

04-1948-CD
ALBERT J. BEIGA vs. JOSEPH P. VELTRI

Albert Beiga vs Joseph Veltri
2004-1948-CD

NOTICE OF APPEAL

COURT OF COMMON PLEAS
CLEARFIELD COUNTY
JUDICIAL DISTRICT

46-3-01

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO.

04-1948-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

Joseph P Veltri

NAME OF APPELLANT

MAG. DIST. NO. OR NAME OF DJ.

1131 Pershing Ave

CV 475-04

ADDRESS OF APPELLANT

CITY

STATE

ZIP CODE

Brockway Pa 15824

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

11/8/04

Beiga, Albert J

(Defendant)

CLAIM NO.

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

CV

LT

Joseph P Veltri

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Beiga, Albert J, appellee(s), to file a complaint in this appeal
(Name of appellee(s))

(Common Pleas No. 04-1948-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To Beiga, Albert J, appellee(s).
(Name of appellee(s))

Joseph P Veltri
Signature of appellant or his attorney or agent

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: 12-7-04

William A. Shaw

Signature of Prothonotary or Deputy

FILED
© 10:00 AM 12/07/04
Copied to Dof

DEC 07 2004

William A. Shaw
Prothonotary

COURT FILE TO BE FILED WITH PROTHONOTARY

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; SS

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____. by personal service by (certified) (registered) mail, sender's
receipt attached hereto, and upon the appellee, (name) _____, on
_____. by personal service by (certified) (registered) mail, sender's receipt attached hereto.
 and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom
the Rule was addressed on _____. by personal service by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____,

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____,

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD
Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

BEIGA, ALBERT J
661 TREASURE LAKE
DUBOIS, PA 15801

NAME and ADDRESS

DEFENDANT:

VELTRI, JOSEPH P.
1131 PERSHING AVE
BROCKWAY, PA 15824

NAME and ADDRESS

Docket No.: **CV-0000475-04**
Date Filed: **9/20/04**



JOSEPH P. VELTRI
1131 PERSHING AVE
BROCKWAY, PA 15824

THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

Judgment was entered for: (Name) **BEIGA, ALBERT J**

Judgment was entered against: (Name) **VELTRI, JOSEPH P.**

in the amount of \$ **1,146.50** on: (Date of Judgment) **11/08/04**

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ 1,074.00
Judgment Costs	\$ 72.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 1,146.50
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total \$ _____	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

11-8-04 Date Patrick N. Ford - PLTF, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date _____, District Justice

My commission expires first Monday of January, **2006**.

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

CIVIL COMPLAINT

Mag. Dist. No.:

46-3-01

DJ Name: Hon.

PATRICK N. FORD

Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA 15801
Telephone: **(814) 371-5321**

PLAINTIFF:

NAME and ADDRESS

ALBERT J. BEIGA
661 Treasure Lk
Du Bois, PA 15801

VS.

DEFENDANT:

NAME and ADDRESS

JOSEPH P. VELTRI
1131 Pershing
Brockway, PA

	AMOUNT	DATE PAID
FILING COSTS	\$ <u>72.50</u>	<u>9/20/04</u>
POSTAGE	\$ _____	/ /
SERVICE COSTS	\$ _____	/ /
CONSTABLE ED.	\$ _____	/ /
TOTAL	\$ _____	/ /

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 1074.00 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

The Defendant failed to perform repairs to the Plaintiff's residence in a timely and satisfactory manner, for which he was fully paid.

Docket No.: **Cu-475-04**
Date Filed: **9-26-04**



I, Albert J. Beiga verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

Albert J. Beiga
(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: 814 371 0519

Address: 814 371 0519

Telephone: 814 371 0519

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

COMPLAINT COVER SHEET

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

Albert J Bequa

Plaintiff/Appellant

vs.

Joseph P Veltre

Defendant/Appellee

:
: District Justice Appeal
: CASE NO. 64 1948 CD

:
: Type of Pleading:
: **COMPLAINT**

:
: Filed on Behalf of
: **PLAINTIFF**

:
: Plaintiff's address:
: 661 Treasure Lake
: Dr Bois, PA 15801
: (814) 371 0519

6K 10/24/04
JAN 04 2005
FILED 200
Aff

William A. Shaw
Prothonotary/Clerk of Courts

COMPLAINT - NOTICE TO DEFEND

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

Albert J. Bequa

Plaintiff/Appellant

vs.

