

04-1975-CD
COMMONWEALTH OF PENNSYLVANIA, et al. vs. PAULINE F. PELTON

Comm of PA) et al vs Pauline Pelton et al
2004-1975-CD

Date: 06/16/2006

Clearfield County Court of Common Pleas

User: LMILLER

Time: 12:19 PM

ROA Report

Page 1 of 3

Case: 2004-01975-CD

Current Judge: Fredric Joseph Ammerman

Commonwealth of Pennsylvania, Thomas W. Corbett Jr. vs. Pauline E. Pelton, Brides and Blossoms

Civil Other

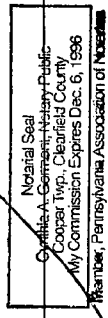
Date		Judge
12/14/2004	Filing: Civil Complaint Paid by: Commonwealth of PA Receipt number: 1892143 Dated: 12/14/2004 Amount: \$85.00 (Combination) 5 CC to Atty. Petition for a permanent injunction filed by Commonwealth.	No Judge No Judge
12/17/2004	Affidavit of Service: copy of Complaint in Equity and a Petition for a Permanent Injunction upon Pauline E. Pelton on Dec. 14, 2004. Filed by s/ Timothy B. Shirey, Consumer Protection Agent. No CC	No Judge
02/08/2005	Statement Regarding Substitution Of Successor Pursuant to Pennsylvania Rule Of Civil Procedure, filed by s/ E. Barry Creany. No CC	No Judge
02/11/2005	Filing: Judgment Paid by: Creany, E. Barry (attorney for Commonwealth of Pennsylvania) Receipt number: 1895670 Dated: 02/11/2005 Amount: \$20.00 (Check) Judgment entered against the Defendants in the amount of unspecified amount. Notice to Defendant.	No Judge
03/02/2005	Motion For Hearing For Adjudication and Framing of Decree, filed by Atty. Creany no cert. copies.	No Judge
03/08/2005	Order, AND NOW, this 7th day of March, 2005, upon Motion filed by the Commonwealth, a hearing is set for 1:30 p.m. on the 31st day of March, 2005, in Courtroom No. 1. BY THE COURT, /s/ Fredric J. Ammerman, Judge. 1CC w/Memo re:service to Atty Creany	Fredric Joseph Ammerman
03/14/2005	Affidavit Of Service, copy of the Order of March 7, 2005, upon Pauline E. Pelton, filed by s/ E. Barry Creany, Senior Deputy Atty General. Dated March 11, 2005, no CC	Fredric Joseph Ammerman
03/31/2005	Certified Mail/ Return Receipt Requested and Regular Mail, letter sent to Pauline Pelton, Filed by s/ E. Barry Creany, Senior Deputy Attorney General Order, NOW, this 31st day of March, 2005, following the entry of default judgment against Defendant, (see original). BY THE COURT: /s/ Fredric J. Ammerman, Judge. 2CC Atty. Creany, will serve	Fredric Joseph Ammerman Fredric Joseph Ammerman
04/05/2005	Order, AND NOW, this 5th day of April, 2005, paragraph 4 of this Court's Order of March 31, 2005 is amended as follows: (see original). BY THE COURT: /s/ Fredric J. Ammerman, President Judge. 2CC Atty Creany	Fredric Joseph Ammerman
04/18/2005	Affidavit of Service, Order and Amended Order upon Pauline E. Pelton on March 31, 2005. filed by s/ Timothy B. Shirey, No CC	Fredric Joseph Ammerman
04/25/2005	Petition, filed by s/ Pauline E. Pelton. 1CC Atty Carfley	Fredric Joseph Ammerman
04/29/2005	Rule To Show Cause: AND NOW, this 28th day of April, 2004, upon consideration of the Petition filed by Defendant, Pauline E. Pelton, a rule is issued upon Plaintiff. Rule returnable the 18th day of May, 2005 at 1:30 p.m. in Courtroom Number 1. BY THE COURT: /s/ Fredric J. Ammerman, President Judge. 1CC Atty Carfley	Fredric Joseph Ammerman
05/04/2005	Certificate of Service, Foregoing Petition and Rule to Show Cause served upon Thomas W. Corbett, Jr. Office of Atty. General. Filed by John R. Carfley, Esq. No CC	Fredric Joseph Ammerman
05/13/2005	Motion For Continuance, filed by s/ E. Barry Creany, Senior Deputy Attorney General, no CC	Fredric Joseph Ammerman

COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the 30th day of August, 1995, before me, the undersigned officer, personally appeared LOUISE E. HERTLEIN KIRKWOOD, known to me (or satisfactorily proved) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Cynthia A. Gormant

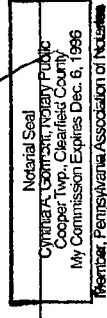


COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the 30th day of August, 1995, before me, the undersigned officer, personally appeared EVA JANE HERTLEIN, known to me (or satisfactorily proved) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Cynthia A. Gormant



Civil Other

Date		Judge
05/16/2005	Order, AND NOW, this 16th day of May, 2005, upon consideration of the Motion filed by the Commonwealth and upon the consent of counsel for Def, the Rule Returnable Hearing scheduled for Thurs., May 18, 2005 is continued. Further, the Rule Returnable Hearing on the petition filed by Defendant Pauline E. Pelton is scheduled for monday, June 6, 2005 at 10:00 a.m. in Courtroom No. 1. BY THE COURT, /s/ Fredric J. Ammerman, President Judge. 2CC Atty Creary	Fredric Joseph Ammerman
06/03/2005	Stipulations, filed. by Atty. Carfley 2 cert. to Atty.	Fredric Joseph Ammerman
06/06/2005	Order, AND NOW, this 6th day of June, 2005, upon consideration of the Stipulation filed by the Def. and the Commonwealth, it is ORDERED: (see original). By The Court: /s/Fredric J. Ammerman, Pres. Judge. 2CC Atty. Carfley	Fredric Joseph Ammerman
06/22/2005	Petition to Withdraw as Counsel, filed by s/John R. Carfley, Esq. Two CC Attorney Carfley	Fredric Joseph Ammerman
06/24/2005	Rule Returnable, NOW, this 23rd day of June, 2005, upon consideration of the Praecipe to Withdraw, it is Ordered that a rule returnable is set for the 4th day of August, 2005 at 3:00 p.m. in Courtroom No. 1. /s/Fredric J. Ammerman, Pres. Judge. 2CC Atty Carfley	Fredric Joseph Ammerman
06/28/2005	Certificate of Service of Petition to Withdraw as Counsel on Pauline Pelton and E Barry Creany Esq on June 27, 2005, filed, by John R Carfley Esquire. NO CC	Fredric Joseph Ammerman
08/09/2005	Order Of Court, this 4th day of August, 2005, Ordered that John R. Carfley, Esquire, be granted leave to withdraw as counsel for Pauline Pelton. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Carfley	Fredric Joseph Ammerman
10/28/2005	Petition For Contempt, filed by s/ Margie A. Anderson, Deputy Attorney General. 3CC Atty. Anderson	Fredric Joseph Ammerman
11/02/2005	Order, NOW, this 31st day of October, 2005, upon consideration of the Petition for Sanctions filed by the Commonwealth of Pa., Ordered that: Rule is issued upon Respondent Pauline E. Pelton, argument to be held on Dec. 20, 2005 in Courtroom 1 at 11:30 a.m. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty M. Anderson	Fredric Joseph Ammerman
11/07/2005	Certificate of Service, filed. That on the 4th day of November 2005, I mailed a time-stamped copy of the Petition for Contempt along with a copy of the Court's Order dated 31, 2005 to Pauline Pelton, filed by s/ Margie A. Anderson Esq. NO CC.	Fredric Joseph Ammerman
11/14/2005	Affidavit of Service filed. Served a time-stamped copy of the Petition for Contempt along with a copy of the Court's Order dated October 31, 2005, upon the respondent, Pauline Pelton on November 8, 2005 filed by s/ Timothy B. Shirey, Consumer Protection Agent II. No CC.	Fredric Joseph Ammerman
12/21/2005	Order, NOW, this 20th day of Dec., 2005, following discussion on the Petition for Contempt, Ordered: (see original). By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Creany, 1CC Def.	Fredric Joseph Ammerman
01/24/2006	Order, NOW, this 23rd day of Jan., 2006, the continuation of the hearing on the Commonwealth's Petition for Contempt is scheduled for the 24th day of Feb., 2006 at 2:30 p.m. in Courtroom No. 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Creany	Fredric Joseph Ammerman

COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the 30th day of August, 1995, before me,
the undersigned officer, personally appeared EDITH M. HERTLEIN
Edith
~~KIMBLE~~, known to me (or satisfactorily proved) to be the person
whose name is subscribed to the within instrument, and acknowledged
that she executed the same for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand and official
seal.

Cynthia A. Gormant
Notarial Seal
Cynthia A. Gormant, Notary Public
Cooper Twp., Clearfield County
My Commission Expires Dec. 6, 1996
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the 30th day of August, 1995, before me,
the undersigned officer, personally appeared PATSY L. HERTLEIN
KIMBLE, known to me (or satisfactorily proved) to be the person
whose name is subscribed to the within instrument, and acknowledged
that she executed the same for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand and official
seal.

Cynthia A. Gormant
Notarial Seal
Cynthia A. Gormant, Notary Public
Cooper Twp., Clearfield County
My Commission Expires Dec. 6, 1996
Member, Pennsylvania Association of Notaries

Civil Other

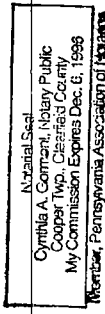
Date		Judge
01/27/2006	Certificate of Service, filed. That a true and attested copy of the Order of The Honorable Fredric J. Ammerman, dated January 23, 2006, scheduling a continuation hearing on the Commonwealth's Petition for Contempt was forwarded on this 26th day of January 2006 to Ms. Pauline E. Pelton, filed by s/ E. Barry Creany Esq. No CC.	Fredric Joseph Ammerman
02/24/2006	Order, NOW, this 24th day of Feb., 2006, Ordered that Def. Pauline E. Pelton is found to be in contempt, and may purge herself of contempt by paying to the Commonwealth the sum of \$10,158.96. In the event that Def. fails to make aforementioned payment by March 24, 2006, upon motion of the Commonwealth and following hearing thereon, a bench warrant may issue and she may be incarcerated until such time as she purges herself of contempt by payment of such amount as the Court would deem appropriate. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Creany, 1CC Def.	Fredric Joseph Ammerman
03/07/2006	Affidavit of Service filed. Served a true and correct copy of the Order entered February 24, 2006, upon Pauline E. Pelton filed by s/ Timothy B. Shirey. No CC.	Fredric Joseph Ammerman
03/27/2006	Motion For Bench Warrant, filed by s/ E. Barry Creany, Senior Deputy Attorney General. no CC	Fredric Joseph Ammerman
03/30/2006	Order, NOW, this 29th day of March, 2006, Ordered that a hearing is scheduled for the 26th day of April, 2006 at 10:00 a.m. in Courtroom No. 1. Defendant, Pauline E. Pelton, is ordered to appear before the Court at this time to show cause why she should not be incarcerated, and remain incarcerated, until such time as she purges herself of contempt by paying the amounts ordered by this Court on Feb. 24, 2006. At the time of the hearing, Defendant, Pauline E. Pelton is to bring with her the following: (see original). By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Creany, 1CC Def. - 1744 Old Turnpike Road, Allport, PA 16821	Fredric Joseph Ammerman
04/27/2006	Bench Warrant Order, NOW, this 26th day of April, 2006, payment has not been paid, and that the said Defendant has failed in all respects to comply with provisions of Court Orders and that she has failed in all respects to comply with Provisions of Court Orders and that she has failed to appear before the Court this date, it is the Order of this Court that Bench Warrant issue forthwith. By the Court /s/ Fredric J. Ammerman, Pres. Judge 2CC Atty. Creany, 1CC Pelton-1744 Old Turnpike Rd., Allport, PA 16821, 1CC Brides & Blossoms 1545 Troy-hawk Run Hwy. Philipsburg, PA 16866	Fredric Joseph Ammerman
05/03/2006	Returned mail, Order, dated April 26, 2006 to Brides & Blossoms at 1545 Troy-Hawk Run Hwy. Philipsburg, PA 16866, no further address in file.	Fredric Joseph Ammerman
06/15/2006	Civil Bench Warrant, Clfd. Co. Sheriff, to Bring Pauline Pelton before Judge Fredric Joseph Ammerman for Contempt of Court.	Fredric Joseph Ammerman

COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the 30th day of August, 1995, before me,
the undersigned officer, personally appeared FRANK P. HERTLEIN,
JR., known to me (or satisfactorily proved) to be the person whose
name is subscribed to the within instrument, and acknowledged that
he executed the same for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand and official
seal.

Cynthia A. Gorman

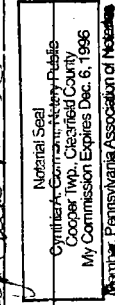


COMMONWEALTH OF PENNSYLVANIA) SS
COUNTY OF CLEARFIELD)

On this the 30th day of August, 1995, before me,
the undersigned officer, personally appeared GLENN R. HERTLEIN,
known to me (or satisfactorily proved) to be the person whose name
is subscribed to the within instrument, and acknowledged that he
executed the same for the purposes contained therein.

IN WITNESS WHEREOF, I hereunto set my hand and official
seal.

Cynthia A. Gorman



CA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
GERALD J. PAPPERT

PLAINTIFF

v.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL ACTION - EQUITY

NO. 2004 - 1975-CD

**COMPLAINT IN EQUITY AND
AND PETITION FOR A
PERMANENT INJUNCTION**

COUNSEL FOR PLAINTIFF

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FILED

DEC 14 2004

William A. Shaw
Prothonotary/Clerk of Courts

5 CC
Atty Creany
Atty. pd 85.00

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
GERALD J. PAPPERT

CIVIL ACTION - EQUITY

PLAINTIFF

NO. 2004 -

V.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

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 an 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 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.

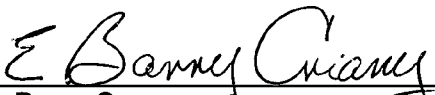
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

KEYSTONE LEGAL SERVICES, INC.
211 ½ EAST LOCUST STREET
CLEARFIELD, PA 16830
(814) 765-9646

Office of Attorney General


E. Barry Creany
Senior Deputy Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL	:	
GERALD J. PAPPERT	:	
	:	
<u>PLAINTIFF</u>	:	NO. 2004 -
	:	
v.	:	
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	
	:	
<u>DEFENDANT</u>	:	

**COMPLAINT IN EQUITY AND PETITION
FOR A PERMANENT INJUNCTION**

AND NOW, this 14th day of December, 2004, comes the Commonwealth of Pennsylvania by Attorney General Gerald J. Pappert, through the Bureau of Consumer Protection, and brings this action pursuant to the Unfair Trade Practices and Consumer Protection Law, Act of December 17, 1968, P.L. 1224, as amended and re-enacted by the Act of November 24, 1976, P.L. 1166, No. 260, the Act of December 3, 1996, 73 P.S. §201-1, *et seq.*, (hereinafter referred to as the "Consumer Protection Law"). The Consumer Protection Law authorizes the Attorney General to bring an action in the name of the Commonwealth of Pennsylvania to restrain by temporary and/or permanent injunction, unfair methods of competition or unfair or deceptive acts or practices in the conduct of any trade or commerce declared unlawful by §201-3 of the Consumer Protection Law. In support of this action the Commonwealth respectfully represents the following:

JURISDICTION AND VENUE

1. This Court has jurisdiction in this matter pursuant to 42 Pa.C.S. §931(a).

- 1 2. Venue in this judicial district is proper under 42 Pa.C.S. §931(c) and
2 Pa.R.C.P. No. 1503.

3
4 **THE PARTIES**

- 5 3. Plaintiff is the Commonwealth of Pennsylvania, by Attorney General Gerald
6 J. Pappert, through the Bureau of Consumer Protection, Ebensburg Regional
7 Office, 171 Lovell Avenue, Suite 202, Ebensburg, Cambria County,
8 Pennsylvania 15931.

- 9 4. Defendant Pauline E. Pelton is an adult individual and resident of the
10 Commonwealth of Pennsylvania who resides in Allport, Clearfield County,
11 Pennsylvania.

- 12 5. Defendant Pelton trades and does business as Brides and Blossoms from
13 a principal place of business at 1545 Troy-Hawk Run Highway, Philipsburg,
14 Clearfield County, Pennsylvania.

- 15 6. Defendant Pelton has engaged in trade and commerce within the
16 Commonwealth of Pennsylvania by advertising for sale, offering for sale,
17 selling flowers and formal wear apparel including, without limitation, wedding
18 dresses, bridesmaids dresses, shoes, prom gowns and other such formal
19 wear from her principal place of business.

- 20 7. The Commonwealth has reason to believe that the defendant has used
21 methods, acts or practices declared unlawful by §201-3 of the Consumer
22 Protection Law.

- 23 8. The Commonwealth believes that the public interest is served by seeking
24 before this Honorable Court a permanent injunction to restrain the methods,
25 acts and practices of defendant as hereinafter set forth. Further, the
26 Commonwealth requests restitution, civil penalties and costs and other
27 appropriate equitable relief as redress for violations of the Consumer
28 Protection Law.

- 1 9. At all times relevant and material hereto the unlawful methods, acts and
2 practices complained of herein have been willfully used by the defendant.
3

4 **DEFENDANT'S BUSINESS ACTIVITIES**

- 5 10. Defendant has accepted partial payment, and in some instances full
6 payment, from consumers for their purchase of merchandise including,
7 without limitation, special purchase items such as bridal gowns, bridesmaids
8 dresses, shoes, etc. (hereinafter "bridal merchandise").
- 9 11. Consumers who entered into contracts with the defendant for bridal
10 merchandise have ordered the same for a wedding and, therefore, time was
11 of the essence in said contracts. Further, defendant agreed to provide the
12 bridal merchandise within a reasonable period of time prior to the wedding.
- 13 12. After accepting payments from consumers, defendant failed to provide bridal
14 merchandise within a reasonable period of time prior to the date of the
15 wedding for which such bridal merchandise was ordered.
- 16 13. Consumers who entered into contracts with the defendant have ordered
17 dresses that were to be of a specific style, color and, in some instances,
18 from a specific manufacturer and, therefore, the style and manufacturer for
19 such dresses are material terms of these contracts. Further, defendant
20 agreed to provide dresses that were to be of a specific style, color and from
21 a specific manufacturer for the consumers' weddings.
- 22 14. After accepting payments from consumers, defendant failed to provide
23 consumers with dresses of a particular style, color or from the specific
24 manufacturer called for in the contract.
- 25 15. Consumers who entered into contracts with the defendant for bridal
26 merchandise, which was to be new, first quality merchandise. Defendant
27 agreed to provide said consumers with new, first quality bridal merchandise.
- 28 16. After accepting payments from consumers, defendant provided consumers

with bridal merchandise which was not new, first quality merchandise.

