-375-2221  
PA I.D.#: 55942  
:

11/21/04  
10cc  
B/C  
m/1/21/04  
DEC 21 2004  
William A. Shaw  
Prothonotary/Clerk of Courts

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
v. ) No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
DEFENDANT. )

**RULE TO SHOW CAUSE**

Now, this 22<sup>nd</sup> day of December, 2004, upon consideration of the attached MOTION TO STRIKE LIEN, a RULE is hereby issued upon the Plaintiff to SHOW CAUSE why the MOTION should not be granted. RULE RETURNABLE, for filing written response, is set for the 17 day of January, 2005, and argument on the MOTION set for the 9 day of January, 2005, at 9 : 00, A.M., in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

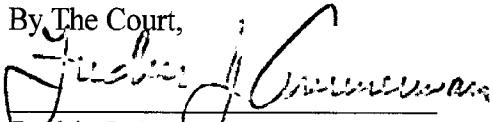
**NOTICE**

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION YOU SHOULD DO SO BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITION. YOU MAY LOSE RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CAN NOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator  
Second & Market Streets  
Clearfield, PA 16830  
(814)-765-2641

3570A 10c Atty  
Natalie  
✓ DEC 22 2004

By The Court,  
  
Fredric J. Ammerman, PJ

William A. Shaw  
Prothonotary

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
v. ) No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
DEFENDANT. )

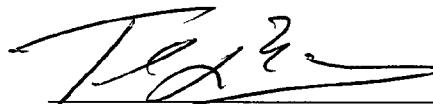
**MOTION TO STRIKE LIEN**

**AND NOW COMES, Philip P. Tabone, LTP, the real party in interest in the above captioned matter and who avers as follows in support of its MOTION TO STRIKE LIEN:**

1. That this matter was commenced by the Township of Sandy, Plaintiff, filing a lien, pursuant to a Municipal Claim on December 1, 2004, as above captioned. A true and correct copy of said lien, is attached hereto as Exhibit "A".
2. Pursuant to 53 Pa.C.S.A. §7144 the Court, without reliance on a jury trial, can strike such a lien when the lien contains a clear defect.
3. Attached hereto as Exhibit "B" are notices, required to be issued prior to the issuance of such a lien, see 53 Pa.C.S.A. §7101, et.seq., which were issued to Philip P. Tabone, LTD.
4. As is herein revealed, Plaintiff has either (i) issued the lien against the wrong entity (Philip J. Tabone, Limited) or (ii) issued the notices to the wrong entity (Philip P. Tabone, LTD).
5. In either scenario, Plaintiff has acted outside the purvey of said act, creating a clear defect in its attempt to issue alien.

**WHEREFORE, Philip P. Tabone, LTD, the real party in interest, requests that the lien issued in the above matter be stricken.**

Respectfully Submitted,



---

Theron G. Noble, Esquire  
Ferraraccio & Noble  
Attorney for Philip P. Tabone, LTD  
301 E. Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D.No.: 55942

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

DEC - 1 2004

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

Attest:

*[Signature]*  
Hon. [Signature]  
Prothonotary/  
Clerk of Courts

**TOWNSHIP OF SANDY**

vs.

NO. 04-1904 CD

**PHILIP J. TABONE LIMITED**  
715 S. Brady Street  
DuBois, PA 15801

**MUNICIPAL LIEN**

The Township of Sandy, a municipal corporation created by and existing under the laws of the Commonwealth of Pennsylvania, files this, its claim and lien, against **PHILIP J. TABONE LIMITED**, owner, for the sum of **ONE HUNDRED SEVENTY NINE and 28/100THS (\$179.28) DOLLARS**, with interest thereon from the **30<sup>TH</sup>** day of June, 2004, against all that piece or parcel of land, with the improvements thereon, situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

ALL that parcel or property identified on the Sandy Township Assessment Map as Parcel No. 128.0-B04-430-00045.

Bounded on the North by Philip J. Tabone Limited; on the South by Philip Tabone; on the East by Thomas E. & Virginia O. Schott; and on the West by South Brady Street.

County Assessment No. 128.0-B04-430-00045.

This is for the property located at 717 S. Brady Street, DuBois, PA 15801.