District Justice Appeal
CASE NO. 04 1948 CD

Joseph P. Veltz

Defendant/Appellee

Type of Pleading:
COMPLAINT

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 defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, Pennsylvania 16830
(814) 765-2641, extension 1300

COMPLAINT
IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

Albert J Beiga

Plaintiff/Appellant

vs.

Joseph P Valtr.

Defendant/Appellee

: District Justice Appeal
: CASE NO. 04 1948 C,

: Type of Pleading:
: COMPLAINT

COMPLAINT

Now, comes the Plaintiff, Albert J Beiga who hereby avers as follows:

1. Plaintiff J Beiga is an adult individual whose address is 661 Treasure Lake, DuBois, Pa 15801
2. Defendant is Joseph P. Valtr, an adult individual, whose address is 1131 Pershing Avenue, Brackway, Pa 15824
3. On or about May 12, 2004 the Plaintiff contracted with the Defendant to repair the brick stoop at the front entrance to the Plaintiff's residence
4. On or about May 17, 2004 the Plaintiff issued a check in the amount of \$38.00 for materials in accordance w. R. the Defendant's proposal.
5. On or about June 4, 2004 the Defendant arrived and began work, indicating the work would be completed at days end. I advised the Defendant that a prior appointment would prevent me return in time to make the final payment.

He assured me he would finish the work that day and suggested I make the final payment prior to departing, which I did. Upon my return I observed that the work was not completed.

6. When I contacted the Defendant he assured me he would return on June 7, 2004 to complete the work. When the Defendant arrived on that date I contacted with him to pressure wash the residence driveway, including the filling of cracks and seal coating at a cost of 436.00, for which I issued a check on that amount.

7. During this period I was enrolled in a Cardiac Rehab Program and the attendance prevented observation of the Defendant's work progress and performance. Upon my return home on June 7, 2004 the stoop work was not completed satisfactorily and the driveway was still conspicuously dirty.

8. Since June 7, 2004 the Defendant had made numerous appointments to rectify the unsatisfactory stoop work and re-clean the driveway. However the Defendant habitually failed to keep these appointments without notification. Excuses included; broken pressure washer, injury, cooperative truck and weather.

9. After repeated telephone calls by the Plaintiff the Defendant appeared at the Plaintiff's residence and removed his tools and material and advised me he would return on September 2, 2004 to continue the work which would be completed on September 7, 2004. The Defendant did not appear on either date and failed to call. This treatment has been typical by the Defendant since the project was started.

10. Upon request the Plaintiff can provide concealed checks, mismatched bricks and pictures.

11. The Plaintiff is requesting full reimbursement of 1074.00 plus cost from the Defendant to facilitate hiring another contractor to perform the required repairs in a satisfactory manner. OB

COMPLAINT - VERIFICATION

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

Allen to Berger

COURT OF COMMON PLEAS

CLERK FIELD EQUITY
JUDICIAL DISTRICT

L11-3-01

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 04-1948-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

Joseph P. Velti

NAME OF APPELLANT

1111 Peching Ave.

ADDRESS OF APPELLANT

Breckinridge, Pa 15231

CITY

DATE OF JUDGMENT

11/12/04

IN THE CASE OF (Plaintiff)

Beign, Albert J

CLAIM NO.

CV

LT

MAG. DIST. NO. OR NAME OF DJ.

CV 425-04

STATE

ZIP CODE

(Defendant)

vs. Joseph P. Velti

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

Joseph P. Velti

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon Beign, Albert J, appellee(s), to file a complaint in this appeal

(Common Pleas No. 04-1948-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To Beign, Albert J, appellee(s).

Signature of appellant or his attorney or agent

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service, or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: 12-11-04

Willie Shan

Signature of Prothonotary or Deputy

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

DEC 07 2004

Attest:

Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

Albert J. Beiga :
Plaintiff/Appellant :
vs. : District Justice Appeal
: CASE NO. 04 1948 AD
Joseph P. Veltz :
Defendant/Appellee :

CERTIFICATE OF SERVICE

I, Albert J. Beiga, Plaintiff above named, do hereby certify that on the 11th day of January, 2005, I caused a certified copy of the Complaint to be mailed, first class - postage prepaid, to the Defendant at his/her address as follows:

FILED
64 M 10:18 AM 2005
JAN 13 2005

all to Beiga
(sign your name here)

William A. Shaw
Prothonotary

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

ALBERT J. BEIGA,
Plaintiff

vs.