CONSUMER PROTECTION LAW VIOLATIONS

17. Defendant misrepresented to consumers the availability of bridal merchandise ordered, or in the alternative has failed to disclose the fact that such bridal merchandise was not available at the time of entering into the contract with the consumer.
18. Defendant misrepresented to consumers her ability to provide bridal merchandise in a timely manner, or in the alternative failed to disclose her inability to deliver the same within a reasonable period of time before the wedding for which the merchandise was ordered.
19. Defendant misrepresented to consumers the reason for delays in her receipt of bridal merchandise.
20. Defendant misrepresented to consumers the source of bridal merchandise delivered, or in the alternative failed to disclose the source for such bridal merchandise was not the same as had been agreed upon in contracts with the consumers.
21. Defendant misrepresented to consumers the quality of bridal merchandise, or in the alternative failed to disclose to consumers that bridal merchandise delivered was not new, first quality merchandise as had been agreed upon in contracts with the consumers.
22. Defendant has supplied non-conforming bridal merchandise in breach of her contracts with consumers.
23. The acts, practices and methods of competition set forth above are unlawful and in violation of the Consumer Protection Law in that they constitute unfair methods of competition and unfair or deceptive acts or practices in the conduct of trade or commerce as defined by §201-2(4)(i), (ii), (iii), (v), (vii), (xvi) and (xxi) of the Consumer Protection Law, 73 P.S. §201-2(4)(i), (ii), (iii),

1 (v), (vii), (xvi) and (xxi).

2 24. Defendant has caused irreparable harm by violating the Consumer
3 Protection Law and, therefore, the Commonwealth requests the relief set
4 forth in the Prayer for Relief below.

5
6 **PRAYER FOR RELIEF**

7 WHEREFORE, the Commonwealth respectfully requests this Honorable Court to
8 issue an Order:

- 9 A. Permanently enjoining the defendant from engaging in the aforementioned
10 acts, practices, methods of competition or any other practice violative of the
11 Consumer Protection Law;
- 12 B. Directing the defendant to make full restitution to all consumers who suffered
13 losses as the result of defendant's business practices as alleged in this
14 complaint;
- 15 C. Directing the defendant to pay civil penalties in the amount of One Thousand
16 and 00/100 Dollars (\$1,000.00) for each and every violation of the Consumer
17 Protection Law, which shall increase to Three Thousand and 00/100 Dollars
18 (\$3,000.00) for each violation involving a consumer victim age sixty (60) or
19 older;
- 20 D. Directing the defendant to pay the Commonwealth for the costs of its
21 investigation and prosecution of this action; and,
- 22 E. Providing such other equitable relief as the Court may deem necessary and
23 appropriate.
- 24
25
26
27
28

1 DATE: December 14, 2004

RESPECTFULLY SUBMITTED,

2

3

GERALD J. PAPPERT
ATTORNEY GENERAL

4

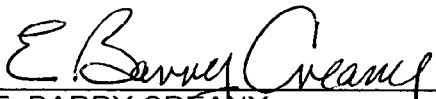
5

FRANK T. DONAGHUE
CHIEF DEPUTY ATTORNEY GENERAL

6

7

8


E. BARRY CREANY
SENIOR DEPUTY
ATTORNEY GENERAL

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

Timothy B. Shirey, states that he is in excess of eighteen (18) years of age and is an Agent for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection, the Plaintiff in this action. He verifies that the statements made in the foregoing Complaint in Equity and Petition for a Permanent Injunction are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Dated: December 13, 2004



Timothy B. Shirey
Consumer Protection Agent

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

CIVIL ACTION - EQUITY

NO. 2004 - 1975 - C.D.

V.

DEFENDANT

AFFIDAVIT OF SERVICE

I, Timothy B. Shirey, an adult citizen of the United States and agent for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection, do hereby state and affirm that I served a true and correct copy of the Complaint in Equity and a Petition for a Permanent Injunction dated December 14, 2004, upon Pauline E. Pelton by hand delivering a copy to her at 1545 Troy-Hawk Run Highway, Philipsburg, Clearfield County, Pennsylvania, at 10:25 AM, on Tuesday, December 14, 2004.

FILED ¹⁰ CC
m/10:48
DEC 17 2004 ECK

William A. Shaw
Prothonotary/Clerk of Courts

The Son

Timothy B. Shirey
Consumer Protection Agent

This statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

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

2

3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 THOMAS W. CORBETT, JR.

6 PLAINTIFF

7 vs.

8 PAULINE E. PELTON, d/b/a
9 BRIDES AND BLOSSOMS

10 DEFENDANT

CIVIL ACTION - EQUITY

No. 2004-1975-CD

STATEMENT REGARDING
SUBSTITUTION OF
SUCCESSOR PURSUANT
TO PENNSYLVANIA RULE
OF CIVIL PROCEDURE

11

12

13

14

15

16

17

18

19

20

21

COUNSEL FOR PLAINTIFF

22

23 E. BARRY CREANY
24 SENIOR DEPUTY ATTORNEY GENERAL
25 ATTORNEY I.D. NO. 39543
26 OFFICE OF ATTORNEY GENERAL
27 BUREAU OF CONSUMER PROTECTION
28 EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FILED

61K m/10/33/01 cc
FEB 08 2005

William A. Shaw
Prothonotary/Clerk of Courts

Copy to
CIA

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

2 COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
3 BY ATTORNEY GENERAL :
4 THOMAS W. CORBETT, JR. :
5 : No. 2004-1975-CD

6 PLAINTIFF :

7 vs. :

8 PAULINE E. PELTON, d/b/a :
9 BRIDES AND BLOSSOMS :

10 DEFENDANT :

11 **STATEMENT REGARDING SUBSTITUTION OF SUCCESSOR**
12 **PURSUANT TO PENNSYLVANIA RULE OF CIVIL PROCEDURE 2352(a)**

13 AND NOW, this 7th day of February, 2005, comes the Commonwealth of Pennsylvania,
14 by Attorney General Thomas W. Corbett, Jr., through the Bureau of Consumer Protection and
15 files this statement of material facts regarding the substitution of Attorney General Thomas W.
16 Corbett, Jr. in this action and in support thereof states the following:

17 1. In the General Election conducted on November 2, 2004, Thomas W. Corbett, Jr.,
18 was elected to serve as the Attorney General of the Commonwealth of Pennsylvania. Returns of
19 said election were certified as official on January 5, 2005.

20 2. On January 18, 2005, Attorney General Thomas W. Corbett, Jr., took the oath of
21 office thereby succeeding prior elected and appointed Attorneys General.

22 3. The Unfair Trade Practices and Consumer Protection Law authorizes the Attorney
23 General to bring actions in the name of the Commonwealth against any person to restrain by
24 temporary or permanent injunction the use of any methods, acts or practices declared unlawful
25 by §201-3 of said Act.

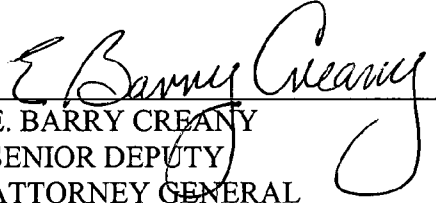
26 4. The above-captioned action was initiated pursuant to the powers granted the
27 Attorney General by §201-4 of the Consumer Protection Law at a time when Attorney General
28 Corbett's predecessor held office as the Pennsylvania Attorney General.

1 5. Attorney General Thomas W. Corbett, Jr., is currently representing the
2 Commonwealth of Pennsylvania in this action and, therefore, by operation of law should be
3 substituted and identified in the caption of this case as the party representing the Commonwealth
4 in this action.

6 RESPECTFULLY SUBMITTED,

7 THOMAS W. CORBETT, JR.
8 ATTORNEY GENERAL

9 FRANK T. DONAGHUE
10 CHIEF DEPUTY
11 ATTORNEY GENERAL

12 
13 E. BARRY CREANY
14 SENIOR DEPUTY
15 ATTORNEY GENERAL

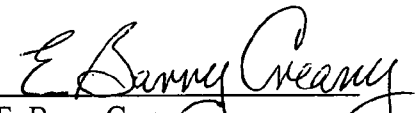
16 Office of Attorney General
17 Bureau of Consumer Protection
18 171 Lovell Avenue, Suite 202
19 Ebensburg, PA 15931
20 (814) 471-1831
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

I, E. Barry Creany, state that I am a Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection and that I am authorized to make this Verification and that the statements made in the foregoing Statement Regarding Substitution of Successor Pursuant to Pennsylvania Rule of Civil Procedure 2352(a) are true and correct to the best of my knowledge, information and belief. I understand that the statements made therein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Dated: February 7, 2005



E. Barry Creany
Senior Deputy Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Statement of Substitution being filed on behalf of the Plaintiff was forwarded on the 7th day of February, 2005, pursuant to Pennsylvania Rule of Civil Procedure 2352(a) by First Class U.S. Mail, postage prepaid, to all counsel of record addressed as follows:

Brides and Blossoms
ATTN: Ms. Pauline Pelton
213 Front Street
Philipsburg, PA 16866


E. Barry Creany
Senior Deputy Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT

PLAINTIFF

v.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL DIVISION

NO. 2004-1975-CD

**PRAECIPE FOR ENTRY OF
DEFAULT JUDGMENT WITH
WRITTEN CERTIFICATION**

COUNSEL FOR PLAINTIFF

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY NUMBER 39543
OFFICE OF ATTORNEY GENERAL
BUREAU OF CONSUMER PROTECTION
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FILED

FEB 11 2005

M/ 1:25/ WJ
William A. Shaw

Prothonotary/Clerk of Courts

NOTICE DEPOS
2

STATEMENT TO APP

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2 COMMONWEALTH OF PENNSYLVANIA :
3 BY ATTORNEY GENERAL :
4 THOMAS W. CORBETT :
5 PLAINTIFF :
6 v. :
7 PAULINE E. PELTON, d/b/a :
8 BRIDES AND BLOSSOMS :
9 DEFENDANT :
10 :
11 :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 :
23 :
24 :
25 :
26 :
27 :
28 :

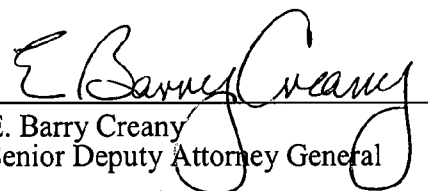
PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT
WITH CERTIFICATION OF WRITTEN NOTICE

13 TO: William A. Shaw, Jr., Prothonotary

14 Please enter judgment by default against Defendant Pauline E. Pelton, d/b/a Brides and
15 Blossoms, pursuant to Pennsylvania Rule of Civil Procedure No. 1511. Certification of Written
16 Notice is attached to this Praecipe.

18 DATE: February 8, 2005

Respectfully submitted,



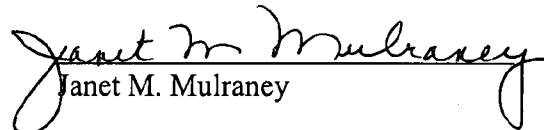
E. Barry Creany
Senior Deputy Attorney General

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2 COMMONWEALTH OF PENNSYLVANIA : CIVIL DIVISION
3 BY ATTORNEY GENERAL :
4 THOMAS W. CORBETT :
5 PLAINTIFF : NO. 2004-1975-CD
6 v. :
7 PAULINE E. PELTON, d/b/a :
8 BRIDES AND BLOSSOMS :
9 DEFENDANT :
10 :
11 :
12 :

13 **CERTIFICATION OF WRITTEN NOTICE**

14 I, Janet M. Mulraney, being an adult citizen of the United States and an employee of the
15 Pennsylvania Office of Attorney General, Bureau of Consumer Protection, certify, swear or
16 affirm that true and correct copies of the Commonwealth's Notice of Intent to Take Default
17 Judgment were mailed by Certified Mail, Return Receipt Requested to Defendant Brides and
18 Blossoms, ATTN: Pauline Pelton, 213 Front Street, Philipsburg, Pennsylvania 16866, on
19 January 5, 2005. Copies of said notice, cover letter, postal receipt and acknowledgment are
20 attached hereto and labeled Group Exhibit "A".

21
22 DATE: February 8, 2005

23 
Janet M. Mulraney

7002 2030 0005 7608 9166

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Office of Attorney General

Postage	\$.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

EBENSBURG
JAN 05 2005

PS Form 3800, June 2002 See Reverse for Instructions

Send To:
Brides and Blossoms
 Street, Apt. No.,
 or PO Box No. *213 Front Street*
 City, State, ZIP+4 *Philipsburg, PA 16866*

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Received by (Please Print Clearly) <i>Pauline Pelton</i> B. Date of Delivery <i>1/18/05</i></p> <p>C. Signature <i>*Pauline Pelton</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><i>Brides and Blossoms</i> <i>ATTN: Pauline Pelton</i> <i>213 Front Street</i> <i>Philipsburg, PA 16866</i></p>	<p>3. Service Type</p> <p><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.</p>
<p>2. Article Number (Copy from service label)</p> <p>1 11 111 111 111 111 17002 2030 0005 7608 9166</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

Group Exhibit "A"



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

GERALD J. PAPPERT
ATTORNEY GENERAL

Bureau of Consumer Protection
Ebensburg Regional Office
171 Lovell Ave., Suite 202
Ebensburg, PA 15931
(814) 471-1831
FAX (814) 471-1840

VIA: CERTIFIED MAIL/RETURN RECEIPT REQUESTED

January 5, 2005

Brides and Blossoms
ATTN: Pauline Pelton
213 Front Street
Philipsburg, PA 16866

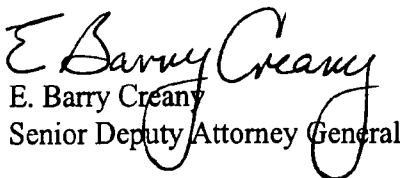
RE: Brides and Blossoms
Investigation #04-010TBS/EBC

Dear Ms. Pelton:

I am forwarding with this letter an Important Notice relating to the above-captioned case. Please give this matter your immediate attention.

Please give me a call if you would like to discuss this matter.

Sincerely,


E. Barry Creany
Senior Deputy Attorney General

Enclosure

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
GERALD J. PAPPERT

PLAINTIFF

v.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL ACTION - EQUITY

NO. 2004-1975-CD

**NOTICE OF INTENT TO
TAKE DEFAULT JUDGMENT**

COUNSEL FOR PLAINTIFF

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
GERALD J. PAPPERT

PLAINTIFF

v.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL ACTION - EQUITY

NO. 2004-1975-CD

TO: PAULINE E. PELTON

DATE: January 5, 2004

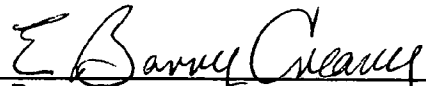
IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN
APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE
COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST
YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A
JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY
LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS
NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A

1 LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING
2 OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

3
4 KEYSTONE LEGAL SERVICES, INC.
5 211 1/2 EAST LOCUST STREET
6 CLEARFIELD, PA 16830
7 (814) 765-9646

8 OFFICE OF ATTORNEY GENERAL

9 
10 E. Barry Creany
11 Senior Deputy Attorney General
12 Bureau of Consumer Protection
13 171 Lovell Avenue, Suite 202
14 Ebensburg, PA 15931
15 (814) 471-1831

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT

PLAINTIFF

v.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL DIVISION

NO. 2004-1975-CD

**NOTICE OF ENTRY
OF JUDGMENT**

TO: Pauline E. Pelton d/b/a
Brides and Blosooms, Defendant

You are hereby notified that on February 11, 2005, judgment by default in an unspecified amount was entered against you in the above-captioned case.

DATE: February 11, 2005

William A. Shaw, Prothonotary

h

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

Commonwealth of Pennsylvania
Thomas W. Corbett
Plaintiff(s)

No.: 2004-01975-CD

Real Debt: \$Unspecified Amount

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Pauline E. Pelton
Brides and Blossoms
Defendant(s)

Entry: \$

Instrument: Default Judgment

Date of Entry: February 11, 2005

Expires: February 11, 2010

Certified from the record this February 11, 2005

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

CA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

PLAINTIFF

vs.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL ACTION - EQUITY

No. 2004-1975-CD

**MOTION FOR HEARING FOR
ADJUDICATION AND
FRAMING OF DECREE**

FOR THE PLAINTIFF

FOR THE DEFENDANT

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
OFFICE OF ATTORNEY GENERAL
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

PAULINE E. PELTON, PRO SE
213 FRONT STREET
PHILIPSBURG, PA 16866

FILED

MAR 02 2005
m/12:10/12
William A. Shaw
Prothonotary/Clerk of Courts
No C/c

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2 COMMONWEALTH OF PENNSYLVANIA :
3 BY ATTORNEY GENERAL :
4 THOMAS W. CORBETT, JR. :
5 PLAINTIFF :
6 vs. :
7 PAULINE E. PELTON, d/b/a :
8 BRIDES AND BLOSSOMS :
9 DEFENDANT :

CIVIL ACTION - EQUITY

No. 2004-1975-CD

10
11 **MOTION FOR HEARING FOR ADJUDICATION**
12 **AND FRAMING OF DECREE**
13

14 NOW COMES the Commonwealth of Pennsylvania by Attorney General Thomas W.
15 Corbett, Jr., and files the following Motion for a hearing and in support thereof sets forth the
16 following:

- 17 1. The immediate action was brought pursuant to the Pennsylvania Unfair Trade
18 Practices and Consumer Protection Law (hereinafter the "Consumer Protection
19 Law").
20 2. In this action the Commonwealth has requested equitable relief including, without
21 limitation, the entry of a permanent injunction to prevent future violations of the
22 Consumer Protection Law, restitution for consumers and the payment of civil
23 penalties and costs.
24 3. Pursuant to the Plaintiff's Praecipe for Entry of Default Judgment with
25 Certification of Written Notice, the Clearfield County Prothonotary entered
26 Judgment by Default against the Defendants on February 11, 2005.
27
28

1 4. The Judgment by Default entered in this action does not address all the claims for
2 equitable relief requested and specifically does not provide any of the injunctive
3 relief prayed for.

