

05-91-CD

Wayne Ball et al vs. D. Hamilton Jr.

HAMILTON, JR.

Wayne Ball et al v. David Hamilton
2005-091-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WAYNE G. BALL and WILDA M. BALL,
Plaintiffs

vs.

DAVID C. HAMILTON, JR.,
Defendant

Civil Division

No. 05-91-CD

Type of Pleading: Complaint

Filed on Behalf of Plaintiffs

Counsel of Record for this Party:

Nathan W. Karn, Esq.
Pennsylvania I.D. No: 86068

Evey, Routch, Black, Dorezas, Magee
& Levine LLP
P.O. Box 415
401 Allegheny Street
Hollidaysburg, PA 16648-0415

(814) 695-7581

FILED
APR 19 2005
m) 1:38 AM
NOCC

William A. Shaw
Prothonotary/Clerk of Courts

WAYNE G. BALL and
WILDA M. BALL,
Plaintiffs
vs.
DAVID C. HAMILTON, JR.,
Defendant

: IN THE COURT OF COMMON PLEAS OF
: CLEARFIELD COUNTY, PENNSYLVANIA
: CIVIL DIVISION
: NO. 05-91-CD

NOTICE

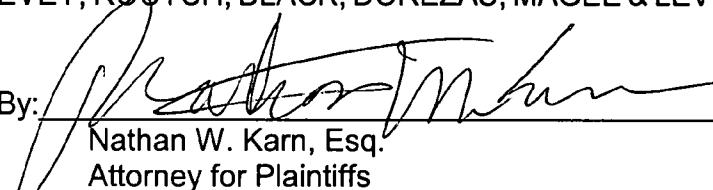
You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money, property or other rights important to you.

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

David S. Meholic
Court Administrator
Clearfield County Court House
Clearfield, PA 16830

Phone: (814) 765-2641 Ext. 5982

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE & LEVINE LLP

By: 

Nathan W. Karn, Esq.
Attorney for Plaintiffs
401 Allegheny St., P. O. Box 415
Hollidaysburg, PA 16648
(814) 695-7581
Pa. I.D.# 86068

WAYNE G. BALL and	:	IN THE COURT OF COMMON PLEAS OF
WILDA M. BALL,	:	CLEARFIELD COUNTY, PENNSYLVANIA
	Plaintiffs	:
		CIVIL DIVISION
vs.	:	
DAVID C. HAMILTON, JR.,	:	NO. 05-91-CD
	Defendant	:

COMPLAINT

AND NOW, comess the Plaintiffs, Wayne G. Ball and Wilda M. Ball, by and through their attorneys, Evey, Routch, Black, Dorezas, Magee & Levine LLP, and file the following Complaint:

1.

Plaintiff, Wayne G. Ball, is an adult individual residing at RR1 Box 269, Coalport, Clearfield County, Pennsylvania 16627.

2.

Plaintiff, Wilda M. Ball, is an adult individual residing at RR1 Box 269, Coalport, Clearfield County, Pennsylvania 16627.

3.

Defendant, David C. Hamilton, Jr., is an adult individual currently an inmate at the Clearfield County Jail, 115-21st Street, Clearfield, Clearfield County, Pennsylvania 16627.

4.

On or about April 12, 2003, Plaintiffs were the owners of a 2002 Ford Escape XLT motor vehicle which was involved in the accident described herein.

5.

On that date, Defendant was the owner of a 1989 Oldsmobile motor vehicle which

was involved in the accident described herein.

6.

On the aforesaid date, at approximately 11:00 a.m., Plaintiff, Wilda M. Ball, was operating her vehicle in a careful, lawful and prudent manner in an easterly direction on Spruce Street, Coalport, Clearfield County, Pennsylvania.

7.

On the aforesaid date and time, Defendant was operating his motor vehicle in a careless, reckless and negligent manner by traveling the wrong way on a one-way street known as Turtle Alley in Coalport, Clearfield County, Pennsylvania.

8.

As the motor vehicle being operated by Defendant approached Plaintiffs' vehicle, said motor vehicle, suddenly and without warning, carelessly, negligently and recklessly came into violent contact and collision with the passenger side of the motor vehicle of the Plaintiffs, causing damages as more specifically set forth below.

9.

The motor vehicle of the Plaintiffs was damaged solely, directly and entirely as a result of the aforesaid collision in the amount of \$1,640.49, being less than the fair market value of the motor vehicle of the Plaintiffs at the time of the collision.

10.

Plaintiffs also incurred damages for the loss of use of their vehicle in the amount of \$50.00.