JOSEPE P. VELTRI,
Defendant

NO. 04-1948-C.D.

Type of Pleading: Answer

Filed on behalf of: Defendant
Joseph P. Velttri
1131 Pershing Avenue
Brockway, PA 15824

Counsel of Record for this Party:
Pro Se

FILED *ek*
01/30/05 2CC to Def.
FEB 04 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

ALBERT J. BEIGA, :
Plaintiff :
: :
vs. : NO. 04-1948-C.D.
: :
JOSEPH P. VELTRI, :
Defendant :
:

ANSWER

AND NOW, comes the Defendant, JOSEPH P. VELTRI, and responds to Plaintiff's Complaint as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Completion was delayed because of weather, although time was not critical.
6. Admitted.
7. The stoop work was not completed, because the Defendant spent ten hours working on the driveway as requested by the Plaintiff.
8. It is admitted that the stoop work again was set aside, as Plaintiff didn't like the driveway work and it was done four more times. Equipment problems also took place and the Defendant had to get new equipment and did continue working.
9. Defendant states that he returned several times and the Plaintiff and Plaintiff's wife were not happy with the brick work as it did not match up with the old brick. However, it was stated from the beginning that an exact

match would not be achieved and Plaintiff knew that. Plaintiff's wife may not have.

10. This allegation does not need responded to.

11. Defendant did everything asked of, and a lot more, with the Plaintiff or Plaintiff's wife making unreasonable and unrealistic demands. If anything was unfinished, it amounts to about one half hour of time, but nevertheless, the Defendant had expended so much time on the job, that he would have been entitled to more payment notwithstanding.

Defendant thinks that Plaintiff's Complaint is unreasonable and that Plaintiff has been unreasonable.

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

Date: February 4, 2005



Joseph P. Veltri

In The Court of Common Pleas Clearfield County
Pennsylvania

Albert J. Bequa
Plaintiff/Appellant
vs

Joseph P. Veltre
Defendant/Appellee

District Justice Appeal
Case No. 04-1948-C.B.

Plaintiff's Address
661 Treasure Lake
Do Boro, Pa 15801

8.14.04-05.19

FILED

FEB 28 2005

12:20 PM

William A. Shaw
Prothonotary

Paragraph 5. of the New Matter is denied. When the Defendant arrived on June 4, 2004 to commence work he assured me the work would be completed by the end of the day. Weather was a minor factor considering the fact the Defendant procrastinated 15 weeks (June 4, 2004 - September 16, 2004) and failed to complete the contracted work for which he was paid. The primary cause of the delay was created by the Defendants avoidance of his responsibilities by misrepresenting his intentions, breaking appointments, without notifying the Plaintiff and concocting excuses. Time was not a critical factor only to the Defendant.

Paragraph 5 of the New Matter is denied. The Plaintiff disputes the Defendants contention of the time devoted to cleaning the driveway. The Defendant was paid \$36.00 to pressure wash the driveway, including the filling of cracks and applying a seal coating. The pressure washing did not remove the discoloration on the concrete. The Plaintiff has photos to prove

this accusation. The Defendant did not fulfill the agreed contract. The Defendant stored a new pressure washing machine in the Plaintiff's garage for approximately two weeks. However, there was no indication of use since it remained in the same spot, the machine exhibited no visible water droppings and the instruction pocket was not removed. Any so called effort on the part of the Defendant did not produce any noticeable improvement in the driveway condition. The Defendant's statement that the Plaintiff requested ten hours of work on the driveway is very problematic. My complaint to the Defendant was and still is that the driveway remains conspicuously dirty. It would be difficult for the Defendant to expend ten hours of labor on the driveway without the Plaintiff observing the effort, which I did not

Paragraph 8 of the New Matter is denied. As elaborated in paragraph seven above, I do not believe the new equipment was used on the Plaintiff's driveway. Notwithstanding the fact that the Defendant had 15 weeks to correct the driveway cleaning deficiencies.

Paragraph 9 of the New Matter is denied. The Plaintiff's wife spoke to the Defendant on one occasion concerning the distinct variance of the replacement bricks. The Plaintiff emphasized this condition two or three times. The Defendant response proclaimed that the replacement bricks installed was the closest match he could find, which required a trip to Clearfield and cost 0.92 per brick. I realize that an exact match may not be possible. However the Plaintiff located very close matching bricks at the local True Value store (Kohlsapp)

costing 0.39 per brick. These bricks are similar in color and texture. The Plaintiff has samples for comparison to the bricks provided by the Defendant. The Plaintiff was not advised or consulted concerning the variance of the brick replacement. Photos Rightighting the mismatched brick work on the stoop are available.