4 5. The Commonwealth believes that it can present testimony and additional evidence
5 which will assist the Court in its adjudication and framing of a final decree.

6 WHEREFORE, the Commonwealth respectfully requests this Honorable Court to
7 schedule a hearing in the above-captioned action in order to assist the Court in its adjudication
8 and framing of a final decree pursuant to Pennsylvania Rule of Civil Procedure No. 1037(d).

9
10 DATE: March 1, 2005

Respectfully submitted,

11
12 THOMAS W. CORBETT, JR.
13 ATTORNEY GENERAL

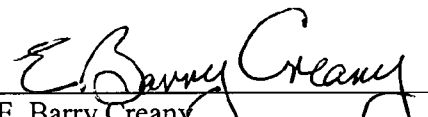
14 FRANK T. DONAGHUE
15 CHIEF DEPUTY
16 ATTORNEY GENERAL

17 
18 E. BARRY CREANY
19 SENIOR DEPUTY
20 ATTORNEY GENERAL

1
2 **CERTIFICATE OF SERVICE**

3 The undersigned hereby certifies that a true and correct copy of the foregoing Motion for
4 Hearing for Adjudication and Framing of Decree is being forwarded via First Class Mail,
5 postage prepaid this 1st day of March, 2005, to the following:
6

7
8 Brides and Blossoms
9 ATTN: Pauline E. Pelton
10 213 Front Street
11 Philipsburg, PA 16866

12 
13 E. Barry Creany
14 Senior Deputy Attorney General
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED
MAR 02 2005
William A. Shaw
Prothonotary/Clerk of Courts

CR

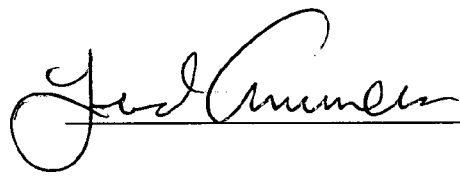
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL :
THOMAS W. CORBETT, JR. :
 : No. 2004-1975-CD
PLAINTIFF :
 :
vs. :
 :
PAULINE E. PELTON, d/b/a :
BRIDES AND BLOSSOMS :
 :
DEFENDANT :

ORDER

AND NOW, this th 7 day of March, 2005, upon Motion filed by the Commonwealth, a hearing for the purpose of receiving testimony and evidence to assist this Court in its adjudication and framing of a final decree pursuant to Pa.R.C.P. 1037(d) is hereby set for 1:30 P.M. on the 31 day of March, 2005, in Courtroom No. 1.


J.

FILED ^{OK} 100 w/
01/14/05 memo re: service
MAR 08 2005 to Atty
William A. Shaw *Creary*
Prothonotary/Clerk of Courts



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

MEMO: To all parties filing Petitions/Motions in Clearfield County:

Please make note of the following:

Rule 206(f) The party who has obtained the issuance of a Rule to Show Cause shall forthwith serve a true and correct copy of both the Court Order entering the Rule and specifying a return date, and the underlying Petition or Motion, upon every other party to the proceeding in the manner prescribed by the Pennsylvania Rules of Civil Procedure (see PA. R.C.P. 440) and upon the Court Administrator.

Rule 206(g) The party who has obtained the issuance of a Rule to Show Cause shall file with the Prothonotary, within seven (7) days of the issuance of the Rule, an Affidavit of Service indicating the time, place and manner of service. Failure to comply with this provision may constitute sufficient basis for the Court to deny the prayer of the Petition or Motion.

***** Please note: This also includes service of scheduling orders obtained as the result of the filing of any pleading.**

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

2
3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 GERALD J. PAPPERT

6 **PLAINTIFF**

7 v.

8 PAULINE E. PELTON, d/b/a
9 BRIDES AND BLOSSOMS

10 **DEFENDANT**

CIVIL ACTION - EQUITY

NO. 2004 - 1975 - C.D.

FILED NO CC
MAR 14 2005

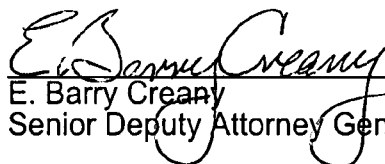
William A. S...
Prothonotary, The Court of Courts

11 **AFFIDAVIT OF SERVICE**

12
13 I, hereby certify that on March 11, 2005, I served upon Defendant Pauline E. Pelton
14 d/b/a Brides and Blossoms, a true and correct copy of the Order of The Honorable Fredric
15 J. Ammerman dated March 7, 2005, scheduling a hearing on this matter for March 31,
16 2005 by mailing a copy to said defendant by regular mail through the U.S. Postal Service,
17 First Class, postage prepaid and also by Certified Mail, Return Receipt Requested to the
18 following address:

19 Pauline E. Pelton
20 Brides and Blossoms
21 213 Front Street
22 Phillipsburg, PA 16866.

23 Dated: March 11, 2005

24 
E. Barry Creamy
25 Senior Deputy Attorney General

26
27 This statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to
28 unsworn falsification to authorities.

7002 2030 0005 7608 7926

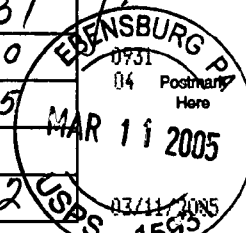
CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Special Use

Postage	\$0.37
Certified Fee	\$23.80
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$25.92



Sent To
Pauline E. Felton/Bridas and Blossoms
Street, Apt. No.;
or PO Box No. *213 Front Street*
City, State, ZIP+4
Phillipsburg PA 16866

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is **not** available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

PS Form 3800, June 2002 (Revised)
102595-02-M-1692

SENDER: COMPLETE THIS SECTION

- 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 Addressed to:

Pauline E. Pelton
Brides and Blossoms
213 Front Street
Phillipsburg, PA 16866

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Pauline Pelton 3/2/95

C. Signature

X Pauline Pelton ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☒ Yes

If YES, enter delivery address below: ☐ No

1545 Tracy Hawk Runway
16864

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

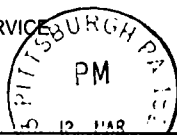
7002 2030 0005 7608 7926

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

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 Attorney General
Bureau of Consumer Protection
171 Lovell Avenue, Suite 202
Ebensburg, PA 15931

03





COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

TOM CORBETT
ATTORNEY GENERAL

Bureau of Consumer Protection
Ebensburg Regional Office
171 Lovell Ave., Suite 202
Ebensburg, PA 15931
(814) 471-1831
FAX (814) 471-1840

VIA: CERTIFIED MAIL/RETURN RECEIPT
REQUESTED AND REGULAR MAIL

March 11, 2005

Pauline E. Pelton
Brides and Blossoms
213 Front Street
Philipsburg, PA 16866

FILED No
0/1:5761 cc
MAR 31 2005 (6K)

William A. Shaw
Prothonotary/Clerk of Courts

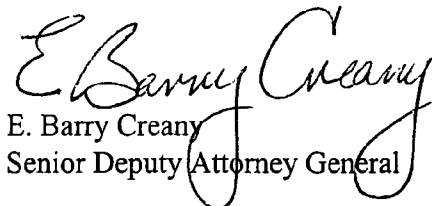
RE: Commonwealth v. Pauline E. Pelton d/b/a Brides and Blossoms
No. 2004-01975-CD
Clearfield County

Dear Ms. Pelton:

Enclosed with this letter is an Order scheduling a hearing in the above-captioned matter for
**Thursday, March 31, 2005, at 1:30 p.m. in Courtroom #1 of the Clearfield County
Courthouse.**

Thanks for your attention to this matter.

Sincerely,


E. Barry Creany
Senior Deputy Attorney General

Enclosure

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

2

3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

CIVIL ACTION - EQUITY

No. 2004-1975-CD

PLAINTIFF

6

7 PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

8

DEFENDANT

9

10

11

ORDER

12

13

14

15

16

AND NOW, this 31st day of March, 2005, following the entry of default judgment against Defendant Pauline E. Pelton, doing business as Brides and Blossoms ("defendant"), and a hearing conducted pursuant to Pa. R.C.P. 1037(d), it is ORDERED, ADJUDGED AND DECREED as follows:

17

18

19

20

21

22

23

24


25

26

27

28

1. Judgment is entered against defendant in the amount of One Thousand Three Hundred Ninety-one and 28/100 Dollars (\$1,391.28) for restitution due those two (2) individuals identified in the attached Schedule of Restitution pursuant to §4.1 of the Consumer Protection Law. 73 P.S. §201-4.1.
2. Judgment is entered against the defendant in the amount of Seven Thousand and 00/100 Dollars (\$7,000.00) as a civil penalty pursuant to §8(b) of the Consumer Protection Law. 73 P.S. §201-8(b).
3. The Clearfield County Prothonotary shall record judgment against the defendant in favor of the Commonwealth in the amount of Eight Thousand Three Hundred Ninety-One and 28/100 Dollars (\$8,391.28) and shall issue a statement of judgment incorporating said amount.

FILED 2cc
0/2:048D Amy
MAR 31 2005 Creamy-
will serv. 
William A. Shaw
Prothonotary/Clerk of Courts

- 1 4. Pursuant to §9 of the Consumer Protection Law, defendant is enjoined from
2 engaging in any trade and commerce within the Commonwealth of Pennsylvania
3 until such time as the defendant pays the amount due consumers for restitution as
4 set forth in paragraph 1 above. 73 P.S. §201-9.
- 5 5. Defendant is ordered to begin making payments toward satisfaction of the
6 judgment entered pursuant to paragraph 3 of this Order by way of monthly
7 installment payments to the Commonwealth of Pennsylvania in the amount equal
8 to the greater of fifteen percent (15%) of the defendant's monthly net income or
9 One Hundred and 00/100 Dollars (\$100.00). Said monthly installment payments
10 shall be due on or before the 1st day of each month with the first monthly
11 installment payment due on or before May 1, 2005. On or before the 15th day of
12 each month, defendant shall provide the Commonwealth with a financial
13 statement setting forth defendant's income and expenses for the preceding month
14 upon which defendant's monthly net income shall be calculated. Further,
15 defendant shall provide the Commonwealth with annual financial statements in
16 the format provided by the Commonwealth setting forth the defendants income,
17 expenses, assets and liabilities. The first such annual financial statement shall be
18 due on or before July 31, 2005. Defendant shall be in contempt of this Court's
19 Order if defendant fails to make any monthly installment payment or submit any
20 financial statement in a timely manner.
- 21 6. Upon satisfaction of the judgment for restitution due consumers as set forth in
22 paragraph 1 above, defendant may resume engaging in trade and commerce
23 within the Commonwealth of Pennsylvania subject to the following restrictions:
- 24 A. Defendant shall not misrepresent the following:
- 25 i. the availability of any merchandise being offered for sale;
- 26 ii. the make, manufacturer or source of any merchandise being
27 offered for sale;
- 28

1
2
3
4
5 **SCHEDULE OF RESTITUTION**
6
7
8
9
10

11

CONSUMER	RESTITUTION
Nikki Chutko	\$ 188.68
Debbie Swatsworth	\$1,202.60
TOTAL	\$1,391.28

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL	:	
THOMAS W. CORBETT, JR.	:	
	:	No. 2004-1975-CD
PLAINTIFF	:	
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	
	:	
DEFENDANT	:	

FILED 2cc
APR 05 2005
10:58 AM
Clerk

William A. Shaw
Prothonotary/Clerk of Courts

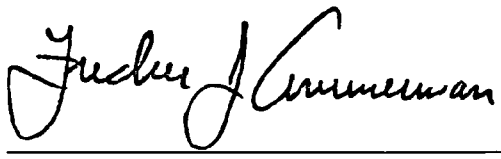
ORDER

AND NOW, this 5th day of April, 2005, paragraph 4 of this Court's Order of March 31, 2005, is amended as follows:

4. Pursuant to §9 of the Consumer Protection Law, defendant is enjoined from engaging in trade and commerce within the Commonwealth of Pennsylvania as the owner or operator of any company that engages in the sale of goods or services to consumers until such time as the defendant pays the amount due consumers for restitution as set forth in paragraph 1 of this Court's Order of March 31, 2005. This prohibition shall apply to the defendant whether she is acting directly on her own behalf, or acting through any corporate or other business entity. The defendant is not prohibited from serving as an employee for any company in which she had no financial interest other than her employment income (i.e., salary or wages). 73 P.S. §201-9.

This Court's Order of March 31, 2005, shall otherwise remain in full force and effect.

BY THE COURT,



Ammerman, P.J.

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

2
3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 GERALD J. PAPPERT

6 **PLAINTIFF**

7 v.

8 PAULINE E. PELTON, d/b/a
9 BRIDES AND BLOSSOMS

10 **DEFENDANT**

CIVIL ACTION - EQUITY

NO. 2004 - 1975 - C.D.

FILED
APR 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

11 **AFFIDAVIT OF SERVICE**

12
13 I, Timothy B. Shirey, an adult citizen of the United States and agent for the
14 Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer
15 Protection, do hereby state and affirm that I served a true and correct copy of the Order
16 entered March 31, 2005, and a true and correct copy of the amended Order entered April
17 5, 2005, upon Pauline E. Pelton by hand delivering copies to her at her place of business
18 located at 1545 Troy-Hawk Run Highway, Philipsburg, Clearfield County, Pennsylvania,
19 at 1:23 PM, on Thursday, April 7, 2005.

20
21 Dated: April 7, 2005

22 
23 Timothy B. Shirey
24 Consumer Protection Agent

25
26 This statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to
27 unsworn falsification to authorities.
28

CP

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

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

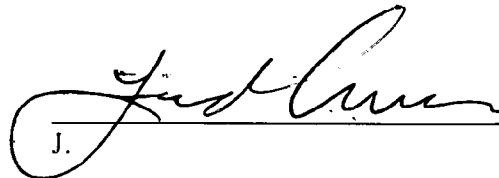
No. 2004-1975-CD

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

Defendant

RULE TO SHOW CAUSE

AND NOW, this 28 day of April, 2004, upon consideration of the
Petition filed by Defendant, Pauline E. Pelton, a rule is hereby issued upon Plaintiff to
Show Cause why the Petition should not be granted. Rule returnable the 18th day of
May, 2005, at 1:30 PM. in Courtroom Number 1, Clearfield,
Pennsylvania, for hearing thereon.


J.

FILED ^{CK}
01:02/01 *Any Co. Fleg*
APR 29 2005

William A. Shaw
Prothonotary/Clerk of Courts

CP

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

FILED

APR 25 2005

William A. Shaw
Prothonotary/Clerk of Courts

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

No. 2004-1975-CD

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

Defendant

PETITION

AND NOW comes your Petitioner, Pauline E. Pelton, who moves this Court for an Order permitting the liquidation of assets and in support thereof, avers as follows:

1. Petitioner is Pauline E. Pelton, who it is alleged previously engaged in business under the name of Brides and Blossoms, which individual and business entity was the subject of a Complaint filed by the Commonwealth of Pennsylvania to the above term and number and the further object of an Order of Court dated March 31, 2005 entered by default upon Defendant's failure to appear at the date and time specified by this Court. This Order and the subsequent Order of Modification dated April 5, 2005 are attached hereto as Exhibit "A."

2. The Defendant herein named, for all intents and purposes, has decided to terminate all business interests and to liquidate the inventory within the business premises and apply the net value to satisfy outstanding obligations, including the judgment for restitution due those individuals set forth in this Court's Order and the civil penalties assessed under the Consumer Protection Law.

3. At the present time, the Defendant is prohibited from engaging in any activity at or about the business premises by virtue of this Court's Order so that it is impossible for her to liquidate these assets in the normal course of business.

4. Defendant would request this Court to consider issuance of an Order permitting the Defendant to operate under the existing trade name, subject to the Court's control in a manner of liquidation with the proceeds to be applied as aforesaid.

5. Defendant further stands committed to provide the Court with a bi-weekly accounting of the business activity conducted by the Defendant individually and under the trade name of Brides and Blossoms, subject to the supervision and control of this Court until such time as the debts specified in this Court's Order of March 31, 2005, as amended, or until the liquidation of all assets has occurred, whichever shall occur last.

6. Under the current circumstances, the Defendant would be unable to satisfy the judgments entered by the Court since she has no other means of income and has no other assets from which to draw funds for the purpose of paying these debts, nor can she liquidate any other individual or business assets for those purposes.

WHEREFORE, Petitioner requests this Honorable Court to enter an Order directed to the Commonwealth of Pennsylvania to appear and show cause why the said Defendant should not be permitted to liquidate the assets of this business, subject to the supervision and control of the Court for purposes of satisfying the judgments entered and to make restitution as required under this Court's Order.

Respectfully submitted,

s/ Pauline E. Pelton

VERIFICATION

I hereby verify that the statements made in this instrument 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.

Pauline Pelton

Dated: 4-25-05

EXHIBIT “A”

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

2
3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 THOMAS W. CORBETT, JR.

CIVIL ACTION - EQUITY

No. 2004-1975-CD

6 PLAINTIFF

7 PAULINE E. PELTON, d/b/a
8 BRIDES AND BLOSSOMS

9 DEFENDANT

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

MAR 31 2005

11 ORDER

Attest.