Exhibit "A"

The sum of **ONE HUNDRED SEVENTY NINE and 28/100THS (\$179.28) DOLLARS**, with interest as aforesaid, is claimed to be due for delinquent sewer and/or water taxes for the **2<sup>nd</sup> quarter 2003 through 2<sup>nd</sup> quarter 2004**.

The said sewer rate was imposed under and by virtue of an Ordinance of the said Township of Sandy, Ordinance No. 11 of said Township Supervisors, dated July 16, 1961, as well as Ordinance No. 19 of 1973, imposing quarterly sewer rentals or charges for the use of the sewers and sewer system in the Township of Sandy, and related provisions, as well as amendments to said Ordinance.

The said water rate was imposed under and by virtue of an Ordinance of the said Township of Sandy, imposing quarterly water rentals or charges for the use of the water system in the Township of Sandy, and related provisions, as well as amendments to said Ordinance.

And the said Township of Sandy files, this, its claim or lien, under and by virtue of an Act of Assembly of the State of Pennsylvania, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" - Approved the 16<sup>th</sup> day of May, 1923. And by virtue and in pursuance of an Ordinance of the said Township of Sandy approved as aforesaid.

The Township of Sandy

By: 

R. Edward Ferraro

Solicitor

Dated at Brockway, PA on 11/3/04, 2004

# Sandy Township Supervisors

# Sandy Township Municipal Authority

**P.O. BOX 267 • DUBOIS, PA 15801 • PHONE (814) 371-4220 • FAX (814) 375-7837 • E-MAIL [sandytwp@adelphia.net](mailto:sandytwp@adelphia.net)**

**Ray Anderson**  
Chairman

**MB Stojek**  
Manager

October 5, 2004

Exhibit "B"

Philip P. Tabone LTP  
715 S Brady St  
DuBois, PA 15801

## FIRST NOTICE

Account #: 03758-S  
Service Address: 717 S Brady St

Dear Mr. Tabone:

As of this date, review of the delinquent accounts for Sandy Township and/or Sandy Township Municipal Authority show an outstanding balance on your account, totaling \$179.28.

Please make payment in person at Shop 'n Save @ The Commons or mail your payment to Sandy Township Municipal Authority, P.O. Box 700, Indiana, PA 15701-0700. Please include your account number with your payment. If you have any questions regarding this amount please do not hesitate to contact me.

Sincerely,

  
Shelly A. Reisinger  
Accounts Receivable

cc: File

# Sandy Township Supervisors

# Sandy Township Municipal Authority

P.O. BOX 267 • DUBOIS, PA 15801 • PHONE (814) 371-4220 • FAX (814) 375-7837 • E-MAIL [sandytwp@adelphia.net](mailto:sandytwp@adelphia.net)

**Ray Anderson**  
Chairman

**MB Stojek**  
Manager

October 15, 2004

Philip P. Tabone LTP  
715 S Brady St  
DuBois, PA 15801

## SECOND NOTICE

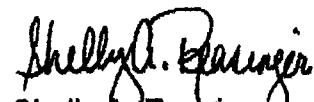
Account #: 03758-S  
Service Address: 717 S Brady St

Dear Mr. Tabone:

As of this date, review of the delinquent accounts for Sandy Township and/or Sandy Township Municipal Authority show an outstanding balance on your account, totaling \$179.28.

Please make payment in person at Shop 'n Save @ The Commons or mail your payment to Sandy Township Municipal Authority, P.O. Box 700, Indiana, PA 15701-0700. Please include your account number with your payment. If you have any questions regarding this amount please do not hesitate to contact me.

Sincerely,

  
Shelly A. Reisinger  
Accounts Receivable

cc: File

# Sandy Township Supervisors

# Sandy Township Municipal Authority

P.O. BOX 267 • DUBOIS, PA 15801 • PHONE (814) 371-4220 • FAX (814) 375-7837 • E-MAIL [sandytwp@adelphia.net](mailto:sandytwp@adelphia.net)

**Ray Anderson**  
Chairman

**MB Stojek**  
Manager

October 25, 2004

Philip P. Tabone, LTP  
715 S Brady St  
DuBois, PA 15801

## FINAL NOTICE

Account #: 03758-S  
Service Address: 717 S Brady St

Dear Mr. Tabone:

As of this date, review of the delinquent accounts for Sandy Township and/or Sandy Township Municipal Authority show an outstanding balance on your account, totaling \$179.28; all **delinquent accounts must be PAID IN FULL**.