COUNT I

PLAINTIFFS V. DAVID C. HAMILTON, JR.

11.

Paragraphs 1-10 are incorporated by reference herein as if the same had been set forth at length.

12.

The aforesaid accident was directly and proximately caused by the carelessness, recklessness and negligence of the Defendant, which consisted of the following:

- a. Failing to have the motor vehicle under proper, adequate, and reasonable control under the circumstances and conditions then and there existing;
- b. Operating his motor vehicle at an excessive rate of speed under the circumstances;
- c. Operating the motor vehicle without due regard for the right, safety and position of the motor vehicle of the Plaintiffs at the time and place aforesaid;
- d. Failing to see and observe the motor vehicle of the Plaintiffs in sufficient time to avoid the damages to said motor vehicle of the Plaintiffs;
- e. Being inattentive and disregarding the condition and circumstances then and there existing;
- f. Operating a motor vehicle in such a way as to negligently and carelessly collide with the motor vehicle of the Plaintiffs;
- g. Failing to take evasive action in order to avoid impacting with Plaintiffs' vehicle;
- h. Failing to apply his brakes in sufficient time to avoid striking Plaintiffs' vehicle;

i. Failing to yield the right-of-way to the vehicle driven by Plaintiff, Wilda M. Ball, when Defendant entered and/or crossed such roadway in violation of 75 Pa. C.S.A. §3324;

j. Driving his vehicle with careless disregard for the safety of persons or property in violation of 75 Pa.C.S.A. §3714;

k. Failing to keep his vehicle within the lane of travel in violation of 75 Pa. C.S.A. §3309;

l. Failing to operate his vehicle in the correct direction on a one-way street;

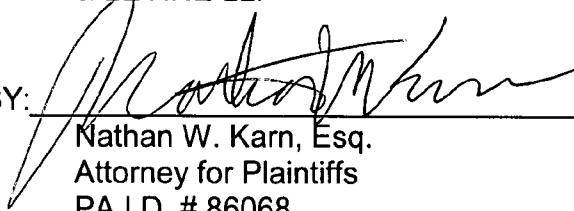
m. Operating his vehicle on a highway when it was not insured in violation of 75 Pa. C.S.A. § 1786(e) and (f); and

n. Violating the laws and statutes of the Commonwealth of Pennsylvania pertaining to the control of speed, management, and operation of the motor vehicle in the Commonwealth.

WHEREFORE, Plaintiffs claim damages of Defendant, in the amount of One Thousand Six Hundred Ninety and 49/100 (\$1,690.49) Dollars, together with interest plus costs of suit.

Respectfully Submitted,

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE
& LEVINE LLP

BY: 

Nathan W. Karn, Esq.
Attorney for Plaintiffs
PA I.D. # 86068
401 Allegheny Street
Hollidaysburg, Pennsylvania

(814) 695-7581

VERIFICATION

The undersigned, WAYNE G. BALL and WILDA M. BALL, aver that the statements of fact contained in the foregoing Complaint are true and correct to the best of their knowledge, information and belief, and are made subject to the penalties of 18 Pa. Con. Stat. Ann. Section 4904 relating to unsworn falsification to authorities.

Wayne G. Ball
Wayne G. Ball

Wilda M. Ball
Wilda M. Ball

DATED: 4-13-05

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the 18th day of April, 2005, by United States Mail, First Class, postage prepaid, addressed to the following:

David C. Hamilton, Jr.
c/o Clearfield County Jail
115-21st Street
Clearfield, PA 16830

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE,
& LEVINE LLP

BY: 

Nathan W. Karn, Esq.
Attorney for Plaintiffs

WAYNE G. BALL and
WILDA M. BALL,
Plaintiffs
vs.
DAVID C. HAMILTON, JR.,
Defendant
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 05-91-CD

PRAECIPE FOR WRIT OF SUMMONS

TO: PROTHONOTARY OF CLEARFIELD COUNTY:

Enter my appearance for the Plaintiffs and issue a Writ of Summons in the
above-captioned matter against the Defendant.

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE
& LEVINE LLP

BY: 

Nathan W. Karn, Esq.
Attorney for Plaintiffs
Attorney I.D. #86068
401 Allegheny Street, P. O. Box 415
Hollidaysburg, PA 16648
(814) 695-7581

Dated: 1/19/05

FILED 1CC & 1 Writ
JAN 20 2005 to Shff
Atty pd. 85.00
William A. Shaff
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION

Copy

SUMMONS

Wayne G. Ball
Wilda M. Ball

Vs.