W. L. H.
Prothonotary/
Clerk of Courts

12
13 AND NOW, this 31st day of March, 2005, following the entry of default judgment against
14 Defendant Pauline E. Pelton, doing business as Brides and Blossoms ("defendant"), and a
15 hearing conducted pursuant to Pa. R.C.P. 1037(d), it is ORDERED, ADJUDGED AND
16 DECREED as follows:

- 17 1. Judgment is entered against defendant in the amount of One Thousand Three
18 Hundred Ninety-one and 28/100 Dollars (\$1,391.28) for restitution due those two
19 (2) individuals identified in the attached Schedule of Restitution pursuant to §4.1
20 of the Consumer Protection Law. 73 P.S. §201-4.1.
21 2. Judgment is entered against the defendant in the amount of Seven Thousand and
22 00/100 Dollars (\$7,000.00) as a civil penalty pursuant to §8(b) of the Consumer
23 Protection Law. 73 P.S. §201-8(b).
24 3. The Clearfield County Prothonotary shall record judgment against the defendant
25 in favor of the Commonwealth in the amount of Eight Thousand Three Hundred
26 Ninety-One and 28/100 Dollars (\$8,391.28) and shall issue a statement of
27 judgment incorporating said amount.
28

1 4. Pursuant to §9 of the Consumer Protection Law, defendant is enjoined from
2 engaging in any trade and commerce within the Commonwealth of Pennsylvania
3 until such time as the defendant pays the amount due consumers for restitution as
4 set forth in paragraph 1 above. 73 P.S. §201-9.

5 5. Defendant is ordered to begin making payments toward satisfaction of the
6 judgment entered pursuant to paragraph 3 of this Order by way of monthly
7 installment payments to the Commonwealth of Pennsylvania in the amount equal
8 to the greater of fifteen percent (15%) of the defendant's monthly net income or
9 One Hundred and 00/100 Dollars (\$100.00). Said monthly installment payments
10 shall be due on or before the 1st day of each month with the first monthly
11 installment payment due on or before May 1, 2005. On or before the 15th day of
12 each month, defendant shall provide the Commonwealth with a financial
13 statement setting forth defendant's income and expenses for the preceding month
14 upon which defendant's monthly net income shall be calculated. Further,
15 defendant shall provide the Commonwealth with annual financial statements in
16 the format provided by the Commonwealth setting forth the defendants income,
17 expenses, assets and liabilities. The first such annual financial statement shall be
18 due on or before July 31, 2005. Defendant shall be in contempt of this Court's
19 Order if defendant fails to make any monthly installment payment or submit any
20 financial statement in a timely manner.

21 6. Upon satisfaction of the judgment for restitution due consumers as set forth in
22 paragraph 1 above, defendant may resume engaging in trade and commerce
23 within the Commonwealth of Pennsylvania subject to the following restrictions:

24 A. Defendant shall not misrepresent the following:

- 25 i. the availability of any merchandise being offered for sale;
26 ii. the make, manufacturer or source of any merchandise being
27 offered for sale;

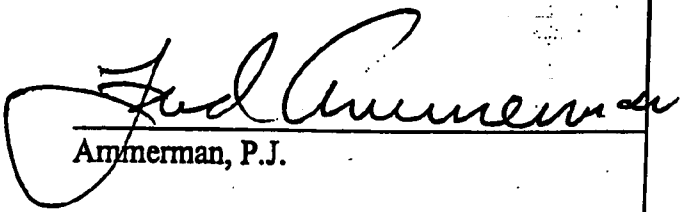
- 1 iii. the existence of, or cause for any delay in supplying any
2 merchandise; and,
3 iv. the quality or nature of any merchandise, including, without
4 limitation, that the merchandise is new, first quality merchandise.

5 B. Defendant shall not deliver merchandise that is of a quality inferior to
6 new, first quality merchandise, unless the defendant and consumer have
7 agreed in writing to a lesser quality. Further, defendant shall supply
8 merchandise that conforms with the particular style, model, quality or
9 other characteristics provided for in the consumer's order.

10 C. Defendant shall supply a consumer with all merchandise ordered for a
11 specific event (e.g., a prom or wedding) by the date for delivery set forth
12 in the consumer's order or, when no such date is provided for in the
13 consumer's order, within a reasonable period of time prior to said event.
14 Provided, however, in the event that after placing a consumer's order the
15 defendant discovers that any merchandise becomes unavailable, or such
16 merchandise cannot be delivered in time for the specific event for which it
17 was ordered, then the defendant shall notify the consumer immediately
18 upon discovery of such information and shall provide the consumer with
19 the opportunity to cancel the order and receive a full refund.

20 D. Defendant shall provide full refunds within seven (7) days of a
21 cancellation request from a consumer who cancels because the
22 merchandise will not be available or cannot be delivered in time for the
23 specific event for which it was ordered.

24
25 BY THE COURT,

26
27
28 
 Ammerman, P.J.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SCHEDULE OF RESTITUTION

CONSUMER	RESTITUTION
Nikki Chutko	\$ 188.68
Debbie Swatsworth	\$1,202.60
TOTAL	\$1,391.28

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

2
3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 THOMAS W. CORBETT, JR.

CIVIL ACTION - EQUITY

No. 2004-1975-CD

6 PLAINTIFF

7 PAULINE E. PELTON, d/b/a
8 BRIDES AND BLOSSOMS

9 DEFENDANT

10 **ORDER**

11
12 AND NOW, this day of April, 2005, paragraph 4 of this Court's Order of March 31,
13 2005, is amended as follows:

14 4. Pursuant to §9 of the Consumer Protection Law, defendant is enjoined from
15 engaging in trade and commerce within the Commonwealth of Pennsylvania as
16 the owner or operator of any company that engages in the sale of goods or
17 services to consumers until such time as the defendant pays the amount due
18 consumers for restitution as set forth in paragraph 1 of this Court's Order of
19 March 31, 2005. This prohibition shall apply to the defendant whether she is
20 acting directly on her own behalf, or acting through any corporate or other
21 business entity. The defendant is not prohibited from serving as an employee for
22 any company in which she had no financial interest other than her employment
23 income (i.e., salary or wages). 73 P.S. §201-9.

24 This Court's Order of March 31, 2005, shall otherwise remain in full force and effect.

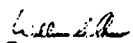
25 BY THE COURT,

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

28 APR 05 2005

/s/ Fredric J. Ammerman

Ammerman, P.J.

Attest. 
Prothonotary/
Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

No. 2004-1975-CD

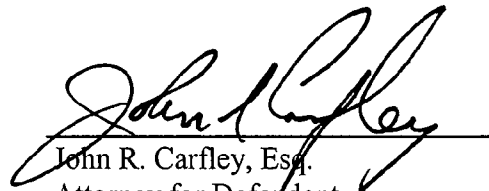
PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

Defendant

CERTIFICATE OF SERVICE

I hereby certify that I forwarded a copy of the foregoing Petition and Rule to
Show Cause, by regular mail, postage prepaid to the following attorneys and/or parties of
record, on this 2nd day of May, 2005:

Commonwealth of Pennsylvania
Office of Attorney General
Thomas W. Corbett, Jr.
Bureau of Consumer Protection
171 Lovell Avenue, Suite 202
Ebensburg, PA 15931



John R. Carfley, Esq.
Attorney for Defendant,
ID# 17621
P. O. Box 249
Philipsburg, PA 16866
(814) 342-5581

FILED
MAY 04 2005
cc

William A. Shaw
Prothonotary/Clerk of Courts

CA

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2
3 COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
4 BY ATTORNEY GENERAL :
5 THOMAS W. CORBETT, JR. :
6 :
7 :
8 :
9 :
10 :
11 :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 :
23 :
24 :
25 :
26 :
27 :
28 :

COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL :
THOMAS W. CORBETT, JR. :

PLAINTIFF :

vs. : MOTION FOR CONTINUANCE

PAULINE E. PELTON, d/b/a :
BRIDES AND BLOSSOMS :

DEFENDANT :

FILED
MAY 13 2005
William A. Shaw
Prothonotary, Clerk of Courts

21 FOR THE PLAINTIFF
22
23 E. BARRY CREANY
24 SENIOR DEPUTY ATTORNEY GENERAL
25 ATTORNEY I.D. NO. 39543
26 OFFICE OF ATTORNEY GENERAL
27 BUREAU OF CONSUMER PROTECTION
28 EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FOR THE DEFENDANT

JOHN R. CARFLEY, ESQUIRE
222 PRESQUEISLE STREET
P.O. BOX 249
PHILIPSBURG, PA 16866
(814) 342-5581

1	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA		
2	COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION - EQUITY
3	BY ATTORNEY GENERAL	:	
4	THOMAS W. CORBETT, JR.	:	No. 2004-1975-CD
5	PLAINTIFF	:	
6	vs.	:	
7	PAULINE E. PELTON, d/b/a	:	
8	BRIDES AND BLOSSOMS	:	
9	DEFENDANT	:	

11 **MOTION FOR CONTINUANCE**

13 NOW COMES the Commonwealth of Pennsylvania by Attorney General Thomas W.
14 Corbett, Jr., and files this Motion for Continuance and in support thereof sets forth the following:

- 16 1. Upon petition filed on behalf of Defendant Pauline E. Pelton, a Rule Returnable
17 Hearing was scheduled for Thursday, May 18, 2005, at 1:30 p.m., before
18 President Judge Ammerman.
- 19 2. Counsel for the Commonwealth will not be available to appear at the Rule
20 Returnable Hearing due to a conflict involving a previously scheduled matter that
21 he will be attending in Harrisburg on May 18 and May 19.
- 22 3. Counsel for the Commonwealth contacted John R. Carfley, Esquire, and
23 requested an agreement to continue the Rule Returnable Hearing scheduled for
24 May 18, 2005.
- 25 4. Attorney Carfley has agreed to a continuance of the hearing scheduled for May
26 18, 2005, and indicated that he was not available to attend the hearing on that
27 date.


WHEREFORE, the Commonwealth, with the consent of counsel for Defendant Pauline E. Pelton, respectfully requests this Honorable Court to enter an order continuing the hearing scheduled for May 18, 2005, until sometime after June 3, 2005.

DATE: May 12, 2005

Respectfully submitted,

THOMAS W. CORBETT, JR.
ATTORNEY GENERAL

FRANK T. DONAGHUE
CHIEF DEPUTY
ATTORNEY GENERAL

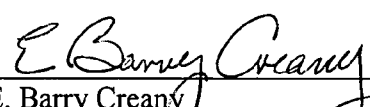

E. BARRY CREAMY
SENIOR DEPUTY
ATTORNEY GENERAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion for Continuance is being forwarded via First Class Mail, postage prepaid this 12th day of May, 2005, to the following:

John R. Carfley, Esquire
222 Presqueisle Street
P.O. Box 249
Philipsburg, PA 16866



E. Barry Creany
Senior Deputy Attorney General

CA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

CIVIL ACTION - EQUITY

No. 2004-1975-CD

PLAINTIFF

vs.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

ORDER

AND NOW, this 16th day of May, 2005, upon consideration of the Motion filed by the Commonwealth and upon the consent of counsel for Defendant Pauline E. Pelton, the Rule Returnable Hearing scheduled for Thursday, May 18, 2005, is continued.

FURTHER, the Rule Returnable Hearing on the petition filed by Defendant Pauline E. Pelton is scheduled for Monday, June 6, 2005, at 10:00 A.M., in Courtroom No. 1

BY THE COURT,


J.

FILED 2cc
9:32 AM
MAY 16 2005
William A. Shaw
Prothonotary/Clerk of Courts
My Creary

CA

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2
3 COMMONWEALTH OF PENNSYLVANIA :
4 BY ATTORNEY GENERAL :
5 THOMAS W. CORBETT, JR. :
6 :
7 :
8 :
9 :
10 :
11 :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 :
23 :
24 :
25 :
26 :
27 :
28 :

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

PLAINTIFF

vs.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL ACTION - EQUITY

No. 2004-1975-CD

STIPULATION

FILED
JUN 03 2005
01235 /
William A. Shaw
Prothonotary/Clerk of Courts
2 CASE TO ATT

FOR THE PLAINTIFF

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
OFFICE OF ATTORNEY GENERAL
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FOR THE DEFENDANT

JOHN R. CARFLEY, ESQUIRE
222 PRESQUEISLE STREET
P.O. BOX 249
PHILIPSBURG, PA 16866
(814) 342-5581

1 || IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

2 || COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY

3 BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

4 : No. 2004-1975-CD

PLAINTIFF

5

6 vs.

7 PAULINE E. PELTON, d/b/a

BRIDES AND BLOSSOMS

8
9 DEFENDANT

11 **STIPULATION**

WHEREAS, the Plaintiff, the Commonwealth of Pennsylvania by Attorney General Thomas W. Corbett, Jr. (hereinafter "Commonwealth"), and Defendant Pauline E. Pelton, d/b/a Brides and Blossoms (hereinafter "Defendant") are before this Court on the Rule issued upon the Commonwealth to Show Cause why the Defendant should not be permitted to conduct a liquidation sale of her business, Brides and Blossoms.

WHEREAS, the Commonwealth and Defendant have enter this Stipulation for the purposes of requesting this Honorable Court to enter an Order granting the relief requested in the Petition filed by the Defendant and, in support thereof, stipulate to the following facts:

1. Orders were entered on March 31, 2005, and April 5, 2005, by this Court entering judgments for restitution and civil penalties against the Defendant and providing injunctive relief including, without limitation, paragraph 4 of said Order which prohibited Defendant from engaging in trade and commerce until such time as she satisfied the judgment for restitution due consumers whose claims had been included in the action brought by the Commonwealth.
2. On April 25, 2005, Defendant filed a Petition requesting this Honorable Court's permission for her to liquidate the assets of her business for the purpose of

1 satisfying the judgments that had been entered against her and to make restitution
2 as required by the Court's Order.

3 3. On or about April 29, 2005, Defendant transferred to the Commonwealth the sum
4 of One Thousand Four Hundred Ninety-One and 28/100 Dollars (\$1,491.28)
5 representing the payment in full of the judgment for restitution due consumers of
6 One Thousand Three Hundred Ninety-One and 28/100 Dollars (\$1,391.28) and,
7 the first payment on the civil penalties owed the Commonwealth of One Hundred
8 and 00/100 Dollars (\$100.00).

9 4. Although the Defendant has satisfied the consumer complaints that had been
10 received by the Commonwealth prior to March 31, 2005, the Commonwealth has
11 received several additional complaints from consumers alleging that the
12 Defendant failed to fill obligations due consumers under the terms of contracts
13 between said consumers and the Defendant. A list setting forth the names of
14 those consumers who recently have filed complaints with the Commonwealth has
15 been attached hereto and labeled Exhibit "A".

16 WHEREFORE, the Commonwealth and the Defendant stipulate to the entry of an Order
17 providing the following relief:

- 18 A. Defendant is permitted to conduct a sale liquidating all of the assets of her
19 business, Brides and Blossoms, (hereinafter "Going Out of Business Sale")
20 pursuant to the provisions of the Closing-Out, Damaged Goods, Defunct Business
21 Sale Law, 53 P.S. §4471-1, and the provisions of the Court's Order.
- 22 B. Defendant shall establish a special depository account and shall deposit into said
23 account all of the proceeds from the sale of any assets sold in the course of her
24 Going Out of Business Sale.
- 25 C. Defendant shall maintain an accounting of all business activity occurring during
26 the course of her Going Out of Business Sale and shall provide the
27 Commonwealth a copy of the accounting on a weekly basis until her Going Out of
28 Business Sale has been concluded. Said accounting shall identify each asset sold,

1 the amount received for the asset and, for any assets valued over Twenty and
2 00/100 Dollars (\$20.00), the name of the purchaser of said asset.

3 D. Upon conclusion of the Defendant's Going Out of Business Sale, the funds in the
4 Defendant's account shall be distributed first to satisfy the claims of consumers
5 who filed complaints with the Commonwealth which remain unsatisfied; then,
6 fifteen percent (15%) of any balance remaining shall be paid to the
7 Commonwealth toward satisfaction of the judgment for civil penalties entered on
8 March 31, 2005; then, any balance remaining shall be released to the Defendant.

9 E. Defendant shall provide the Commonwealth with information relating to any
10 unsatisfied consumer complaints to enable the Commonwealth to identify the
11 amount that any consumer paid the Defendant and to identify the supplier of any
12 merchandise that Defendant has ordered.

13 F. Notwithstanding the above, paragraphs 2, 3, 5, and 6 of the Court's Order of
14 March 31, 2005, shall remain in full force and effect.

15 WHEREFORE, the Commonwealth and the Defendant respectfully submit this
16 Stipulation and request this Honorable Court to enter an Order granting the Defendant's Petition
17 by incorporating the relief requested above.

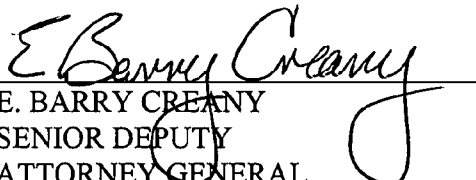
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WITNESS, the following signatures this 6th day of June, 2005.

THOMAS W. CORBETT, JR.
ATTORNEY GENERAL

FRANK T. DONAGHUE
CHIEF DEPUTY
ATTORNEY GENERAL


E. BARRY CREANY
SENIOR DEPUTY
ATTORNEY GENERAL


JOHN R. CARFLEX, ESQUIRE
ATTORNEY FOR DEFENDANT

LIST OF CONSUMERS

CONSUMER	FILE NO.
Jessica Allen	F05-1282
Michelle Allen	F05-1434
Hedi Swatsworth	F05-1283
Dale Kerlin	F05-1339
Lorie Natoli	F05-1280
Renee Alexander	F05-1341
Francene O'Brien	F05-1281,F05-1484

Exhibit "A"

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

2 COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY

3 BY ATTORNEY GENERAL :

4 THOMAS W. CORBETT, JR. :

No. 2004-1975-CD

5 PLAINTIFF :

6 vs. :

7 PAULINE E. PELTON, d/b/a :

8 BRIDES AND BLOSSOMS :

9 DEFENDANT :

FILED

2005
JUN 06 2005

William A. Shaw
Prothonotary/Clerk of Courts

10 **ORDER**

11
12 AND NOW, this 6th day of June, 2005, upon consideration of the Stipulation filed by the
13 Defendant and the Commonwealth, it is ORDERED, ADJUDGED AND DECREED as follows:

- 14 1. Defendant is permitted to conduct a sale liquidating all of the assets of her
15 business, Brides and Blossoms, (hereinafter "Going Out of Business Sale")
16 pursuant to the provisions of the Closing-Out, Damaged Goods, Defunct Business
17 Sale Law, 53 P.S. §4471-1, and pursuant to the following provisions of this Order.
- 18 2. Defendant shall establish a special depository account and shall deposit into said
19 account of all the proceeds from the sale of any assets sold in the course of her
20 Going Out of Business Sale.
- 21 3. Defendant shall maintain an accounting of all business activity occurring during
22 the course of her Going Out of Business Sale and shall provide the
23 Commonwealth a copy of the accounting on a weekly basis until her Going Out of
24 Business Sale has been concluded. Said accounting shall identify each asset sold,
25 the amount received for the asset and, for any assets valued over Twenty and
26 00/100 Dollars (\$20.00), the name of the purchaser of said asset.
- 27 4. Upon conclusion of the Defendant's Going Out of Business Sale, the funds in the
28 Defendant's account shall be distributed first to satisfy the claims of consumers
who filed complaints with the Commonwealth which remain unsatisfied; then,

1 fifteen percent (15%) of any balance remaining shall be paid to the
2 Commonwealth toward satisfaction of the judgment for civil penalties entered on
3 March 31, 2005; then, any balance remaining shall be released to the Defendant.