Paragraph 11 of the New Matter is denied. The Plaintiff vehemently challenges the Defendant to specify any unreasonable or unrealistic demands. The Defendant installed approximately 100 mismatched bricks which equates to 600 per brick. He did not replace the eroded mortar between the original bricks or seal the gap between the stoop and the building. In addition numerous chipped original bricks were not replaced nor was the stoop pressure washed. The Defendant contracted to correct these omissions. Considering the numerous unanswered telephone calls to the Defendant, the no show appointments without advising the Plaintiff, the prolonged placement of his wheelbarrow, containers, tools and stacked bricks on the walkway and grass leading to the stoop, plus a broken walkway light, the Plaintiff is notably the aggrieved party in this dispute. The cement walkway still exhibits the imprint of the stacked bricks, in addition a portion of the lawn had to be reseeded and a new light purchased. The only demand made by the Plaintiff was the fulfillment of the Defendants work agreement for which he was fully paid.

Alberto Baeza

I verify that the statements made Reply are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. c.s. Section 4904 relating to Unsworn Falsification to Authorities

Alberto Baeza

Feb 29, 2005

Dear Mr. Shaw

In an effort to save time
please forward the certified
copy of the enclosed Reply to
New Motor to the following temporary
address

129 Amblerly Court

Columbus, 6. C. 29262

803/732-4206

Thank you

Albert Bunge

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

Albert J Beige

Plaintiff/Appellant

vs.

District Justice Appeal
CASE NO. 04 1948 CD

Joseph P. Veltre

Defendant/Appellee

FILED

AM

MAR 14 2005

11/8:30/

CERTIFICATE OF SERVICE William A. Shaw
Prothonotary

I, Albert J Beige, Plaintiff above named, do
hereby certify that on the Eleventh day of March
2005, I caused a certified copy of the ^{Reply to New} ~~Complaint~~
to be mailed, first class - postage prepaid, to the Defendant at
his/her address as follows:

1131 Pershing Avenue
Brockway, Pa 15824

Albert J Beige

(sign your name here)

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL TRIAL LISTING

04-1948-CD

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

CV. 475-04

CASE NUMBER

TYPE

TRIAL REQUESTED

DATE PRESENTED June 20, 2005

ESTIMATED TRIAL TIME

Date Complaint Jury Non-Jury

Filed: 9-20-04 Arbitration 2 days/hours

PLAINTIFF(S)

ALBERT J. BEIGA

DEFENDANT(S)

Check block if a Minor
is a Party to the Case

JOSEPH P. VELTRI

ADDITIONAL DEFENDANT(S)

None

JURY DEMAND FILED BY:

DATE JURY DEMAND FILED:

AMOUNT AT ISSUE CONSOLIDATION DATE CONSOLIDATION ORDERED

More than 1164.60

&

yes no

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:

Albert J. Beiga

Albert J. Beiga
FOR THE PLAINTIFF

814 371 0519
TELEPHONE NUMBER

Joseph P. Veltre
FOR THE DEFENDANT

814 265 0991
TELEPHONE NUMBER

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

FILED <sup>P&F
m 104904 2000</sup>
JUN 28 2005
No CC
William A. Shaw
Prothonotary/Clerk of Courts
6K

FILED

JUN 28 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

ALBERT J. BEIGA

vs.

JOSEPH P. VELTRI

: 1948
: No. 04-1984-CD

FILED 5cc
pla 2001 CIA
AUG 15 2005
LSM

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

NOW, this 15th day of August, 2005, it is the ORDER of the Court that the above-captioned matter is scheduled for Arbitration on Tuesday, October 11, 2005 at 1:00 P.M. The following have been appointed as Arbitrators:

Dwight L. Koerber, Jr., Esquire, Chairman

R. Denning Gearhart, Esquire

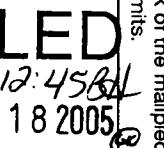
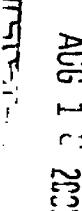
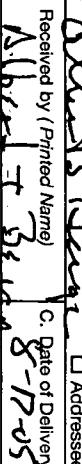
Theron G. Noble, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators. For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local Rule of Court.