NO.: 2005-00091-CD

David C. Hamilton

TO: DAVID C. HAMILTON

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 01/20/2005

William A. Shaw
Prothonotary

Issuing Attorney:

Nathan W. Karn Esq
401 Allegheny Street
Hollidaysburg, PA 16648
(814) 695-7581

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100161
NO: 05-91-CD
SERVICE # 1 OF 1
SUMMONS

PLAINTIFF: WAYNE G. BALL and WILDA M. BALL

vs.

DEFENDANT: DAVID C. HAMILTON

SHERIFF RETURN

NOW, January 25, 2005 AT 9:51 AM SERVED THE WITHIN SUMMONS ON DAVID C. HAMILTON DEFENDANT AT 115 21st ST., CLFD. CO. JAIL, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID C. HAMILTON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	EVEY,ROUTCH	22166	10.00
SHERIFF HAWKINS	EVEY,ROUTCH	22166	20.37

FILED

o 2:47 p.m. GK

FEB 23 2005

William A. Shaw
Prothonotary

Sworn to Before Me This

23rd Day of Feb 2005

Will A. Shaw
WILLIAM A. SHAW
Prothonotary

My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins
by Marilyn Harris

Chester A. Hawkins
Sheriff

WAYNE G. BALL and WILDA M. BALL, : IN THE COURT OF COMMON PLEAS OF
Plaintiffs : CLEARFIELD COUNTY, PENNSYLVANIA
:
vs. : CIVIL DIVISION
:
DAVID C. HAMILTON, JR., : NO. 05-91-CD
Defendant :
:

FILED ^{Atty pd.}
^{m 11:45 AM} ^{20.00}
JUL 27 2005 ^{Notice to}
^{Def.}

PRAECIPE FOR ENTRY OF JUDGMENT

William A. Shaw ^{Statement}
Prothonotary/Clerk of Courts to ^{Atty}

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

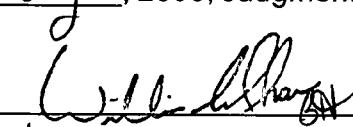
Kindly enter Judgment in favor of the Plaintiffs and against the Defendant in the above-captioned matter, for failure to appear or file an Answer within twenty (20) days from the date of service of the Complaint; and damages in the amount of \$1,690.49, together with costs and interest. I certify that written notice of intention to file this praecipe was mailed to Defendant after the default had occurred and at least ten days prior to the date of the filing of this praecipe. In addition, I certify that Notice of Assessment of Damages, along with Appraiser's Affidavit and Repair Estimate were sent to the Defendant by certified mail return receipt requested to the last known address of Defendant (copy of envelope attached indicating "Not There". Original envelope available for inspection at office of undersigned) at least ten days prior to filing this praecipe. Copies of the notices are attached. I further certify that the Defendant had no attorney of record at the time the attached notices were mailed to Defendant.

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE & LEVINE LLP

By:


Nathan W. Karn, Esquire
Attorney for Plaintiffs
Pa. I.D.# 86068
401 Allegheny Street
P.O. Box 415
Hollidaysburg, PA 16648

AND NOW, this 27th day of July, 2005, Judgment is entered as above.



Prothonotary

WAYNE G. BALL and WILDA M. BALL, : IN THE COURT OF COMMON PLEAS OF
Plaintiffs : CLEARFIELD COUNTY, PENNSYLVANIA
vs. :
DAVID C. HAMILTON, JR., : CIVIL DIVISION
Defendant : NO. 05-91-CD

TO: **DAVID C HAMILTON JR**
c/o Clearfield County Jail
115-21st Street
Clearfield PA 16830

DATE OF NOTICE: May 12, 2005

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

David S. Meholic
Court Administrator
Clearfield County Court House
Clearfield, PA 16830 Phone: (814) 765-2641 Ext. 5982

EVEY, ROUTCH, BLACK, DOREZAS, MAGEE
& LEVINE LLP

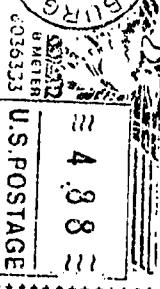
BY:


Nathan W. Karn, Esq.
Pa. I.D.#86068
Attorney for Plaintiffs
401 Allegheny Street
P. O. Box 415
Hollidaysburg, PA 16648
(814) 695-7581