4 5. Defendant shall provide the Commonwealth with information relating to any
5 unsatisfied consumer complaints to enable the Commonwealth to identify the
6 amount that any consumer paid the Defendant and to identify the supplier of any
7 merchandise that Defendant has ordered.

8 6. Notwithstanding the above, paragraphs 2, 3, 5, and 6 of the Court's Order of
9 March 31, 2005, shall remain in full force and effect.

10
11 BY THE COURT,

12
13 
14 J.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED

JUN 06 2005

William A. Shaw
Prothonotary/Clerk of Courts

~~**FILED**~~

~~**JUN 03 2005**~~

~~William A. Shaw
Prothonotary/Clerk of Courts~~

A

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
(Plaintiff)

CIVIL ACTION

(Street Address)

No. 2004-1975-CD

Ebensburg, PA

(City, State ZIP)

Type of Case: Civil

Type of Pleading: Petition to
Withdraw as Counsel

VS.

Filed on Behalf of:

PAULINE E. PELTON, d/b/a

(Defendant)

BRIDES & BLOSSOMS

1545 Troy-Hawk Run Highway

(Street Address)

Defendant

(Plaintiff/Defendant)

Philipsburg, PA 16866

(City, State ZIP)

John R. Carfley

(Filed by)

P. O. Box 249

Philipsburg, PA 16866

(Address)

814-342-5581

(Phone)

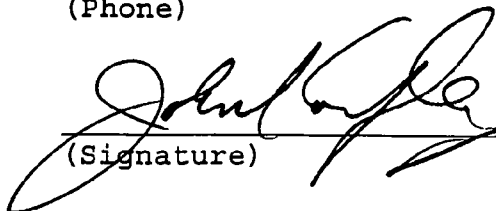
FILED acc

01:35 PM
JUN 22 2005

John R. Carfley

William A. Shaw
Prothonotary/Clerk of Courts

(Signature)



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

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

Defendant

No.: 2004-1975-CD

Type of Case: Civil

Type of Pleading:
Petition to Withdraw

Filed on behalf of:
Defendant

Counsel of record for
this party:
John R. Carfley, Esq.
P. O. Box 249
Philipsburg, PA 16866

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

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

PAULINÉ E. PELTON, d/b/a
BRIDES AND BLOSSOMS

Defendant

No. 2004-1975-CD

PRAECIPE TO WITHDRAW AS COUNSEL

The undersigned counsel for Pauline Pelton, Defendant herein, respectfully
requests as follows:

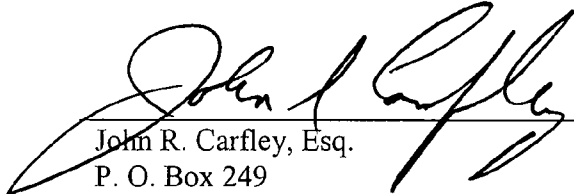
1. In March, 2005, the undersigned counsel was retained to represent Pauline Pelton in the above matter, and was paid a retainer of \$750.00 for said representation.
2. At the time counsel was retained to represent the Defendant, the only matter in which counsel was to be involved was the issue involving the payment of fines and civil penalties to the Commonwealth and certain customers of the Defendant who were to be compensated for the Defendant's alleged civil and criminal violations of the Commonwealth's consumer protection laws and regulations.
3. It was expected that at that time the Defendant would be required to pay fines/costs to the Commonwealth for violations of certain statutes and regulations and would be further required to make restitution to former

clients for representations allegedly made by the Defendant to the clients in the course of their business dealings.

4. Prior to counsel's engagement, this Court entered an Order directing the Defendant to pay certain fines to the Commonwealth and restitution to various customers, all of which is specified in this Court's Order of March 31, 2005, a copy of which is affixed hereto as Exhibit "A."
5. Counsel then petitioned this Court requesting leave to liquidate the business and apply the proceeds to the payment of fines and costs.
6. Counsel acting on behalf of the Defendant was able to enter into a Stipulation with counsel for the Commonwealth under which the Defendant would liquidate her business interests and utilize the proceeds of said liquidation in the payment of restitution still owed the various individuals.
7. Said Agreement and the terms of the liquidation are specified in the Stipulation signed by counsel and presented to this Court for approval and administration.
8. The matters now involving the Defendant are beyond the scope of employment for which counsel was engaged, as a result of which counsel now asks leave of Court to withdraw as counsel so as to permit the Defendant to engage individuals qualified in the liquidation of her assets throughout the course of ordinary business transactions.
9. It is believed and therefore averred, that in the interest of fairness, counsel should be permitted to withdraw at this stage of litigation so that the

Defendant can secure alternate counsel or other qualified professionals or
proceed pro se.

WHEREFORE, the undersigned counsel respectfully requests permission to
withdraw as counsel for Defendant, Pauline Pelton in the above matter.



John R. Carfley, Esq.
P. O. Box 249
Philipsburg, Pa., 16866
Attorney for Defendant
Pauline Pelton

Dated: June 22, 2005

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

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

No. 2004-1975-CD

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

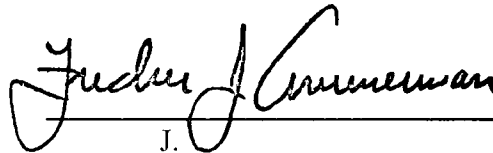
Defendant

RULE RETURNABLE

AND NOW, this 23rd day of JUNE, 2005, upon consideration of

the Praecept to Withdraw, it is hereby Ordered that a rule returnable is set for the

4th day of August, 2005, at 3:00 o'clock P m. in Courtroom No. 1
of the Clearfield County Courthouse.


J.

FILED ^{2cc}
019:21 ^{Boh} Atty Casfley
JUN 24 2005 ^{GW}

William A. Shaw
Prothonotary/Clerk of Courts

EXHIBIT "A"

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

2

3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 THOMAS W. CORBETT, JR.

CIVIL ACTION - EQUITY

No. 2004-1975-CD

PLAINTIFF

6
7 PAULINE E. PELTON, d/b/a
8 BRIDES AND BLOSSOMS

DEFENDANT

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

MAR 31 2005

ORDER

Attest.

William D. Shaw
Prothonotary/
Clerk of Courts

13 AND NOW, this 31st day of March, 2005, following the entry of default judgment against
14 Defendant Pauline E. Pelton, doing business as Brides and Blossoms ("defendant"), and a
15 hearing conducted pursuant to Pa. R.C.P. 1037(d), it is ORDERED, ADJUDGED AND
16 DECREED as follows:

- 17 1. Judgment is entered against defendant in the amount of One Thousand Three
18 Hundred Ninety-one and 28/100 Dollars (\$1,391.28) for restitution due those two
19 (2) individuals identified in the attached Schedule of Restitution pursuant to §4.1
20 of the Consumer Protection Law. 73 P.S. §201-4.1.
- 21 2. Judgment is entered against the defendant in the amount of Seven Thousand and
22 00/100 Dollars (\$7,000.00) as a civil penalty pursuant to §8(b) of the Consumer
23 Protection Law. 73 P.S. §201-8(b).
- 24 3. The Clearfield County Prothonotary shall record judgment against the defendant
25 in favor of the Commonwealth in the amount of Eight Thousand Three Hundred
26 Ninety-One and 28/100 Dollars (\$8,391.28) and shall issue a statement of
27 judgment incorporating said amount.
28

1 4. Pursuant to §9 of the Consumer Protection Law, defendant is enjoined from
2 engaging in any trade and commerce within the Commonwealth of Pennsylvania
3 until such time as the defendant pays the amount due consumers for restitution as
4 set forth in paragraph 1 above. 73 P.S. §201-9.

5 5. Defendant is ordered to begin making payments toward satisfaction of the
6 judgment entered pursuant to paragraph 3 of this Order by way of monthly
7 installment payments to the Commonwealth of Pennsylvania in the amount equal
8 to the greater of fifteen percent (15%) of the defendant's monthly net income or
9 One Hundred and 00/100 Dollars (\$100.00). Said monthly installment payments
10 shall be due on or before the 1st day of each month with the first monthly
11 installment payment due on or before May 1, 2005. On or before the 15th day of
12 each month, defendant shall provide the Commonwealth with a financial
13 statement setting forth defendant's income and expenses for the preceding month
14 upon which defendant's monthly net income shall be calculated. Further,
15 defendant shall provide the Commonwealth with annual financial statements in
16 the format provided by the Commonwealth setting forth the defendants income,
17 expenses, assets and liabilities. The first such annual financial statement shall be
18 due on or before July 31, 2005. Defendant shall be in contempt of this Court's
19 Order if defendant fails to make any monthly installment payment or submit any
20 financial statement in a timely manner.

21 6. Upon satisfaction of the judgment for restitution due consumers as set forth in
22 paragraph 1 above, defendant may resume engaging in trade and commerce
23 within the Commonwealth of Pennsylvania subject to the following restrictions:

24 A. Defendant shall not misrepresent the following:

- 25 i. the availability of any merchandise being offered for sale;
26 ii. the make, manufacturer or source of any merchandise being
27 offered for sale;

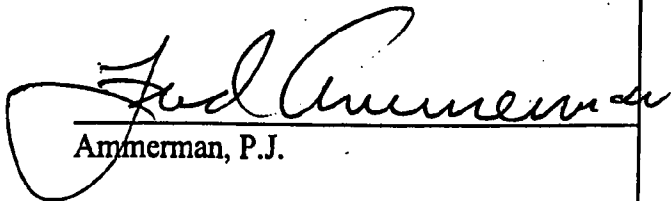
- 1 iii. the existence of, or cause for any delay in supplying any
2 merchandise; and,
3 iv. the quality or nature of any merchandise, including, without
4 limitation, that the merchandise is new, first quality merchandise.

5 B. Defendant shall not deliver merchandise that is of a quality inferior to
6 new, first quality merchandise, unless the defendant and consumer have
7 agreed in writing to a lesser quality. Further, defendant shall supply
8 merchandise that conforms with the particular style, model, quality or
9 other characteristics provided for in the consumer's order.

10 C. Defendant shall supply a consumer with all merchandise ordered for a
11 specific event (e.g., a prom or wedding) by the date for delivery set forth
12 in the consumer's order or, when no such date is provided for in the
13 consumer's order, within a reasonable period of time prior to said event.
14 Provided, however, in the event that after placing a consumer's order the
15 defendant discovers that any merchandise becomes unavailable, or such
16 merchandise cannot be delivered in time for the specific event for which it
17 was ordered, then the defendant shall notify the consumer immediately
18 upon discovery of such information and shall provide the consumer with
19 the opportunity to cancel the order and receive a full refund.

20 D. Defendant shall provide full refunds within seven (7) days of a
21 cancellation request from a consumer who cancels because the
22 merchandise will not be available or cannot be delivered in time for the
23 specific event for which it was ordered.

24
25 BY THE COURT,

26
27 
28 Ammerman, P.J.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SCHEDULE OF RESTITUTION

CONSUMER	RESTITUTION
Nikki Chutko	\$ 188.68
Debbie Swatsworth	\$1,202.60
TOTAL	\$1,391.28

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

2
3 COMMONWEALTH OF PENNSYLVANIA
4 BY ATTORNEY GENERAL
5 THOMAS W. CORBETT, JR.

: CIVIL ACTION - EQUITY

: No. 2004-1975-CD

6 PLAINTIFF

7 PAULINE E. PELTON, d/b/a
8 BRIDES AND BLOSSOMS

9 DEFENDANT

10 ORDER

11
12 AND NOW, this day of April, 2005, paragraph 4 of this Court's Order of March 31,
13 2005, is amended as follows:

- 14 4. Pursuant to §9 of the Consumer Protection Law, defendant is enjoined from
15 engaging in trade and commerce within the Commonwealth of Pennsylvania as
16 the owner or operator of any company that engages in the sale of goods or
17 services to consumers until such time as the defendant pays the amount due
18 consumers for restitution as set forth in paragraph 1 of this Court's Order of
19 March 31, 2005. This prohibition shall apply to the defendant whether she is
20 acting directly on her own behalf, or acting through any corporate or other
21 business entity. The defendant is not prohibited from serving as an employee for
22 any company in which she had no financial interest other than her employment
23 income (i.e., salary or wages). 73 P.S. §201-9.

24 This Court's Order of March 31, 2005, shall otherwise remain in full force and effect.

25 BY THE COURT,

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

APR 05 2005

/s/ Fredric J. Ammerman

Attest.

Fredric J. Ammerman
Prothonotary/
Clerk of Courts

Ammerman, P.J.

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

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL THOMAS W.
CORBETT, JR.,

Plaintiff

vs.

No. 2004-1975-CD

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

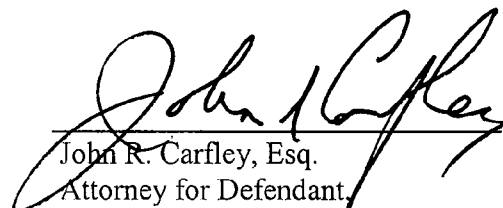
Defendant

CERTIFICATE OF SERVICE

I hereby certify that I forwarded a copy of the foregoing Petition to Withdraw as
Counsel, by regular mail, postage prepaid to the following parties of record, on this
27th day of June, 2005:

Pauline Pelton
P. O. Box 125
Allport, PA 16821

E. Barry Creany, Esq.
Attorney General's Office
Commonwealth of Pennsylvania
171 Lovell Avenue, Suite 202
Ebensburg, PA 15931


John R. Carfley, Esq.
Attorney for Defendant.

ID# 17621
P. O. Box 249
Philipsburg, PA 16866
(814) 342-5581

FILED ND
m/2:11/201
JUN 28 2005 ^{cc} ₅

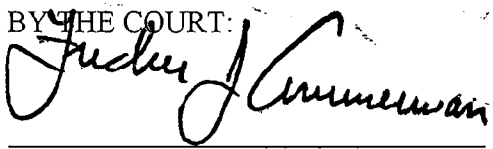
William A. Shaw
Prothonotary/Clerk of Courts

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

COMMONWEALTH OF PENNSYLVANIA	:	
BY ATTORNEY GENERAL THOMAS W.	:	No.: 2004-1975-CD
CORBETT, JR.,	:	
	:	Type of Case: Civil
Plaintiff	:	
	:	
vs.	:	Type of Pleading:
	:	Order
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	Filed on behalf of:
	:	Defendant
Defendant	:	
	:	
	:	Counsel of record for
	:	this party:
	:	John R. Carfley, Esq.
	:	P. O. Box 249
	:	Philipsburg, PA 16866

ORDER OF COURT

AND NOW this 4th day of August, 2005, there being no exceptions filed to the
Petition to Withdraw of John R. Carfley, Esquire, IT IS HEREBY ORDERED that John
R. Carfley, Esquire, be granted leave to withdraw as counsel for Pauline Pelton.

BY THE COURT:


P.J.

FILED ^{6R} 300
012:5901 Amy Carfley
AUG 09 2005
William A. Shaw
Prothonotary/Clerk of Courts

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

2

3 COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
4 BY ATTORNEY GENERAL :
5 THOMAS W. CORBETT, JR. : NO. 2004-1975-CD

6 PETITIONER

7 v : PETITION FOR CONTEMPT

8 PAULINE E. PELTON, d/b/a
9 BRIDES AND BLOSSOMS

10 RESPONDENT

11

12

13

14

15

16

17

18

19

20

21

22

23 COUNSEL FOR PETITIONER

24 MARGIE A. ANDERSON
25 DEPUTY ATTORNEY GENERAL
26 ATTORNEY I.D. NO. 79513
27 E. BARRY CREANY
28 SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FILED 3cc
m/12:30 AM
OCT 28 2005
William A. Shaw
Prothonotary/Clerk of Courts
Anderson

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

2

3 COMMONWEALTH OF PENNSYLVANIA :
4 BY ATTORNEY GENERAL :
5 THOMAS W. CORBETT, JR. :
6 :
7 :
8 :
9 :
10 :
11 :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 :
23 :
24 :
25 :
26 :
27 :
28 :

5 PETITIONER

6 v

7 PAULINE E. PELTON, d/b/a
8 BRIDES AND BLOSSOMS

9 RESPONDENT

11 **PETITION FOR CONTEMPT**

12 **AND NOW**, this 27th day of October, 2005, comes the Petitioner, the Commonwealth of
13 Pennsylvania, by Attorney General Thomas W. Corbett, Jr., and brings this Petition for
14 Contempt against Respondent Pauline E. Pelton, d/b/a Brides and Blossoms pursuant to §201-8
15 and §201-9 of the Act of December 17, 1968, P.L. 1224, No. 387, as amended and reenacted by
16 the Act of November 24, 1976, P.L. 1166, No. 260, and the Act of December 3, 1996, P.L. 906,
17 No. 146, 73 P.S. §201-1 *et seq.* (hereinafter "Consumer Protection Law") and in support thereof
18 respectfully represents the following:

- 19 1. Petitioner is the Commonwealth of Pennsylvania, by Attorney General Thomas W.
20 Corbett, Jr. through the Bureau of Consumer Protection, Ebensburg Regional Office,
21 171 Lovell Avenue, Suite 202, Ebensburg, Pennsylvania (hereinafter
22 "Commonwealth").
- 23 2. Respondent Pauline E. Pelton is an adult individual whose current or last known
24 address is P.O. Box 125, Allport, Pennsylvania.
- 25 3. At all times material hereto the Respondent Pauline E. Pelton personally participated
26 in all of the actions alleged herein.
- 27 4. On October 14, 2004, the Commonwealth filed a Complaint in Equity and Petition
28 for a Permanent Injunction against Respondent Pauline E. Pelton alleging violations

1 of the Unfair Trade Practices and Consumer Protection Law (hereinafter "Consumer
2 Protection Law").