Please report to Hearing Room No. 3, 2nd Floor, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

RECEIPT OF MAILING INFORMATION							
<ul style="list-style-type: none"> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 							
1. Article Addressed to:							
Albert J. Beiga 661 Treasure Lake DuBois, PA 15801							
  William A. Shaw Prothonotary/Clerk of Courts							
2. Article Number <small>(Transfer from service label)</small>							
#44-1948-00 							
3. Service Type <table border="0" style="margin-left: 20px;"> <tr> <td><input checked="" type="checkbox"/> Certified Mail</td> <td><input type="checkbox"/> Express Mail</td> </tr> <tr> <td><input type="checkbox"/> Registered</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td><input type="checkbox"/> C.O.D.</td> </tr> </table>		<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail	<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail						
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise						
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.						
4. Restricted Delivery? (Extra Fee)							
<input type="checkbox"/> Yes							
5. Signature							
<input checked="" type="checkbox"/> Albert J. Beiga							
6. Date of Delivery							
<input type="checkbox"/> Yes <small>If YES, enter delivery address below:</small> 							

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

Office of Court Administrator
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830

11111111

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

ALBERT J. BEIGA

vs.

JOSEPH P. VELTRI

40
No. 04-1984-CD

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

AUG 15 2005

Attest.

[Signature]
Prothonotary/
Clerk of Courts

ORDER

NOW, this 15th day of August, 2005, it is the ORDER of the Court that
the above-captioned matter is scheduled for Arbitration on Tuesday, October 11, 2005 at
1:00 P.M. The following have been appointed as Arbitrators:

Dwight L. Koerber, Jr., Esquire, Chairman

R. Denning Gearhart, Esquire

Theron G. Noble, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven
(7) days prior to the scheduled Arbitration. The original should be forwarded to the Court
Administrator's Office and copies to opposing counsel and each member of the Board of
Arbitrators. For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form
in enclosed as well as a copy of said Local Rule of Court.

Please report to Hearing Room No. 3, 2nd Floor, Clearfield County Courthouse,
Clearfield, PA.

BY THE COURT:

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN
President Judge

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressee to:

Joseph P. Veltri
1131 Pershing Avenue
Brookway, PA 15824

FILED

12:45PM
AUG 18 2005

Wm A. Shaw
Clerk of

Delivery/Secretary/Clerk of

Veltri

Veltri</p

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



• Sender: Please print your name, address, and ZIP+4 in this box •

Office of Court Administrator
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830

WJD/CD

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

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48
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[Signature]
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BY THE COURT:

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Albert J. Beiga

vs.

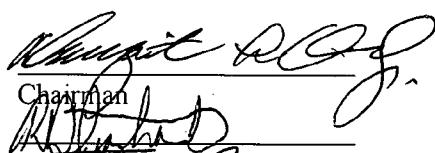
Joseph Veltri

No. 2004-01948-CD

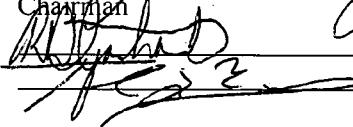
OATH OR AFFIRMATION OF ARBITRATORS

Now, this 11th day of October, 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.

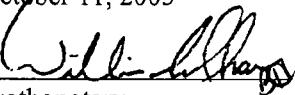
Dwight L. Koerber, Jr., Esq.


Chairman

R. Denning Gearhart, Esq.
Teron G. Noble, Esq.


FILED Notice to
01312005 Piff &
OCT 11 2005 Def.

Sworn to and subscribed before me this
October 11, 2005

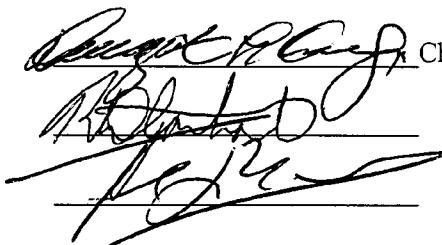

Prothonotary

William A. Shaw
Prothonotary/Clerk of Courts

AWARD OF ARBITRATORS

Now, this 11th day of October, 2005, 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:

- 1.) Verdict for Defendant on Plaintiff's complaint.
- 2.) Verdict for Plaintiff on Defendant's counterclaim.

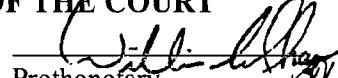

Chairman

(Continue if needed on reverse.)