This notification will serve as a **ten day notification** advising that the Authority will be required to place a municipal lien on your property any time after November 4, 2004, if payment is not received in full.

We strongly advise that you comply to this notice, in order to avoid any inconvenience.

Sincerely,

  
Shelly Reaslinger  
Accounts Receivable

cc: File

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
 )  
v. ) No. 04- 1904 -CD  
 )  
 )  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
 )  
DEFENDANT. )

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2005, upon presentation  
and hearing upon Philip P. Tabone's, LTD, MOTION TO STRIKE LIEN, in the above  
captioned matter, the Court being convinced that there is a clear defect in said lien, it is  
hereby ORDERED that the same is to be stricken.

By The Court,

---

Fredric J. Ammerman, PJ

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
v. ) No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
DEFENDANT. )

**VERIFICATION**

I, Philip P. Tabone, President of Philip P. Tabone, LTD, real party in interest, does hereby swear and affirm that I have read the foregoing and attached MOTION TO STRIKE LIEN in the above captioned matter, and that to the best of my information, knowledge and belief, the facts as set forth therein are true and correct. Furthermore, that I make this statement subject to the penalties of 18 Pa.C.S.A. 4101, relating to unsworn falsification to authorities.

So made this 14 day of December, 2004.

  
Philip P. Tabone, President

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

TOWNSHIP OF SANDY, )  
PLAINTIFF, )  
v. ) No. 04- 1904 -CD  
PHILIP J. TABONE LIMITED, )  
715 S. Brady Street )  
DuBois, PA 15801 )  
DEFENDANT. )

**CERTIFICATE OF SERVICE**

I, Theron G. Noble, Esquire, of Ferraraccio & Noble, attorney for Philip P. Tabone, LTD, real party in interest in the above captioned matter, do hereby certify that I did mail, this 18<sup>th</sup> day of December, 2005, a true and correct copy of the MOTION TO STRIKE LINE, to the below indicated person, being counsel of record for the Plaintiff, by depositing the same in the US Mail, first class, postage prepaid, addressed as follows:

R. Edward Ferraro, Esquire  
690 Main Street  
Brockway, PA 15824

Respectfully Submitted,

  
\_\_\_\_\_  
Theron G. Noble, Esquire  
Ferraraccio & Noble  
Attorney for Philip P. Tabone, LTD  
301 E. Pine Street  
Clearfield, PA 16830  
(814)-375-2221  
PA I.D.No.: 55942

FILED  
M 3.13.04 pd 200  
3000 d stn to atty

DEC - 1 2004

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

William A. Shaw  
Prothonotary

TOWNSHIP OF SANDY

vs. : NO. 04-1904 CD

PHILIP J. TABONE LIMITED  
715 S. Brady Street  
DuBois, PA 15801

MUNICIPAL LIEN

The Township of Sandy, a municipal corporation created by and existing under the laws of the Commonwealth of Pennsylvania, files this, its claim and lien, against **PHILIP J. TABONE LIMITED**, owner, for the sum of ONE HUNDRED SEVENTY NINE and 28/100THS (\$179.28) DOLLARS, with interest thereon from the 30<sup>TH</sup> day of June, 2004, against all that piece or parcel of land, with the improvements thereon, situate in the Township of Sandy, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

ALL that parcel or property identified on the Sandy Township Assessment Map as Parcel No. 128.0-B04-430-00045.

Bounded on the North by Philip J. Tabone Limited; on the South by Philip Tabone; on the East by Thomas E. & Virginia O. Schott; and on the West by South Brady Street.

County Assessment No. 128.0-B04-430-00045.

This is for the property located at 717 S. Brady Street, DuBois, PA 15801.

The sum of ONE HUNDRED SEVENTY NINE and 28/100THS (\$179.28) DOLLARS, with interest as aforesaid, is claimed to be due for delinquent sewer and/or water taxes for the 2<sup>nd</sup> quarter 2003 through 2<sup>ND</sup> quarter 2004.