EVEY ROUTH BLACK
ATTORNEYS

401-03 ALLEGHENY STREET, P.O. BOX 415
HOLIDAYSBURG, PENNSYLVANIA 16648-0415

7004 1350 0005 5527 9252



UAF

KURT THURKE

DAVID C HAMILTON JR
C/O CLEARFIELD COUNTY JAIL
115-21ST STREET

CLEARFIE A INSUFFICIENT ADDRESS
 C ATTEMPTED NOT KNOWN
 S NO SUCH NUMBER/STREET
 UNABLE TO FORWARD AS ADDRESSED

RTS
RETURN TO SENDER



401-03 ALLEGHENY STREET
P.O. BOX 415
HOLLIDAYSBURG, PENNSYLVANIA 16648-0415
814.695.7581
FAX: 814.695.1750

99 NASON DRIVE
P.O. BOX 5
ROARING SPRING, PA 16673
814.224.5162

Other Offices:
102 W. PENN STREET, SUITE 1
BEDFORD, PA 15522
814.623.7817
FAX: 814.623.8740

www.eveyroutchblack.com

JAMES S. ROUTCH CLYDE O. BLACK, II BENJAMIN I. LEVINE, JR. J. MICHAEL DOREZAS
MICHAEL B. MAGEE AMY ORR ROSENSTEEL MICHAEL P. ROUTCH KATHY J. MAUK
WILLIAM R. BRENNER NATHAN W. KARN SUZANNE H. RHODES

MERLE K. EVEY
OF COUNSEL

Reply to Hollidaysburg Office

WRITER'S DIRECT DIAL:

July 1, 2005

"CERTIFIED MAIL, RETURN RECEIPT REQUESTED"

David C Hamilton Jr
c/o Clearfield County Jail
115-21st Street
Clearfield PA 16830

In re: Ball v. Hamilton
No. 05-91-CD

Dear Mr. Hamilton:

Enclosed please find a Notice of Assessment of Damages which we intend to enter against you as provided in the Notice, an Appraiser's Affidavit showing the amount of damages incurred in this case, and a repair estimate.

Sincerely,

Nathan W. Karn

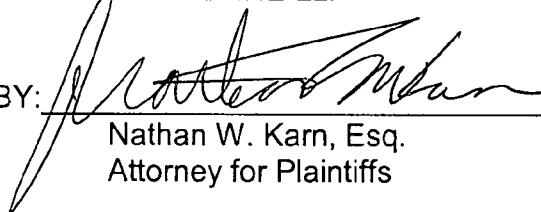
NWK:dkb
Enclosures

WAYNE G. BALL and WILDA M. BALL, : IN THE COURT OF COMMON PLEAS OF
Plaintiffs : CLEARFIELD COUNTY, PENNSYLVANIA
vs. : CIVIL DIVISION
DAVID C. HAMILTON, JR., : NO. 05-91-CD
Defendant :

NOTICE OF ASSESSMENT OF DAMAGES

You are hereby notified that in ten (10) days from the mailing of this Notice, damages will be assessed against you in the amount indicated in the attached Repair Bill in connection with the judgment which will be entered against you in the above-captioned action unless, prior to the date of assessment, you request a trial on the issue of damages by filing a written Praecept with the Prothonotary.

EVEY, ROUTCH, BLACK, DOREZAS,
MAGEE & LEVINE LLP

BY: 

Nathan W. Karn, Esq.
Attorney for Plaintiffs

Dated: 7/1/05

APPRAISER'S AFFIDAVIT

STATE OF PENNSYLVANIA

: SS

COUNTY OF Delaware

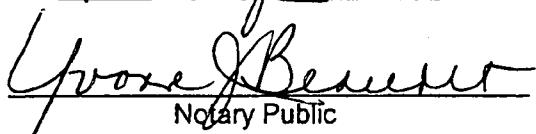
: :

AND NOW, this 15th day of June, 2005, before me, the undersigned authority, personally appeared Lisa Morse-Rothwell who acknowledged himself/herself to be an employee of State Farm Insurance Companies, and that the appraisal attached hereto accurately reflects the damages which were sustained to motor vehicle owned by Wayne G. Ball & Wilda M. Ball. I certify that these repairs were necessary, and that the prices for labor and material were fair and reasonable and those customarily charged. The undersigned also states that he/she has experience in the appraisal of automobiles for a period of 7 years.



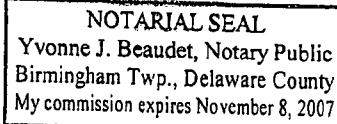
Sworn to and subscribed before me

this 17th day of June, 2005.