ENTRY OF AWARD

Now, this 11th day of October, 2005, 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
By _____

 COPY

Albert J. Beiga : IN THE COURT OF COMMON PLEAS OF
Vs. CLEARFIELD COUNTY
Joseph Veltri : No. 2004-01948-CD

NOTICE OF AWARD

TO: JOSEPH VELTRI

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on October 11, 2005 and have awarded:

- 1) Verdict for Defendant on Plaintiff's complaint.
- 2) Verdict for Plaintiff on Defendant's counterclaim.

William A. Shaw

Prothonotary

By _____

October 11, 2005

Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

 COPY

Albert J. Beiga : IN THE COURT OF COMMON PLEAS OF
Vs. CLEARFIELD COUNTY
: No. 2004-01948-CD
:
Joseph Veltri

NOTICE OF AWARD

TO: ALBERT J. BEIGA

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on October 11, 2005 and have awarded:

- 1) Verdict for Defendant on Plaintiff's complaint.
- 2) Verdict for Plaintiff on Defendant's counterclaim.

William A. Shaw

Prothonotary

By _____

October 11, 2005

Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

RECEIVED

PRE-TRIAL (ARBITRATION) MEMORANDUM

SEP 28 2005

ALBERT J. BEIGA

1948

COURT ADMINISTRATORS
OFFICE

VS

NO. 04-1984-C.D

SEPTEMBER 27, 2005

JOSEPH P. VELTRI

a - The Defendant failed to perform repairs to the Plaintiff's residence in a satisfactory manner for which he was fully paid. The Defendant installed mismatched bricks on the Plaintiff's front stoop without consulting the Plaintiff. Several damaged bricks and eroded mortar joints between the bricks were not replaced. In addition the circumference of the stoop was not sealed as stated on the proposal. The Defendant's cleaning of the driveway did not remove the discoloration.

b - I have no specific knowledge of applicable case law or statutes.

c - I do not intend to call any witnesses except the Plaintiff.

d - Since the Defendant did not accomplish the restoration to the Plaintiff's property as agreed additional work was and is required to restore the property value. Cancelled checks endorsed by the Defendant and a work proposal signed by the Defendant are attached. In addition several polaroid pictures portraying the Defendant's unsatisfactory work will be presented at arbitration. These pictures do not reproduce with desired clarity and are not attached. In addition the Plaintiff will present several bricks contrasting the difference between the Defendant's installed bricks, the original bricks and the bricks the Plaintiff obtained locally which closely match the originals.

PRE TRIAL (ARBITRATION) MEMORANDUM

ALBERT J BEIGA

VS

NO. 04-1984-CB

SEPTEMBER 27, 2005

JOSEPH P VELTRI

----- d. (continued) The Plaintiff claims the following damages:

638.00 Unsatisfactory stoop repair

436.00 Unsatisfactory driveway cleaning

72.00 Judgement fee

20.00 Certificate of Readiness fee

30.00 Attorney fee

1196.00 Total

The Defendant has not identified or advised the Plaintiff of Counsel acting on his behalf.

Albert Beiga

ALBERT J. BEIGA

PLAINTIFF

265-1571

265-0991

PROPOSALJ. P. VELTRI
Masonry

No. _____

Date _____

Sheet No. _____

Proposal Submitted To:**Work To Be Performed At:**

Name A. J. BEICA

Street 661 Treasure Lake

City DuBois State PA

Phone 814 371 0519

Street

City

State

Date of Plans

Architect

We hereby propose to furnish the materials and perform the labor necessary for the completion of

*Fixing FRONT Entrance way by Taking OUT loose & broken
Brick,*

*PUTTING in new brick & remorter loose ones or with bad
mortar*

All Materials included

J.P. VELTRI
Masonry
Concrete Finishing,
Foundations, Footer, Patios,
Porches, Flues & Roofs.
265-1571 or 265-0991

*642039
5x1
61404
308.00*

*CL 2028
5x1
5/17/04
300.00
338.00*

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

Dollars (\$ 638.00)

with payments to be made as follows: *\$338.00 down & \$300.00 when finished*

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation and Public Liability Insurance on above work to be taken out by *ERIE*

Respectfully submitted

Per *Joseph P. Veltri*

Note-This proposal may be withdrawn by us if not accepted
within 3 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