3 5. On February 11, 2005, Default Judgment was entered against Respondent Pauline E.
4 Pelton.

5 6. On March 31, 2005, a hearing was conducted pursuant to Pa. R.C.P. 1037(d) and this
6 Court entered an Order providing, *inter alia*, for: the entry of a judgment in the
7 amount of One Thousand Three Hundred Ninety-one and 28/100 Dollars (\$1,391.28)
8 for restitution to two (2) consumers, the entry of a judgment in the amount of Seven
9 Thousand and 00/100 Dollars (\$7,000.00) for a civil penalty and injunctive relief to
10 prevent future violations of the Consumer Protection Law. In addition, this Order
11 provided that Respondent Pauline E. Pelton was to begin making monthly
12 installment payments toward satisfaction of the judgment amounts, was to provide
13 periodic financial information to the Commonwealth and was enjoined from
14 engaging in trade and commerce within the Commonwealth of Pennsylvania until
15 she paid the amount due consumers for restitution.

16 7. On April 25, 2005, Respondent Pauline E. Pelton filed a Petition requesting this
17 Honorable Court's permission to conduct a liquidation sale of her business Brides
18 and Blossoms for the purpose of satisfying the judgments entered against her and to
19 make restitution as required by this Court's March 31, 2005, Order.

20 8. On or about April 29, 2005, Respondent Pauline E. Pelton paid the Commonwealth
21 the sum of One Thousand Four Hundred Ninety-one and 28/100 dollars (\$1,491.28)
22 representing payment in full of the judgment for restitution due the two (2)
23 consumers identified in this Court's March 31, 2005, Order and, her first monthly
24 installment payment of One Hundred and 00/100 Dollars (\$100.00) toward the
25 amount owed for the civil penalty.

26 9. After this Court entered its initial Order of March 31, 2005, providing for restitution
27 to two (2) consumers, the Commonwealth received several additional complaints
28 from consumers alleging that Respondent Pauline E. Pelton failed to fill obligations

1 due consumers under the terms of contracts between said consumers and the
2 Respondent.

3 10. On June 3, 2005, Respondent Pauline E. Pelton and the Commonwealth entered a
4 Stipulation for the purposes of requesting this Honorable Court to enter an order
5 granting the relief requested in Respondent Pauline E. Pelton's April 25, 2005,
6 Petition and to provide for restitution to those consumers who filed complaints with
7 the Commonwealth which remained unsatisfied.

8 11. On June 6, 2005, this Court entered the Order stipulated to by Respondent Pauline E.
9 Pelton and the Commonwealth providing, *inter alia*, that:

10 A. Respondent Pauline E. Pelton is permitted to conduct a sale liquidating all of
11 the assets of her business, Brides and Blossoms, (hereinafter "Going Out of
12 Business Sale") pursuant to the provisions of the Closing-Out, Damaged
13 Goods, Defunct Business Sale Law, 53 P.S. §4471-1, and pursuant to the
14 provisions of the Court's Order.

15 B. Respondent Pauline E. Pelton shall establish a special depository account and
16 shall deposit into said account all of the proceeds from the sale of any assets
17 sold in the course of her Going Out of Business Sale.

18 C. Respondent Pauline E. Pelton shall maintain an accounting of all business
19 activity occurring during the course of her Going Out of Business Sale and
20 shall provide the Commonwealth with a copy of the accounting on a weekly
21 basis until her Going Out of Business Sale has been concluded.

22 D. Upon conclusion of the Respondent's Going Out of Business Sale, the funds
23 in the Respondent's account shall be distributed first to satisfy the claims of
24 consumers who filed complaints with the Commonwealth which remain
25 unsatisfied; then, fifteen percent (15%) of any balance remaining shall be
26 paid to the Commonwealth toward satisfaction of the judgment for civil
27 penalties entered on March 31, 2005.

28 E. Respondent Pauline E. Pelton shall provide the Commonwealth with

1 information relating to any unsatisfied consumer complaints to enable the
2 Commonwealth to identify the amount that any consumer paid the Defendant
3 and to identify the supplier of any merchandise the Defendant has ordered.

4 F. Paragraphs 2, 3, 5, and 6 of the Court's Order of March 31, 2005, shall
5 remain in full force and effect.

6 12. Paragraph 5 of this Court's Order of March 31, 2005, provides that Respondent
7 Pauline E. Pelton: (a) is to begin making payments toward satisfaction of the
8 judgments entered by way of monthly installment payments with the first monthly
9 installment payment due on or before May 1, 2005, (b) shall provide the
10 Commonwealth with financial statements on or before the 15th day of each month;
11 and, (c) shall provide annual financial statements beginning on or before July 31,
12 2005.

13 13. Since March 31, 2005, the Commonwealth has received only two (2) monthly
14 installment payments totaling Two Hundred and 00/100 Dollars (\$200.00) from
15 Respondent Pauline E. Pelton representing her payments for the months of May and
16 June.

17 14. Since March 31, 2005, the Commonwealth has received only three (3) monthly
18 financial statements from Respondent Pauline E. Pelton representing her income and
19 expenses for the months of April, May and June.

20 15. Respondent Pauline E. Pelton failed to provide the Commonwealth with her annual
21 financial statement by July 31, 2005.

22 16. Respondent Pauline E. Pelton has willfully violated this Court's Order of June 6,
23 2005, by failing to make her monthly installment payments and submit her monthly
24 and annual financial information to the Commonwealth as required by paragraph 6.

25 17. On September 7, 2005, after not receiving any information regarding Respondent
26 Pauline E. Pelton's Going Out of Business Sale, the Commonwealth sent her a letter
27 by certified mail, return receipt requested notifying her that she has violated
28 paragraphs 3 and 4 of the June 6, 2005, Order and requesting a full and complete

1 accounting of all activity that took place during the Going Out of Business Sale and
2 information as to the specific bank and account into which the sale proceeds were
3 deposited. This letter was received by Respondent Pauline E. Pelton on September
4 23, 2005, as evidenced by her signature on the certified mail receipt.

5 18. On October 13, 2005, the Commonwealth received a consumer complaint from Mary
6 A. Horsey, who paid Respondent Pauline E. Pelton for a wedding dress on June 25,
7 2005, but has been unable to confirm that Respondent Pauline E. Pelton will be able
8 to deliver the dress to her by the date promised. A copy of this consumer complaint
9 is attached hereto and labeled Exhibit "A".

10 19. On October 18, 2005, the Commonwealth sent Respondent Pauline E. Pelton a letter
11 by regular mail and by certified mail, return receipt requested providing her with a
12 copy of Ms. Horsey's consumer complaint and asking that she contact the
13 Commonwealth by October 26, 2005, if she was interested in discussing a resolution
14 of this matter.

15 20. Respondent Pauline E. Pelton has not provided the Commonwealth with any of the
16 information requested in the Commonwealth's September 7, 2005, letter nor has she
17 contacted the Commonwealth to discuss this matter.

18 21. Respondent Pauline E. Pelton has not provided the Commonwealth with information
19 relating to all unsatisfied consumer complaints to enable the Commonwealth to
20 identify the amount that the consumer paid her and to identify the supplier of any
21 merchandise that she ordered as required by paragraph 5 of this Court's June 6,
22 2005, Order. Attached hereto and labeled Exhibit "B" is a list setting forth the
23 names of those consumers with unresolved complaints.

24 22. Respondent Pauline E. Pelton has willfully violated this Court's Order of June 6,
25 2005, by failing to: provide the Commonwealth with an accounting of all business
26 activity occurring during the course of her Going Out of Business Sale, distribute to
27 the Commonwealth the funds from the Going Out of Business Sale and provide the
28 Commonwealth with information relating to any unsatisfied consumer complaints as

1 required by paragraphs 3, 4 and 5.

2 **WHEREFORE**, the Commonwealth respectfully prays this Honorable Court to issue a
3 Rule upon Respondent Pauline E. Pelton: (a) to show cause why she should not be held in
4 contempt of court and why the Commonwealth is not entitled to the relief requested; (b) to direct
5 her to file a written answer to this Petition within twenty (20) days of service of the same, (c) to
6 provide the Commonwealth with an accounting as to all activity that took place during her Going
7 Out of Business Sale and to identify the specific bank and account into which she deposited the
8 sale proceeds, (d) to provide the Commonwealth with information relating to any unsatisfied
9 consumer complaints to enable the Commonwealth to identify the amount that any consumer
10 paid her and to identify the supplier of any merchandise that she ordered; and, (e) to schedule a
11 hearing for argument on the issues raised herein. Further, after a hearing on said Rule, the
12 Commonwealth respectfully prays this Honorable Court to enter an Order:

13 A. Citing Respondent Pauline E. Pelton for contempt of court for failure to
14 comply with this Court's Order of June 6, 2005; and, directing that she be
15 incarcerated until such time as she purges herself of contempt by:

- 16 i. providing the Commonwealth with an accounting of her income and
17 expenses from July 1, 2005, to the date of the Court's Order; and,
18 directing Respondent Pauline E. Pelton to immediately pay the greater
19 of fifteen percent (15%) of her monthly net income from April 1,
20 2005, to the date of the Court's Order or One Hundred and 00/100
21 Dollars (\$100.00) per month less any amounts previously submitted;
22 ii. making full restitution to all consumers who suffered losses as the
23 result of her business practices and directing that the Clearfield
24 County Prothonotary enter judgment against Respondent Pauline E.
25 Pelton and in favor of the Commonwealth of Pennsylvania in the
26 amount of any additional consumer restitution; and,
27 iii. paying the proceeds from the Going Out of Business Sale to the
28 Commonwealth for distribution as set forth in paragraph 4 of this

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Court's June 6, 2005, Order.

- B. Assessing an additional civil penalty against Respondent Pauline E. Pelton in an amount that this Court deems appropriate for her willful violations of this Court's Order, as authorized by §201-8 of the Consumer Protection Law and directing that the Clearfield County Prothonotary enter judgment against Respondent Pauline E. Pelton and in favor of the Commonwealth of Pennsylvania in the amount of any additional civil penalty.
- C. Permanently enjoining Respondent Pauline E. Pelton from engaging in trade and commerce within the Commonwealth of Pennsylvania as the owner or operator of a company that engages in the sale of any consumer goods or services.
- D. Granting any other relief as the Court may deem necessary and appropriate.

1 DATE: October 27, 2005

RESPECTFULLY SUBMITTED,

2

3

THOMAS W. CORBETT, JR.
ATTORNEY GENERAL

4

5

FRANK T. DONAGHUE
CHIEF DEPUTY ATTORNEY GENERAL

6

7

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL

8

9


MARGIE A. ANDERSON
DEPUTY ATTORNEY GENERAL

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

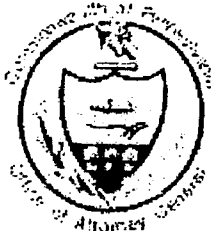
27

28

EXHIBIT "A"

PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

TOM CORBETT
ATTORNEY GENERAL



CONSUMER COMPLAINT FORM

RECEIVED

www.attorneygeneral.gov

OCT 13 2005

Office Use Only Investigator:
Complaint #

Code 1

Code 2

F05-2967 TBS

Bureau of Consumer Protection
171 Loven Avenue
Suite 202
Ebensburg, PA 15931
(814) 471-1831

MARY A. HORSEY

YOUR NAME

ADDRESS

STATE COLLEGE

CITY

PA
STATE

16801
ZIP CODE

CENTER
COUNTY

HOME PHONE NUMBER

BEST NUMBER TO CALL DURING THE DAY

BRIDES & BLOSSOMS BRIDAL & FLORAL SHOPPE

NAME OF BUSINESS COMPLAINT IS AGAINST

PAULINE FENTALL (sp?)

NAME OF OWNER OR OTHER INDIVIDUAL TO WHOM YOU COMPLAINED

1545 TROY HAWK RUN HIGHWAY RT 53 N.

ADDRESS

PHILIPSBURG

PA
STATE

168166
ZIP CODE

COUNTY

814-342-3834 (HAS BEEN DISCONNECTED)

PHONE

PRODUCT(S) OR SERVICE(S) PURCHASED

WEDDING DRESS (CALIEB 7604 Size 12)
white

DATE OF PURCHASE

5-7-05 downpayment \$212.⁰⁰
6-25-05 full \$212.⁰⁰

PURCHASED PRICE

to what other agencies have you complained?

Total \$412.⁰⁰

What action was taken?

Have you retained an attorney? ☐ Yes ☒ No

If yes, please provide your attorney's name, address and telephone number

Have you filed a court action? ☐ Yes ☒ No

If yes, please state WHEN, WHERE and WHAT decision was made?

Your Age:

- ☒ 18-29
☐ 30-44
☐ 45-59
☐ 60 or older

How did you find the business?

- ☐ Yellow Pages
☐ Friend or family
☐ Internet
☐ Other
☐ Newspaper
☐ Radio
☐ TV
☐ Direct Mail
☐ Other
☐ Other

(This information will be used for Statistical & Enforcement Purposes Only)

1-800-441-2555

PLEASE COMPLETE THE REVERSE SIDE OF THE COMPLAINT FORM

Please explain your complaint. You may use additional sheets if necessary. Please print or type clearly. Try to be brief, but be sure to tell **WHAT** happened, **WHEN** it happened and **WHERE** it happened. Be specific about any oral statements the business made to you, **ESPECIALLY** those that influenced you to deal with the company. Describe events in the order in which they happened. Attach **COPIES** of all contracts, letters, receipts, canceled checks (front & back), advertisements or any other papers that relate to your complaint.

I had purchased a wedding dress through Brides & Blossoms. The order date was 5/7/05 when I made a downpayment for \$212.⁰⁰ (CK # 573). On 6/25/05 the dress arrived & I paid the balance (another \$212.⁰⁰) in cash. The dress was to be kept at the business until the wedding (4/18/06). Alterations, which were included in the price of the dress, were being done the last time I talked to her (Pauline). Recently I stopped by the store to find blinds drawn & boxes sitting in the middle of the floor. The business phone line was disconnected. I mailed a request for contact with her to the business address as well as dropping off a duplicate letter to the building on 9/28/05. I have no way of contacting her to resolve our business (just pick up my dress). I have not heard from her, but I'm sure if I could contact her things could be easily rectified. I am enclosing the receipts (copies) for purchase. I would like this to be resolved ASAP (w/2 mos) if possible otherwise I will have to start looking for another dress to be ordered & altered into.

WHAT WOULD YOU LIKE THE BUSINESS TO DO TO SETTLE YOUR COMPLAINT?

Let me pick up my dress (or receive monetary amount if not reconciled by end of November so another wedding dress can be found).

PLEASE READ CAREFULLY

The Attorney General cannot act as your private attorney. As a law enforcement agency, the primary function of the Office of Attorney General is to represent the public at large by enforcing laws prohibiting fraudulent or deceptive trade practices.

The information you provide will be used in an attempt to resolve your complaint and will be shared with the party complained against.

Through the Bureau of Consumer Protection, the Attorney General does provide as a service to consumers the Consumer Mediation Unit, where an attempt may be made to mediate individual consumer complaints. Your complaint will remain on file with our office and the information contained in it may be used to establish violations of Pennsylvania Law.

I certify that the information provided is true and correct to the best of my knowledge, information and belief.

Mary A. Posey
YOUR SIGNATURE

10/5/05
DATE

SOLD BY:

B
BM
O



Brides and Blossoms

Bridal and Floral Shoppe

1545 Troy - Hawk Run Highway

Rt. 53 N., Philipburg, PA 16866

Phone (814) 342-3834

Date: 5-7-05

SO STK

G

HP

Bride: Mary Horsey

Wedding Date: 4/8/06 # In Party:

Sold To: Same

Address:

Phone: [Redacted]

City:

State:

Zip:

Style

Size

Price

Payment

Date

Bal.

Gown: Calif B 1604 12 White 400.00

Headpiece:

Thank you
for your
order!

Sub-Total \$

400.00

Tax \$

24.00

Total \$

424.00

Deposit \$

212.00

Balance Due \$

212.00

check
thanks

THERE ARE NO CANCELLATIONS, REFUNDS, CREDITS, EXCHANGES, OR RETURNS. DUE TO THE SPECIAL NATURE OF OUR APPAREL, ALL SALES ARE FINAL. ALL PAYMENTS AND DEPOSITS ARE NON-REFUNDABLE AND NON-TRANSFERABLE ON IN STOCK AND SPECIAL ORDERS. SHIPPING DELAYS OR DYE LOT VARIATIONS ARE BEYOND THE CONTROL OF OUR STORE. EXTRA LENGTH, EXTRA SIZE, CUSTOM ORDERS, AND ALL SPECIAL ALTERATIONS ARE AN ADDITIONAL CHARGE. MEASUREMENT CHANGES AFTER THE DATE OF SALE RESULTING IN GARMENT NOT FITTING, ARE THE SOLE RESPONSIBILITY OF THE CUSTOMER. ALL MERCHANDISE MUST BE PAID IN FULL PRIOR TO THE FIRST FITTING. ALL SPECIAL ORDERS MUST BE PAID IN FULL 15 DAYS AFTER ARRIVING IN OUR STORE. PLEASE READ! ALL FINAL PAYMENTS MUST BE CASH ONLY. CREDIT CARDS WILL ONLY BE ACCEPTED IF CUSTOMER AGREES TO NO CHARGE BACK AFTER SALE DATE SIGNATURE.

SORRY, PERSONAL CHECKS CANNOT BE ACCEPTED FOR FINAL PAYMENTS. RETURNED CHECK FEE IS \$30.00. I HAVE READ AND UNDERSTAND THE ABOVE POLICIES AND AGREE TO COMPLETE THE ABOVE TRANSACTION.