Yvonne J. Beaudet
Notary Public

My Commission Expires:



RECEIVED

MAY 16 2005
CONCORDVILLE
C105

04/25/2003 AT 06:43 PM
36939

JOB NUMBER: 30

CONDRIIN OLDSMOBILE CADILLAC INC.
LICENSE #:127029 FEDERAL ID #:231626138
HOURS: MONDAY - FRIDAY 8:00 A.M. - 5:00P.M.
400 EAST PLANK ROAD
ALTOONA, PA 16602
(814) 944-8184 FAX: (814) 943-2975

SUPPLEMENT OF RECORD 1 WITH SUMMARY

WRITTEN BY: ALLEN FEATHERS #127029 04/25/2003 06:42 PM
ADJUSTER: TEAM FOUR CLAIM REP #

INSURED: WAYNE BALL
OWNER: WAYNE BALL
ADDRESS: RR 1 BOX 269
COALPORT, PA 16627-9735
EVENING: (814) 672-5255

CLAIM #38-K172-75501
POLICY #
DEDUCTIBLE: 250.00
DATE OF LOSS: 04/12/2003 AT 11:15 AM
TYPE OF LOSS: COLLISION
POINT OF IMPACT: 4. RIGHT QUARTER P

INSPECT
LOCATION: RESIDENCE

DAY: ()-

INSURANCE STATE FARM INSURANCE COMPANIES
COMPANY: 115 LIMEKILN ROAD
P.O. BOX 257
NEW CUMBERLAND, PA 17070

DAYS TO REPAIR

2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:
VIN: 1FMYU04172KD83724 LIC: FCG3792 PA PROD DATE: 06/2002 ODOMETER: 4019
AIR CONDITIONING REAR DEFOGGER TILT WHEEL
CRUISE CONTROL INTERMITTENT WIPERS KEYLESS ENTRY
THEFT DETERRENT/ALARM REAR WIPER BODY SIDE MOLDINGS
DUAL MIRRORS PRIVACY GLASS LUGGAGE/ROOF RACK
FOG LAMPS CLEAR COAT PAINT POWER STEERING
POWER BRAKES POWER WINDOWS POWER LOCKS
POWER DRIVER SEAT POWER MIRRORS AM RADIO
FM RADIO STEREO CASSETTE
SEARCH/SEEK ANTI-LOCK BRAKES (4) DRIVER AIR BAG
PASSENGER AIR BAG CLOTH SEATS BUCKET SEATS
RECLINE/LOUNGE SEATS AUTOMATIC TRANSMISSION 4 WHEEL DRIVE
OVERDRIVE ALUMINUM/ALLOY WHEELS

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		FRONT DOOR				
2	BLND	RT OUTER PANEL				1.0
3	REPL	RT BODY SIDE MLDG MEDIUM TITANIUM	1	71.20	0.4	
4	R&I	RT BELT W' STRIP				0.3
5*	S01	REPL RT NAMEPLATE ESCAPE	1	20.38*	0.3	
6	R&I	RT MIRROR POWER				0.4
7*	R&I	RT RUN CHANNEL				0.3*

04/25/2003 AT 06:43 PM
36939

JOB NUMBER: 30

SUPPLEMENT OF RECORD 1 WITH SUMMARY
2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
8	R&I	RT HANDLE, OUTSIDE BLACK, TEXTURED			0.4		
9	R&I	R&I TRIM PANEL			0.5		
10		REAR DOOR					
11*	RPR	RT DOOR SHELL W/WHEEL OPNG MLDG			6.0*	2.3	
12		ADD FOR CLEAR COAT					0.9
13	REPL	RT BODY SIDE MLDG W/WHEEL OPEN ING MOLDING MEDIUM PLATINUM	1	59.48	0.5		
14	R&I	RT BELT W'STRIP			0.3		
15*	R&I	RT RUN CHANNEL			0.3*		
16	R&I	RT HANDLE, OUTSIDE BLACK			0.4		
17	R&I	R&I TRIM PANEL W/POWER UNITS			0.5		
18		QUARTER PANEL					
19	BLND	RT QUARTER PANEL W/O HOLE					1.1
20*	R&I	RT WHEEL OPNG MLDG UPPER MEDIUM TITANIUM			0.3*		
21	R&I	RT QTR GLASS FORD TINTED			1.6		
22		REAR LAMPS					
23	R&I	RT TAIL LAMP ASSY			0.2		
24		REAR BUMPER					
25	R&I	R&I BUMPER COVER			1.0		
26		PILLARS, ROCKER & FLOOR					
27#	S01	REPL RT ROCKER MLDG.	1	60.53	0.3		
N	28* S01	RPR RT OUTER ROCKER OVERLAP MAJOR ADJ. PANEL			S 5.0*	1.0*	
29		ADD FOR CLEAR COAT					-0.4
30							0.1
31	REPL	RT COVER ASSY	1	120.99	0.3		
32#	RPR	MASK JAMBS			0.6		
33#	S01	REPL CORROSION PROTECTION	1		T		0.5
34#		HAZARDOUS WASTE REMOVAL	1	3.50	X		
35#		PROTECT FROM OVERSPRAY	1	5.00	T	0.3	
36#	REPL	URETHANE KIT	1	15.95	T		
37#		VEHICLE DETAILING	1		0.5		
38#	S01	FINAL ESTIMATE-AUTHORIZATION TO PAY SECURED.	1				
SUBTOTALS ==>				357.03	20.7	6.5	