C. A. Buege

Date *5/12/04*

Signature

ALBERT J. BEIGA
ALICE F. BEIGA
661 TREASURE LAKE
DUBOIS, PA 15801

50-685/435
500012379

2028

DATE May 17, 2004

J P Veltre
PAY TO THE ORDER OF

\$ 332 00

DOLLARS & 00



MEMO

10433068551 3000013379 2028 000000338000

ALBERT J. BEIGA
ALICE F. BEIGA
661 TREASURE LAKE
DUBOIS, PA 15801

50-685/435
500012379

2039

DATE June 1, 2004

J P Veltre
PAY TO THE ORDER OF
Three Hundred + 00/100

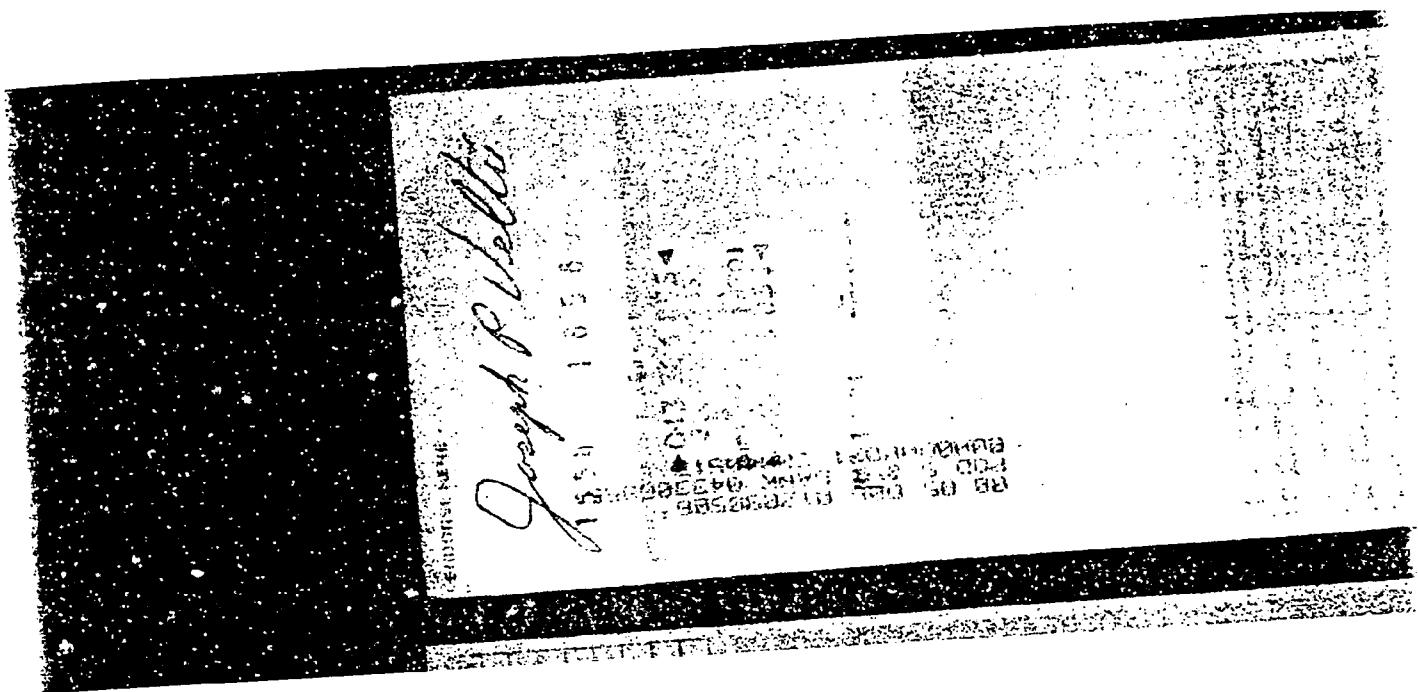
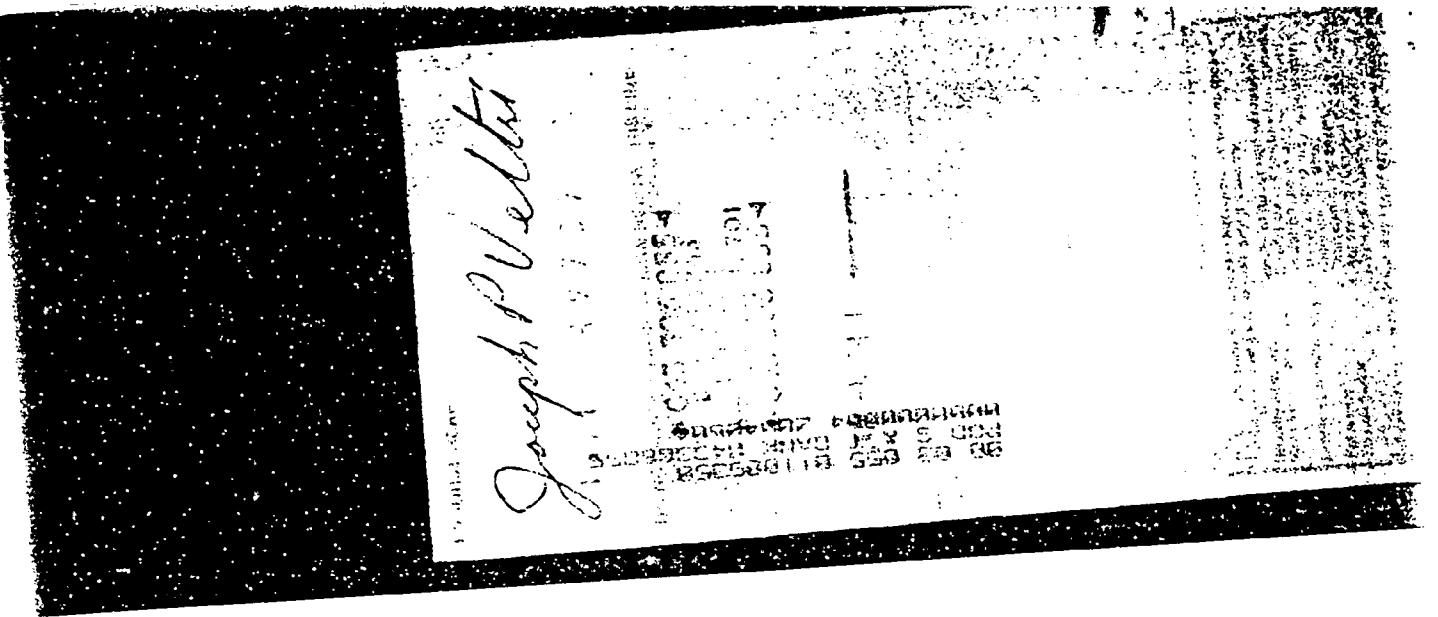
\$ 300 00