The said sewer rate was imposed under and by virtue of an Ordinance of the said Township of Sandy, Ordinance No. 11 of said Township Supervisors, dated July 16, 1961, as well as Ordinance No. 19 of 1973, imposing quarterly sewer rentals or charges for the use of the sewers and sewer system in the Township of Sandy, and related provisions, as well as amendments to said Ordinance.

The said water rate was imposed under and by virtue of an Ordinance of the said Township of Sandy, imposing quarterly water rentals or charges for the use of the water system in the Township of Sandy, and related provisions, as well as amendments to said Ordinance.

And the said Township of Sandy files, this, its claim or lien, under and by virtue of an Act of Assembly of the State of Pennsylvania, entitled "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" – Approved the 16<sup>th</sup> day of May, 1923. And by virtue and in pursuance of an Ordinance of the said Township of Sandy approved as aforesaid.

The Township of Sandy

By:   
R. Edward Ferraro, Solicitor

Dated at Brockway, PA on 11/33, 2004

COMMONWEALTH OF PENNSYLVANIA

SS:

CLEARFIELD COUNTY

Raymond Anderson, Chairman, and Mary Beth Stojek, Manager, being duly sworn according to law, state that they are the use plaintiff in the above case, and that the facts therein set forth are true to the best of their knowledge, information and belief.



Raymond Anderson



Mary Beth Stojek

SWORN AND SUBSCRIBED BEFORE ME,

THIS 19 DAY OF November, 2004



Shelly A. Blasingame  
Notary Public

Shelly A. Blasingame  
Sandy Township  
Notary Public  
Commissioner  
11-8, 2004  
Signature

ENTERED AND FILED \_\_\_\_\_

\_\_\_\_\_  
Prothonotary

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

Sandy Township  
Plaintiff(s)

No.: 2004-01904-CD

Real Debt: \$179.28

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Philip J. Tabone Limited  
Defendant(s)

Entry: \$20.00

Instrument: Municipal Lien

Date of Entry: December 1, 2004

Expires: December 1, 2024

Certified from the record this 1<sup>st</sup> day of December, 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

Date: 02/03/2005

**Clearfield County Court of Common Pleas**

User: BANDERSON

Time: 09:31 AM

ROA Report

Page 1 of 1

Case: 2004-01904-CD

Current Judge: Fredric Joseph Ammerman

Sandy Township vs. Philip J. Tabone Limited

**Municipal Liens**

Date		Judge
12/01/2004	Filing: Mechanical/Municipal Lien Paid by: Sandy Township (plaintiff) Receipt number: 1891395 Dated: 12/01/2004 Amount: \$20.00 (Check) 3 CC & Stmt. To Atty. Lien entered against Def. in the amount \$179.28	No Judge <input checked="" type="checkbox"/>
12/21/2004	Motion to Strike Lien, filed by s/Theron G. Noble, Esq. No CC	No Judge <input checked="" type="checkbox"/>
12/22/2004	Now, this 22n day of Dec. 2004, upon consideration of the attached Motion to Strike lien a Rule is hereby issued upon the Plff to Show Cause why the Motion should not be granted. Returnable for filing is set for Jan. 17, 2005 and argument on Feb. 9, 2005 at (AM. S/FJA 1 CC to Atty.	Fredric Joseph Ammerman <input checked="" type="checkbox"/>
12/29/2004	Certificate of Service, 28th of Dec. 2004, RULE RETURNABLE issued upon Defendant's MOTION TO STRIKE LINE, to R. Edward Ferraro, Esquire. Filed by s/ Theron G. Noble, Esquire. No CC	Fredric Joseph Ammerman <input checked="" type="checkbox"/>

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA**

William Brown III

Nancy O. Brown

vs.

Lonnie Hazlet

Amy Hazlett

No. 2003-01302-CD

## OATH OR AFFIRMATION OF ARBITRATORS

Now, this 24th day of January, 2005, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

Girard Kasubick, Esquire

## Chairman

Mark Falvo, Esquire

David R. Thompson, Esquire

Sworn to and subscribed before me this  
January 24, 2005

## — — — Prothonotary

## AWARD OF ARBITRATORS

Now, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, we the undersigned arbitrators appointed in this case, after being duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows:

### Chairman

(Continue if needed on reverse.)

## ENTRY OF AWARD

Now, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

WITNESS MY HAND AND THE SEAL OF THE COURT

## Prothonotary

Bv