LINE 28 : AFTER REMOVING THE ROCKER MLDG. WE DISCOVERED MORE
DAMAGE. WE PHOTOED ADDITIONAL DAMAGE AND ATTACHED THE
PHOTOS TO THE FILE.

04/25/2003 AT 06:43 PM
36939

JOB NUMBER: 30

SUPPLEMENT OF RECORD 1 WITH SUMMARY
2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:

PARTS		332.58
BODY LABOR	20.7 HRS @ \$ 39.00/HR	807.30
PAINT LABOR	6.5 HRS @ \$ 39.00/HR	253.50
PAINT SUPPLIES	6.5 HRS @ \$ 20.00/HR	130.00
SUBLET/MISC.		24.45
<hr/>		
SUBTOTAL		\$ 1547.83
SALES TAX	\$ 1544.33 @ 6.0000%	92.66
<hr/>		
GRAND TOTAL		\$ 1640.49
 ADJUSTMENTS:		
DEDUCTIBLE		250.00
<hr/>		
CUSTOMER PAY		\$ 250.00
INSURANCE PAY		\$ 1390.49

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS THE PERSON TO CRIMINAL AND CIVIL PENALTIES.

THE FOLLOWING IS A LIST OF ABBREVIATIONS OR SYMBOLS THAT MAY BE USED TO DESCRIBE WORK TO BE DONE OR PARTS TO BE REPAIRED OR REPLACED: D=DISCONTINUED PART A=APPROXIMATE PRICE B=BODY LABOR D=DIAGNOSTIC E=ELECTRICAL F=FRAME G=GLASS M=MECHANICAL P=PAINT LABOR S=STRUCTURAL T=TAXED MISCELLANEOUS X=NON TAXED MISCELLANEOUS ADJ=ADJACENT ALGN=ALIGN A/M=AFTERMARKET BLND=BLEND CAPA=CERTIFIED AUTOMOTIVE PARTS ASSOCIATION D&R=DISCONNECT AND RECONNECT EST=ESTIMATE EXT. PRICE=UNIT PRICE MULTIPLIED BY THE QUANTITY INCL=INCLUDED MISC=MISCELLANEOUS NON-ADJ=NON ADJACENT O/H=OVERHAUL OP=OPERATION NO=LINE NUMBER QTY=QUANTITY QUAL RECY=QUALITY RECYCLED PART QUAL REPL=QUALITY REPLACEMENT PART RECOND=RECONDITION REFN=REFINISH REPL=REPLACE R&I=REMOVE AND INSTALL R&R=REMOVE AND REPLACE RPR=REPAIR RT=RIGHT SECT=SECTION SUBL=SUBLET LT=LEFT W/O=WITHOUT W/ =WITH/ #=MANUAL LINE ENTRY *=OTHER [IE..MOTORS DATABASE INFORMATION WAS CHANGED]. **=DATABASE LINE WITH AFTERMARKET N=NOTES ATTACHED TO LINE NAGS=NATIONAL AUTO GLASS SPECIFICATIONS.

THE ATTACHED ESTIMATE REPRESENTS AN APPRAISAL OF THE COST OF REPAIR FOR THE VISIBLE DAMAGE TO THE VEHICLE NOTED AT THE TIME OF INSPECTION NECESSARY TO RETURN THE VEHICLE TO ITS PREDAMAGED CONDITION. COSTS ABOVE THE APPRAISED AMOUNT MAY BE THE RESPONSIBILITY OF THE VEHICLE OWNER. THERE IS NO REQUIREMENT THAT THE VEHICLE OWNER USE ANY SPECIFIED REPAIR SHOP. INFORMATION REGARDING REPAIR FACILITIES WHICH WILL BE ABLE TO REPAIR THE VEHICLE FOR THE APPRAISED AMOUNT MAY BE AVAILABLE FROM THE INSURANCE COMPANY. IF USED PARTS ARE SPECIFIED, THEY ARE REQUIRED TO BE OF LIKE KIND AND QUALITY TO THOSE BEING REPLACED. INCIDENTAL CHARGES SUCH AS TOWING, PROTECTIVE CARE, CUSTODY, STORAGE, DEPRECIATION, BATTERY AND TIRE REPLACEMENT ARE NOTED WHEN APPLICABLE.