CUSTOMER VERIFICATION: Mary A Horsey

SOLED BY:

B
BM
O



Brides and Blossoms
Bridal and Floral Shoppe
1545 Troy - Hawk Run Highway
Rt. 53 N., Philipburg, PA 16866
Phone-(814)342-3834

Date:

6/25/05
SO STK

G

HP

Bride: *Mary Horsey* **Wedding Date:** *4/06* **# In Party:** _____

Sold To: _____

Address: _____

Phone: _____

City: _____

State: _____

Zip: _____

Style	Size	Price	Payment	Date	Bal
Gown: <i>CB</i>	<i>7604</i>	<i>12</i>	<i>212.00</i>		<i>In Full</i>
Headpiece:					

Thank you
for your
order!

Sub-Total \$

Tax \$

Total \$

Deposit \$

Balance Due \$

THERE ARE NO CANCELLATIONS, REFUNDS, CREDITS, EXCHANGES, OR RETURNS. DUE TO THE SPECIAL NATURE OF OUR APPAREL, ALL SALES ARE FINAL. ALL PAYMENTS AND DEPOSITS ARE NON-REFUNDABLE AND NON-TRANSFERABLE ON IN STOCK AND SPECIAL ORDERS. SHIPPING DELAYS OR DYE LOT VARIATIONS ARE BEYOND THE CONTROL OF OUR STORE. EXTRA LENGTH, EXTRA SIZE, CUSTOM ORDERS, AND ALL SPECIAL ALTERATIONS ARE AN ADDITIONAL CHARGE. MEASUREMENT CHANGES AFTER THE DATE OF SALE RESULTING IN GARMENT NOT FITTING, ARE THE SOLE RESPONSIBILITY OF THE CUSTOMER. ALL MERCHANDISE MUST BE PAID IN FULL PRIOR TO THE FIRST FITTING. ALL SPECIAL ORDERS MUST BE PAID IN FULL 15 DAYS AFTER ARRIVING IN OUR STORE. PLEASE READ! ALL FINAL PAYMENTS MUST BE CASH ONLY. CREDIT CARDS WILL ONLY BE ACCEPTED IF CUSTOMER AGREES TO NO CHARGE BACK AFTER SALE DATE SIGNATURE.

SORRY, PERSONAL CHECKS CANNOT BE ACCEPTED FOR FINAL PAYMENTS. RETURNED CHECK FEE IS \$30.00. I HAVE READ AND UNDERSTAND THE ABOVE POLICIES AND AGREE TO COMPLETE THE ABOVE TRANSACTION.

CUSTOMER VERIFICATION: _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CONSUMER COMPLAINTS

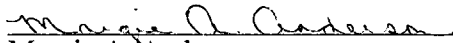
Consumer Name	File Number(s)
Alexander, Renee	F05-1341
Allen, Jesica	F05-1282
Allen, Michelle	F05-1434
Horsey, Mary A.	F05-2967
Jones, Dyan L. and Kathy L.	F05-1685
Natoli, Lorie	F05-1280
O'Brien, Francene	F05-1281, F05-1484
Swatsworth, Hydi	F05-1282

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

I, Margie A. Anderson, state that I am a Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection and that I am authorized to make this Verification and that the statements made in the foregoing Petition for Contempt are true and correct to the best of my knowledge, information and belief. I understand that the statements made therein are made subject to the penalties of 18 Pa.C.S. 4904, relating to unsworn falsification to authorities.

Dated: October 27, 2005


Margie A. Anderson
Deputy Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

PETITIONER

v

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

RESPONDENT

CIVIL ACTION - EQUITY

NO. 2004-1975-CD

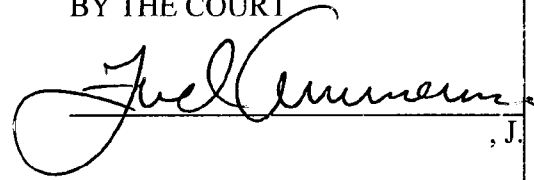
FILED 300
11/25/05
NOV 02 2005
Any M. Anderson
GR

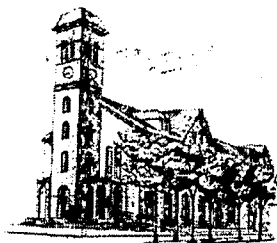
ORDER

AND NOW, this 31ST day of October, 2005, upon consideration of
the Petition for Sanctions filed by the Commonwealth of Pennsylvania, it is hereby ordered that:

1. a Rule is issued upon Respondent Pauline E. Pelton to show cause why she should not be held in contempt of court and why the petitioner is not entitled to the relief requested;
2. Respondent Pauline E. Pelton shall file an answer to the petition within twenty (20) days of this date;
3. Respondent Pauline E. Pelton shall provide the Commonwealth within twenty (20) days of this date with an accounting as to all activity that took place during her Going Out of Business Sale and to identify the specific bank and account into which she deposited the sale proceeds;
4. Respondent Pauline E. Pelton shall provide the Commonwealth within twenty (20) days of this date with information relating to any unsatisfied consumer complaints to enable the Commonwealth to identify the amount that any consumer paid her and to identify the supplier of any merchandise that she ordered;
5. the petition shall be decided under Pa.R.C.P. No. 206.7;
6. depositions shall be completed within 45 days of this date;
7. argument shall be held on December 20, 2005 in Courtroom 1 of the Clearfield County Courthouse; and, @ 11:30 a.m.
8. notice of the entry of this Order shall be provided to all parties by the petitioner.

BY THE COURT


J.



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

Date: September 19, 2005

Over the past several weeks, it has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

 X You are responsible for serving all appropriate parties.

 The Prothonotary's office has provided service to the following parties:

 Plaintiff(s)/Attorney(s)

 Defendant(s)/Attorney(s)

 Other

 Special Instructions:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

PETITIONER

v

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

RESPONDENT

CIVIL ACTION - EQUITY

NO. 2004-1975-CD

CERTIFICATE OF SERVICE

COUNSEL FOR PETITIONER

MARGIE A. ANDERSON
DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 79513
E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

FILED ^{no}cc
m110:04/04
NOV 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

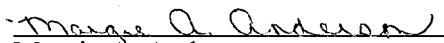
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL	:	
THOMAS W. CORBETT, JR.	:	
	:	NO. 2004-1975-CD
PETITIONER	:	
	:	
v	:	
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	
	:	
RESPONDENT	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of November, 2005, I mailed a time-stamped copy of the Petition for Contempt along with a copy of the Court's Order dated October 31, 2005, to the following by regular first class mail and by certified mail return receipt requested:

Pauline Pelton
P.O. Box 125
Allport, PA 16821


Margie A. Anderson
Deputy Attorney General
Office of Attorney General
Bureau of Consumer Protection
171 Lovell Avenue, Suite 202
Ebensburg, PA 15931
(814) 471-1831

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2
3 COMMONWEALTH OF PENNSYLVANIA :
4 BY ATTORNEY GENERAL :
5 THOMAS W. CORBETT, JR. :
6 :
7 :
8 :
9 :
10 :
11 :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 COUNSEL FOR PETITIONER
23 MARGIE A. ANDERSON
24 DEPUTY ATTORNEY GENERAL
25 ATTORNEY I.D. NO. 79513
26 E. BARRY CREANY
27 SENIOR DEPUTY ATTORNEY GENERAL
28 ATTORNEY I.D. NO. 39543
 BUREAU OF CONSUMER PROTECTION
 EBENSBURG REGIONAL OFFICE
 171 LOVELL AVENUE, SUITE 202
 EBENSBURG, PA 15931
 (814) 471-1831

CIVIL ACTION - EQUITY

NO. 2004-1975-CD

AFFIDAVIT OF SERVICE

FILED *NO CC*
m 18:56/BL
NOV 14 2005 *(S)*
William A. Shaw
Prothonotary/Clerk of Courts

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

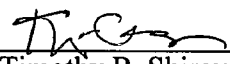
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL	:	
THOMAS W. CORBETT, JR.	:	
	:	NO. 2004-1975-CD
PETITIONER	:	
	:	
v	:	
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	
	:	
RESPONDENT	:	

AFFIDAVIT OF SERVICE

I, Timothy B. Shirey, an adult citizen of the United States and an agent for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection, do hereby state and affirm that I served a time-stamped copy of the Petition for Contempt along with a copy of the Court's Order dated October 31, 2005, upon the respondent by hand delivering the same to Pauline Pelton at her residence located in Allport, Pennsylvania, on Tuesday, November 8, 2005, at approximately 1:30 P.M.

Date: November 9, 2005


Timothy B. Shirey
Consumer Protection Agent II

This statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
BY ATTORNEY GENERAL THOMAS :
W. CORBETT, JR., :
Plaintiff :
vs. :
PAULINE E. PELTON, d/b/a :
BRIDES AND BLOSSOMS, :
Defendant :

NO. 2004 - 1975 - CD

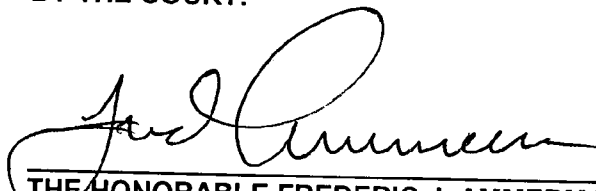
CA
FILED 1cc
01/10/2006
DEC 21 2005, 1cc Def.
William A. Shaw PO Box 125
Prothonotary Clerk of Courts Allport, PA 16821
GK

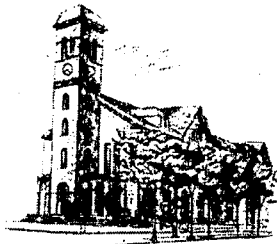
ORDER OF COURT

AND NOW, this 20th day of December, 2005, following discussion on the Petition for Contempt filed on behalf of the Attorney General's Office/Bureau of Consumer Protection; with the Court noting that the Respondent, Pauline E. Pelton, has appeared pro se; in consideration of the issues, **IT IS THE ORDER** of this Court as follows:

1. That the hearing on the Petition for Contempt be continued for approximately sixty (60) days from this date. The Court Administrator shall prepare a scheduling order for the Court which sets forth the rescheduled date and time for execution;
2. Within no more than twenty (20) days from this date, the Respondent, Pauline E. Pelton, shall supply the Attorney General's Office with a list of the names and addresses of all individuals to whom she returned a dress or gown that she held on consignment;
3. The Respondent shall cooperate fully with any further requests for information from the Attorney General's Office;
4. The amount of \$300.00 has been paid by the Respondent this date to the Attorney General's Office to be applied toward restitution due.

BY THE COURT:


THE HONORABLE FREDERIC J. AMMERMAN
President Judge



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 12/21/05

 You are responsible for serving all appropriate parties.

 X The Prothonotary's office has provided service to the following parties:

 X Plaintiff(s)/Attorney(s)

 X Defendant(s)/Attorney(s)

 Other

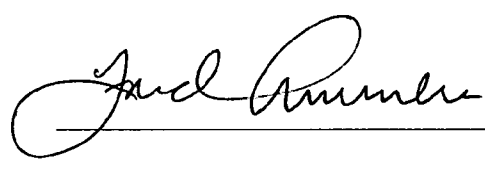
 Special Instructions:

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2
3 COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
4 BY ATTORNEY GENERAL :
5 THOMAS W. CORBETT, JR. :
6 :
7 :
8 :
9 :
10 :
11 :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 :
23 :
24 :
25 :
26 :
27 :
28 :

ORDER

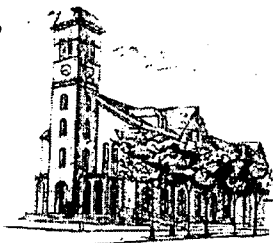
 AND NOW, this 23 day of January, 2006, the continuation of the hearing on the
Commonwealth's Petition for Contempt is hereby scheduled for the 24th day of February,
2006, at 2:30 P.M., in Courtroom No. 1 in the Clearfield County Courthouse, Clearfield,
Pennsylvania.

BY THE COURT:



J.

FILED 1cc
01/11:09/06
JAN 24 2006
Amy Creamy
William A. Shaw
Prothonotary/Clerk of Courts



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 1/24/06

X You are responsible for serving all appropriate parties.

 The Prothonotary's office has provided service to the following parties:

 Plaintiff(s)/Attorney(s)

 Defendant(s)/Attorney(s)

 Other

 Special Instructions:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

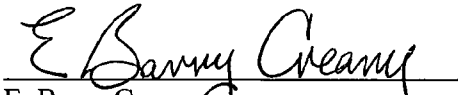
COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION - EQUITY
BY ATTORNEY GENERAL	:	
THOMAS W. CORBETT, JR.	:	
	:	No. 2004-1975-CD
PLAINTIFF	:	
	:	
vs.	:	
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	
	:	
DEFENDANT	:	

FILED *no cc*
m/10:41/84
JAN 27 2006
William A. Shaw
Prothonotary/Clerk of Courts

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and attested copy of the Order of The Honorable Fredric J. Ammerman, dated January 23, 2006, scheduling a continuation hearing on the Commonwealth's Petition for Contempt is being forwarded via First Class Certified Mail/Return Receipt Requested, postage prepaid, this 26th day of January, 2006, the following:

Ms. Pauline E. Pelton
1744 Old Turnpike Road
Allport, PA 16821


E. Barry Creany
Senior Deputy Attorney General

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF
PENNSYLVANIA BY ATTORNEY
GENERAL THOMAS W. CORBETT,
JR.

-VS-

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

No. 04-1975-CD

FILED

01/31/06
FEB 24 2006

William A. Shaw
Prothonotary/Clerk of Courts

rec Amy Creary
ICC Def.
Po Box 125
Allport, PA
16821

OK

O R D E R

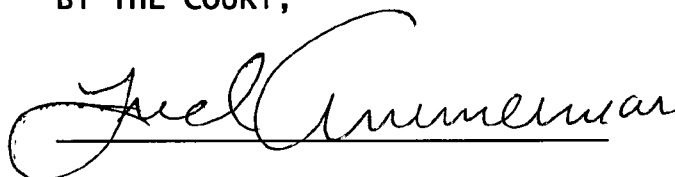
NOW, this 24th day of February, 2006, this being
the time and date set for hearing on the Commonwealth's
Petition for Contempt; Defendant Pauline E. Pelton
having failed to appear at said hearing, it is the ORDER of
this Court as follows:

1. Defendant Pauline E. Pelton is hereby found
to be in contempt of court and may purge herself of
contempt by paying to the Commonwealth the sum of Ten
Thousand One Hundred Fifty-Eight Dollars and Ninety-Six
(\$10,158.96) Cents in satisfaction of the judgment for
civil penalties and the restitution due consumers
identified as Attachment A to this Order;

2. In the event Defendant Pauline E. Pelton
fails to make the aforementioned payment by March 24, 2006,
upon motion of the Commonwealth and following hearing
thereon, a bench warrant may issue and she may be

incarcerated and remain incarcerated until such time as she purges herself of contempt by payment of such amount as the Court would deem appropriate.

BY THE COURT,

A handwritten signature in cursive script, reading "Fred Ammerman", written over a horizontal line.

President Judge

**Consumers Due Restitution from
Pauline E. Pelton, d/b/a Brides and Blossoms**

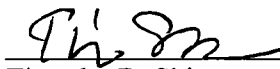
Consumer Name	File Number	Restitution Amount
Alexander, Renee	F05-1341	\$ 20.00
Allen, Jessica S.	F05-1282	\$ 527.88
Allen, Michelle Marie	F05-1434	\$ 556.50
Jones, Dyan L. and Kathy L.	F05-1685	\$ 650.00
Natoli (Fenton), Lorie	F05-1280	\$ 583.84
O'Brien, Francene	F05-1281	\$ 366.74
Swatsworth, Hydi	F05-1283	\$ 954.00
TOTAL		\$ 3,658.96

1 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
2 COMMONWEALTH OF PENNSYLVANIA : CIVIL ACTION - EQUITY
3 BY ATTORNEY GENERAL :
4 THOMAS W. CORBETT, JR. :
5 : No. 2004-1975-CD
6 PLAINTIFF :
7 :
8 PAULINE E. PELTON, d/b/a :
9 BRIDES AND BLOSSOMS :
10 :
11 DEFENDANT :
12 :
13 :
14 :
15 :
16 :
17 :
18 :
19 :
20 :
21 :
22 :
23 :
24 :
25 :
26 :
27 :
28 :

AFFIDAVIT OF SERVICE

I, Timothy B. Shirey, an adult citizen of the United States and agent for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection, do hereby state and affirm that I served a true and correct copy of the Order entered February 24 2006, upon Pauline E. Pelton by hand delivering the Order to her residence at 1744 Old Turnpike Road, Allport, Pennsylvania 16821, at 12:10 PM, on Thursday, February 28, 2006.