DOLLARS & 00



MEMO

10433068551 3000013379 2039 000000300000



ALBERT J. BEIGA
ALICE F. BEIGA
661 TREASURE LAKE
DUBOIS, PA 15801

2042
3000043600

DATE June 7, 2004

J P Valtr

PAY TO THE ORDER OF

Four Hundred Sixty Six + $\frac{00}{100}$ DOLLARS $\frac{00}{100}$



\$ 436 $\frac{00}{100}$

All to Beiga

MEMO

00433068551 3000043375 2042 0000043600

Joseph Schlesinger

1007 1/2 S. 6th Street

D

September 21, 2005

Marcy Kelley

Deputy Court Administrator

Forty-Sixth Judicial District

Clearfield County Courthouse

Suite 228, 230 East Market Street

Clearfield, Pa 16830

RECEIVED

SEP 28 2005

COURT ADMINISTRATOR'S
OFFICE

Dear Ms. Kelley

As instructed enclosed is the original Pre-Trial Statement, reference No 04-1984-C.D

A copy has been mailed to the Defendant

In addition copies have been mailed to the appointed Arbitrators:

Dwight L. Koerber, Jr. Esquire

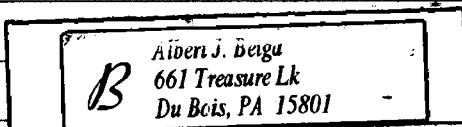
R. Denning Gerhart, Esquire

Theron G. Noble, Esquire

Thank you for your assistance in this matter.

Sincerely

Albert J. Beigu



814 371 0519

Dear Sirs

When I met Mr. Beige to do this brick work he told me that he new I couldn't match the brick. Well I went to Kokkheppa and I got the same type of brick old smokeyn. They didn't like same with Bigler, Somerset, Bradford, I went all over.

I found 40 brick that matched and paid them up.

Than he had us doing all their other work and he didn't like that either.

Pressure wash the driveway 6 times, sidewalk entrance way to basement. Poured front sidewalk
sewage lights level the sidewalk

I was on the job the same day I received the paper that he was taking me to court

With all extra we did I still be still owe me
\$650.00

I hope this give you some
I due what I was up against

Joseph P. Velti

Put 100
Finc 2