Dated: March 2, 2006



Timothy B. Shirey
Consumer Protection Agent

This statement is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

FILED

MAR 07 2006
M/11:10
V. A. G. dw
Prothonotary/Clerk of Court
no c/c

FILED
MAR 07 2006
VICTORIA H. HARRIS
Prothonotary Clerk of Courts

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
BY ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

PLAINTIFF

vs.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

DEFENDANT

CIVIL ACTION

No. 2004-1975-CD

**MOTION FOR
BENCH WARRANT**

FILED *no*
m 10:06 AM *cc*
MAR 27 2006 *CR*

William A. Shaw
Prothonotary/Clerk of Courts

FOR THE PLAINTIFF

FOR THE DEFENDANT

E. BARRY CREANY
SENIOR DEPUTY ATTORNEY GENERAL
ATTORNEY I.D. NO. 39543
OFFICE OF ATTORNEY GENERAL
BUREAU OF CONSUMER PROTECTION
EBENSBURG REGIONAL OFFICE
171 LOVELL AVENUE, SUITE 202
EBENSBURG, PA 15931
(814) 471-1831

PAULINE E. PELTON, PRO SE
1744 OLD TURNPIKE ROAD
ALLPORT, PA 16821

1	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA		
2	COMMONWEALTH OF PENNSYLVANIA	:	CIVIL ACTION
3	BY ATTORNEY GENERAL	:	
4	THOMAS W. CORBETT, JR.	:	No. 2004-1975-CD
5	PLAINTIFF	:	
6	vs.	:	
7	PAULINE E. PELTON, d/b/a	:	
8	BRIDES AND BLOSSOMS	:	
9	DEFENDANT	:	

10

11

12 **MOTION FOR BENCH WARRANT**

13

14 NOW, this 24th day of March, 2006, comes the Plaintiff, the Commonwealth of

15 Pennsylvania by Attorney General Thomas W. Corbett, Jr., and files this Motion for the issuance

16 of a bench warrant against Defendant and in support thereof represents the following:

- 17 1. Plaintiff filed a Petition for Contempt on October 27, 2005.
- 18 2. On October 31, 2005, the Honorable Frederic J. Ammerman entered an Order
- 19 issuing a rule upon Defendant to show cause why she should not be held in
- 20 contempt of court and scheduled a hearing on the matter for December 20, 2005.
- 21 3. On December 20, 2005, after discussing the matter with the parties, the Court
- 22 continued the hearing on contempt for sixty (60) days and ordered Defendant to
- 23 provide the Plaintiff with the names and addresses of all consumers who returned
- 24 any merchandise she had on consignment. In addition, Defendant was directed to
- 25 fully cooperate with the Attorney General's Office.
- 26 4. Following the December 20, 2005, hearing the Defendant failed to provide the
- 27 Attorney General's Office with the names and addresses of individuals to whom
- 28

1 she returned any merchandise that had been held on consignment and failed to
2 cooperate fully with the Attorney General's Office.

3 5. The hearing on the petition for contempt was rescheduled for February 24, 2006,
4 however, the Defendant failed to attend the hearing and, therefore, an Order was
5 entered finding Defendant in contempt of court and providing her the opportunity
6 to purge herself of contempt by paying the Commonwealth the sum of Ten
7 Thousand One Hundred Fifty-Eight and 96/100 Dollars (\$10,158.96) by March
8 24, 2006.

9 6. Defendant was personally served with a true and correct copy of the Order of
10 President Judge Frederic J. Ammerman on Thursday, February 28, 2006, and an
11 Affidavit of Service evidencing the same has been filed with the Prothonotary.

12 7. Since December 21, 2005, the Defendant has not paid any money to the Plaintiff
13 toward the debt she owes for the judgment that has been entered for restitution to
14 consumers and civil penalties.

15 8. At no time has the Defendant provided Plaintiff with the names and addresses of
16 any individual to whom she returned any merchandise that was being held on
17 consignment; nor has the Defendant cooperated with the Attorney General's
18 Office by providing any documentation or information regarding her assets or
19 income.

20 9. The Defendant has not contacted the Plaintiff and has not had any other form of
21 communication with the Plaintiff at any time since December 21, 2005.

22
23 WHEREFORE, the Plaintiff moves this Honorable Court to issue a bench warrant to have
24 Defendant Pauline E. Pelton brought before the Court and show cause why she should not be
25 incarcerated and remain incarcerated until such time as she purges herself of contempt.
26
27
28

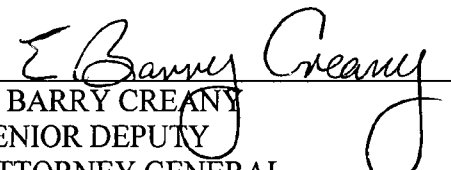
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATE: March 24, 2006

Respectfully submitted,

THOMAS W. CORBETT, JR.
ATTORNEY GENERAL

ALEXIS L. BARBIERI
EXECUTIVE DEPUTY
ATTORNEY GENERAL

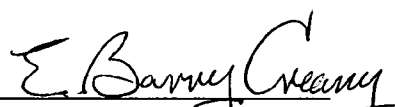

E. BARRY CREAMY
SENIOR DEPUTY
ATTORNEY GENERAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

I, E. Barry Creany, state that I am a Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection and that I am authorized to make this Verification and that the statements made in the foregoing Motion for Bench Warrant pursuant to Pennsylvania Rule of Civil Procedure 2352(a) are true and correct to the best of my knowledge, information and belief. I understand that the statements made therein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Dated: March 24, 2006

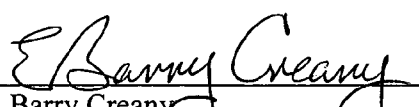

E. Barry Creany
Senior Deputy Attorney General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion for Bench Warrant is being forwarded via First Class Mail, postage prepaid this 24th day of March, 2006, to the following:

Pauline E. Pelton
1744 Old Turnpike Road
Allport, PA 16821


E. Barry Creany
Senior Deputy Attorney General

LA

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

COMMONWEALTH OF PENNSYLVANIA *
BY ATTORNEY GENERAL THOMAS W. CORBETT, JR., *
Plaintiff *

vs *

PAULINE E. PELTON, d/b/a BRIDES AND BLOSSOMS, *
Defendant *

NO. 04-1975-CD

ORDER

NOW, this 29th day of March, 2006, it is the ORDER of this Court that a hearing is scheduled for the 26th day of April, 2006 at 10:00 A. in Courtroom No. 1, Clearfield County Courthouse. Defendant, Pauline E. Pelton, is ordered to appear before the Court at this time to show cause why she should not be incarcerated, and remain incarcerated, until such time as she purges herself of contempt by paying the amounts ordered by this Court on February 24, 2006. At the time of the hearing, Defendant, Pauline E. Pelton is to bring with her the following:

1. All documents and information identifying the names and addresses of any individuals to whom she may have returned any merchandise that had been held on consignment for sale at her store, Brides and Blossoms.
 2. An accurate copy of her most recent federal income tax return, and all schedules and attachments thereto.
 3. Documentation and all information regarding any assets she owns or has any financial interest in.
 4. Documentation and all information regarding any assets which she has transferred to any individuals for less than the fair market value of said assets including, but not limited to, her home.
 5. Documentation and all information regarding all of her current sources of income.
- Defendant must be present or a Bench Warrant may be issued for her arrest.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

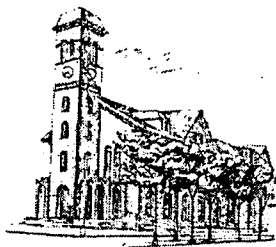
FILED
MAR 30 2006

2cc Amy Geary
1cc Def.

1744 Old Turnpike Road
Allport, PA 16821

William A. Shaw
Prothonotary/Clerk of Courts

GR



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 3/30/06

_____ You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

X Plaintiff(s)/Attorney(s)

X Defendant(s)/Attorney(s)

_____ Other

_____ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA
By ATTORNEY GENERAL
THOMAS W. CORBETT, JR.

VS.

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

:
:
:
:
:
:
:

NO. 04-1975-CD

FILED

APR 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

CR

2cc
Amy Creamy

0/10:45/BL
1cc Pelton

1744 Old

Turnpike Rd.

16821

1cc Brides

1545 Troy Hawk

Run thru

Philipshurg PA

16821

BENCH WARRANT

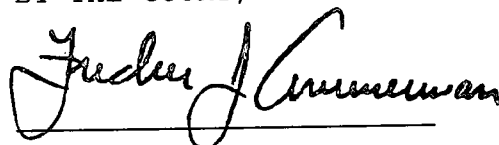
O R D E R

AND NOW, this 26th day of April, 2006, this being the date set for hearing and for the Defendant to appear and provide certain information that she has been ordered to provide on a number of occasions; representative of the Attorney General's Office having certified to the Court that payment required by prior Orders has not been paid; that no documentation as required by prior Orders has been provided and that the said Defendant has failed in all respects to comply with provisions of Court Orders and that she has failed to appear before the Court this date, it is the ORDER of this Court that Bench Warrant issue forthwith.

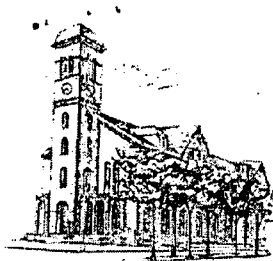
Upon the Sheriff of Clearfield County placing the Defendant under arrest and, following her incarceration in the Clearfield County Jail, the Sheriff's Office shall notify the Court Administrator's Office. The Court Administrator shall

then forthwith schedule her for detention hearing before the Court. The Attorney General's Office shall also be notified in advance as to the scheduling of the detention hearing.

BY THE COURT,

A handwritten signature in cursive script, reading "Frederick J. Cunningham", written over a horizontal line.

President Judge



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 4/27/06

_____ You are responsible for serving all appropriate parties.

X _____ The Prothonotary's office has provided service to the following parties:

X _____ Plaintiff(s)/Attorney(s)

X _____ Defendant(s)/Attorney(s)

_____ Other

_____ Special Instructions:

WILLIAM A. SHA
PROTHONOTARY
and CLERK of COURTS
P.O. BOX 549
CLEARFIELD, PENNSYLVANIA 16830

FILED

m/11/6Lr

MAY - 3 2006

no further
address

William A. Shaw, in file
Prothonotary

Brides & Blossoms
1545 Troy-Hawk Run Hwy.
Philipsburg, PA 16866

BRIDES
RETURN TO
& BLOSSOMS
MOVED LEFT
UNABLE TO
RETURN TO
16866
1545 TROY-HAWK RUN HWY
PHILIPSBURG PA 16866
NO ADDRESS
FORWARD
TO SENDER

16830/0343
16866+7928-45 R004



Hasler

076146505405
\$00.390
04/27/2006
Mailed From 16830
US POSTAGE

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

COMMONWEALTH OF PENNSYLVANIA	:	
By ATTORNEY GENERAL	:	
THOMAS W. CORBETT, JR.	:	
	:	
VS.	:	NO. 04-1975-CD
	:	
PAULINE E. PELTON, d/b/a	:	
BRIDES AND BLOSSOMS	:	

BENCH WARRANT

O R D E R

AND NOW, this 26th day of April, 2006, this being the date set for hearing and for the Defendant to appear and provide certain information that she has been ordered to provide on a number of occasions; representative of the Attorney General's Office having certified to the Court that payment required by prior Orders has not been paid; that no documentation as required by prior Orders has been provided and that the said Defendant has failed in all respects to comply with provisions of Court Orders and that she has failed to appear before the Court this date, it is the ORDER of this Court that Bench Warrant issue forthwith.

Upon the Sheriff of Clearfield County placing the Defendant under arrest and, following her incarceration in the Clearfield County Jail, the Sheriff's Office shall notify the Court Administrator's Office. The Court Administrator shall

then forthwith schedule her for detention hearing before the Court. The Attorney General's Office shall also be notified in advance as to the scheduling of the detention hearing.

BY THE COURT,

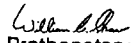
/s/ Fredric J. Ammerman

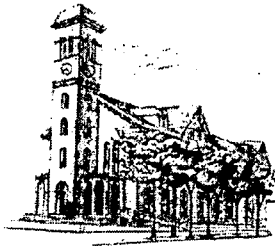
President Judge

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

APR 27 2006

Attest.


Prothonotary/
Clerk of Courts



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 4/27/06

_____ You are responsible for serving all appropriate parties.

X The Prothonotary's office has provided service to the following parties:

X Plaintiff(s)/Attorney(s)

X Defendant(s)/Attorney(s)

_____ Other

_____ Special Instructions:

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

CIVIL BENCH WARRANT

Commonwealth of Pennsylvania,
Thomas W. Corbett Jr.,

Vs.

No.: 2004-01975-CD

Pauline E. Pelton, d/b/a
Brides and Blossoms,

COMMONWEALTH OF PENNSYLVANIA
CLEARFIELD COUNTY, SS

To: Clearfield County Sheriff's Office

_____ You are hereby commanded by the Court of Common Pleas of Clearfield County, Civil Division, to take **Pauline E. Pelton, d/b/a Brides and Blossoms** who stands charged in said Court for Contempt of Court and forthwith bring the said person before the Court, or one of the Judges thereof to be dealt with according to Law.

Witness this 15th day of June, 2006, A.D.



Prothonotary/Clerk of Courts
Civil Division

Issuing Judge: Fredric J. Ammerman

Pauline E. Pelton, d/b/a Brides and
Blossoms
1744 Old Turnpike Road
Allport, PA 16821

Costs: \$

Additional Costs: \$

BW Costs: \$

Total: \$

SSN: 200-26-4325
DOB: March 25, 1935

Service Date:
Served By:

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

COMMONWEALTH OF
PENNSYLVANIA BY ATTORNEY
GENERAL THOMAS W. CORBETT,
JR.

-vs-

PAULINE E. PELTON, d/b/a
BRIDES AND BLOSSOMS

No. 04-1975-CD

FILED
013:36/34
JUL 03 2006

William A. Shaw
Prothonotary/Clerk of Courts

2 CC Mgs: Creamy
P. Castley

O R D E R

NOW, this 30th day of June, 2006, this being the date set for Detention Hearing; the Defendant being present and being represented by counsel, it is the FINDING AND ORDER of this Court as follows:

1. The Court hereby finds the Defendant in contempt for failing to make required payment as set forth in prior Court Orders. She is hereby sentenced to a period of incarceration in the Clearfield County Jail of thirty (30) days. She shall be able to purge herself of contempt and be released from incarceration upon her payment of Three Thousand Six Hundred (\$3,600.00) Dollars;

2. Effective with the month of August 2006 and continuing thereafter until all amounts are paid in full, she shall pay no less than Two Hundred (\$200.00) Dollars

each month. Payments shall be due on the first day of each month for which said payment is due. Any failure to make required payment, upon an affidavit being filed by the Office of Attorney General with the record, shall result in automatic issuance of Bench Warrant without further notice being provided thereof;

3. All payments shall be made payable to the Office of Attorney General and sent to the Ebensburg Regional Office, Bureau of Consumer Protection, at the address of 171 Lovell Avenue, Suite 202, Ebensburg, PA 15931. Payments shall be in the form of either a money order or a certified or treasurer's bank check;

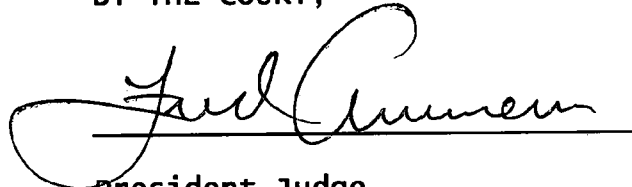
4. In addition, the Defendant shall complete a financial statement, in such form as provided by the Attorney General's Office, this date. She shall also supply an annual financial statement to the Office of Attorney General, at the address as noted above, on an annual basis until such time as all amounts of money are paid in full. The next financial statement shall be provided to the Attorney General's Office by no later than July 1, 2007. Each year thereafter, by no later than July 1st, an additional financial statement shall be provided;

5. Bench Warrant previously issued is hereby lifted;

6. The Prothonotary is directed to enter the

appearance of Peter Carfley, Esquire, as counsel for the Defendant.

BY THE COURT,



President Judge

FILED

JUL 03 2006

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 7/3/06

 You are responsible for serving all appropriate parties.

 X The Prothonotary's office has provided service to the following parties:

 Plaintiff(s) X Plaintiff(s) Attorney Other

 Defendant(s) X Defendant(s) Attorney

 Special Instructions:

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

CIVIL BENCH WARRANT

Commonwealth of Pennsylvania,
Thomas W. Corbett Jr.,

Vs.

No.: 2004-01975-CD

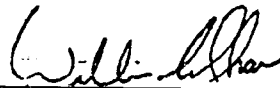
Pauline E. Pelton, d/b/a
Brides and Blossoms,

COMMONWEALTH OF PENNSYLVANIA
CLEARFIELD COUNTY, SS

To: Clearfield County Sheriff's Office

You are hereby commanded by the Court of Common Pleas of Clearfield County, Civil Division, to take **Pauline E. Pelton, d/b/a Brides and Blossoms** who stands charged in said Court for Contempt of Court and forthwith bring the said person before the Court, or one of the Judges thereof to be dealt with according to Law.

Witness this 15th day of June, 2006, A.D.



Prothonotary/Clerk of Courts
Civil Division

Issuing Judge: Fredric J. Ammerman

Pauline E. Pelton, d/b/a Brides and
Blossoms
1744 Old Turnpike Road
Port, PA 16821

Costs: \$

Additional Costs: \$
BW Costs: \$ 60.00
Total: \$

26-4325
h 25, 1935

Service Date: June 29, 2006
Served By: Deputy Hunter

04-1975-CD

SHERIFF RETURN

NOW June 29, 2006 CAUSED THE ARREST OF PAULINE E. PELTON
AND LODGED DEFENDANT IN THE CLEARFIELD COUNTY JAIL.
SERVED BY: HUNTER /

FILED
01/11/13/01
JUL 10 2006 (R)

Return Costs	Description
\$60.00	SHFF. HAWKINS


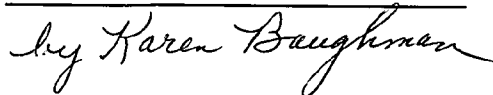
Check #

William A. Shaw
Prothonotary/Clerk of Courts

Sworn and subscribed to before me this _____
day of _____ 2006.

Chester A. Hawkins
Sheriff

So Answers

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

CIVIL BENCH WARRANT

Commonwealth of Pennsylvania,
Thomas W. Corbett Jr.,

Vs.

No.: 2004-01975-CD

Pauline E. Pelton, d/b/a
Brides and Blossoms,

COMMONWEALTH OF PENNSYLVANIA
CLEARFIELD COUNTY, SS

To: Clearfield County Sheriff's Office

You are hereby commanded by the Court of Common Pleas of Clearfield County, Civil Division, to take **Pauline E. Pelton, d/b/a Brides and Blossoms** who stands charged in said Court for Contempt of Court and forthwith bring the said person before the Court, or one of the Judges thereof to be dealt with according to Law.

Witness this 15th day of June, 2006, A.D.



Prothonotary/Clerk of Courts
Civil Division

Issuing Judge: Fredric J. Ammerman

Pauline E. Pelton, d/b/a Brides and
Blossoms
1744 Old Turnpike Road
Allport, PA 16821

Costs: \$

Additional Costs: \$

BW Costs: \$ 60.00

Total: \$

SSN: 200-26-4325
DOB: March 25, 1935

Service Date: June 29, 2006
Served By: Deputy Hunter