04/25/2003 AT 06:43 PM
36939

JOB NUMBER: 30

SUPPLEMENT OF RECORD 1 WITH SUMMARY
2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:

ESTIMATE BASED ON MOTOR CRASH ESTIMATING GUIDE. UNLESS OTHERWISE NOTED ALL ITEMS ARE DERIVED FROM THE GUIDE DR2MK01 DATABASE DATE 4/2003 AND THE PARTS SELECTED ARE OEM-PARTS MANUFACTURED BY THE VEHICLE'S ORIGINAL EQUIPMENT MANUFACTURER. ASTERISK (*) OR DOUBLE ASTERISK (**) INDICATES THAT THE PARTS AND/OR LABOR INFORMATION PROVIDED BY MOTOR MAY HAVE BEEN MODIFIED OR MAY HAVE COME FROM AN ALTERNATE DATA SOURCE. NON-ORIGINAL EQUIPMENT MANUFACTURER AFTERMARKET PARTS ARE DESCRIBED AS AM OR QUAL REPL PARTS. USED PARTS ARE DESCRIBED AS LKQ, QUAL RECY PARTS, RCY, OR USED. RECONDITIONED PARTS ARE DESCRIBED AS RECON. RECORED PARTS ARE DESCRIBED AS RECORE. NAGS PART NUMBERS AND PRICES ARE PROVIDED FROM NATIONAL AUTO GLASS SPECIFICATIONS, INC. POUND SIGN (#) ITEMS INDICATE MANUAL ENTRIES.

PATHWAYS - A PRODUCT OF CCC INFORMATION SERVICES INC.

04/25/2003 AT 06:43 PM
36939

JOB NUMBER: 30

SUPPLEMENT OF RECORD 1 WITH SUMMARY
2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
----- CHANGED ITEMS -----							
5	REPL	RT NAMEPLATE ESCAPE	1	-17.80		-0.3	
5* S01	REPL	RT NAMEPLATE ESCAPE	1	20.38*		0.3	
27#	REPL	RT ROCKER MLDG.	1	-59.48		-0.3	
27# S01	REPL	RT ROCKER MLDG.	1	60.53		0.3	
28*	RPR	RT OUTER ROCKER			S	-2.5*	-1.0*
N 28* S01	RPR	RT OUTER ROCKER			S	5.0*	1.0*
33#	REPL	CORROSION PROTECTION	1	-15.00	T	-0.3	
33# S01	REPL	CORROSION PROTECTION	1		T		0.5
----- ADDED ITEMS -----							
38# S01		FINAL ESTIMATE-AUTHORIZATION T	1				
SUBTOTALS ==>				-11.37		2.2	0.5

LINE 28 : AFTER REMOVING THE ROCKER MLDG. WE DISCOVERED MORE DAMAGE. WE PHOTOED ADDITIONAL DAMAGE AND ATTACHED THE PHOTOS TO THE FILE.

PARTS	3.63	
BODY LABOR	2.2 HRS @ \$ 39.00/HR	85.80
PAINT LABOR	0.5 HRS @ \$ 39.00/HR	19.50
PAINT SUPPLIES	0.5 HRS @ \$ 20.00/HR	10.00
SUBLET/MISC.		-15.00
SUBTOTAL		\$ 103.93
SALES TAX	\$ 103.93 @ 6.0000%	6.24
TOTAL SUPPLEMENT AMOUNT		\$ 110.17
NET COST OF SUPPLEMENT		\$ 110.17

ESTIMATE	1530.32 ALLEN FEATHERS	
SUPPLEMENT S1	110.17 ALLEN FEATHERS	
JOB TOTAL	\$ 1640.49	CUSTOMER PAY \$ 250.00
		INSURANCE PAY \$ 1390.49

04/25/2003 AT 06:43 PM
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2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:

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SUPPLEMENT OF RECORD 1 WITH SUMMARY
2002 FORD ESCAPE 4X4 XLT 6-3.0L-FI 4D UTV GRAY INT:

ALTERNATE PARTS USAGE

AFTERMARKET PARTS

AFTERMARKET SELECTION METHOD: AUTOMATICALLY LIST

NO. OF TIMES USER WAS NOTIFIED THAT AN AFTERMARKET PART WAS AVAILABLE: 0

NO. OF AFTERMARKET PARTS THAT APPEAR IN THE FINAL ESTIMATE: 0

WAYNE G. BALL and WILDA M. BALL, : IN THE COURT OF COMMON PLEAS OF
Plaintiffs : CLEARFIELD COUNTY, PENNSYLVANIA
vs. : CIVIL DIVISION
DAVID C. HAMILTON, JR., : NO. 05-91-CD
Defendant :

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF BLAIR :

Personally appeared before me, a notary public in and for said Commonwealth and
County, NATHAN W. KARN, ESQUIRE, of the firm of Evey, Routh, Black, Dorezas,
Magee & Levine LLP, attorney for the Plaintiff, who being duly sworn according to law
deposes and says that he mailed notice of default judgment and notice of assessment of
damages to the above-captioned Defendant, David C. Hamilton, Jr., in accordance with
Pennsylvania Rules of Civil Procedure 237.1 and 1037.



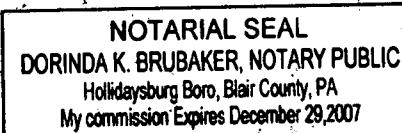
Nathan W. Karn, Esquire

Sworn to and subscribed before me

this 26th day of July, 2005.



Dorinda K. Brubaker
Notary Public



TO: PROTHONOTARY OF CLEARFIELD COUNTY:

In connection with the case of Wayne G. Ball & Wilda M. Ball vs. David C. Hamilton, Jr., No. 05-91-CD, I submit the following information in connection with the eventual removal of the operating privileges of the Defendant in the event that the judgment entered in said action is not paid within sixty (60) days from the date of its entry.

1. Operator's Name – David C. Hamilton, Jr.
2. Operator's Last Known Address – c/o Clearfield County Jail, 115-21st St., Clearfield, PA 16830
3. Operator's Date of Birth – June 3, 1964
4. License No. - 60025629
5. Date of Accident – April 12, 2003
6. Plaintiffs' Name – Wayne G. Ball & Wilda M. Ball
7. Plaintiffs' Address – RR1 Box 269, Coalport, PA 16627

 COPY

Pursuant to Pennsylvania Rule of Civil Procedure No. 236, you are hereby notified of the entry of Judgment in the below-captioned matter.

WAYNE G. BALL and WILDA M. BALL, : IN THE COURT OF COMMON PLEAS OF
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA
vs. : CIVIL DIVISION
DAVID C. HAMILTON, JR., : NO. 05-91-CD
Defendant : JUDGMENT IN THE AMOUNT OF \$1,690.49
: FILED July 27, 2005
: ORDER OR DECREE ENTERED ON
: _____ in _____


Wilda M. Ball
BPA

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

 COPY

Wayne G. Ball
Wilda M. Ball
Plaintiff(s)

No.: 2005-00091-CD

Real Debt: \$1,690.49

Atty's Comm: \$

Vs.

Costs: \$

David C. Hamilton, Jr.
Defendant(s)

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 27, 2005

Expires: July 27, 2010

Certified from the record this 27th day of July, 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

L-201 (5-84)
Bureau of Driver Licensing
Room 302, Transportation & Safety Bldg.
Harrisburg, PA 17120

Date: 10/3/05
Clearfield County
No. 2005-00091-CD

No. 46



(6N)

COPY

CERTIFICATION OF MOTOR VEHICLE JUDGMENT

TO THE SECRETARY OF TRANSPORTATION:

This is to certify that on July 27, 2005, a judgment for \$1,690.49 was entered against the following:

JUDGMENT DEBTOR

Name: David C. Hamilton, Jr.

Address:

City:

Date of Birth: 06/03/64

Operator Number: 60025629

Date of Accident: 04/12/03

Insurance Co. Claim Number:

(If applicable)

JUDGMENT CREDITOR

Name: Wayne G. Ball

Street Address: RR1 Box 269

City, State Zip: Coalport, PA 16627

Telephone:

ATTORNEY FOR THE JUDGMENT
CREDITOR

Name: Nathan W. Karn Esq.

Street Address: 401 Allegheny Street

City, State/Zip: Hollidaysburg PA 16648

Telephone:

THE ABOVE MENTIONED JUDGMENT AROSE FROM A MOTOR VEHICLE ACCIDENT.
SIXTY DAYS HAVE ELAPSED SINCE THE ENTRY OF SAID JUDGMENT, AND THE
SAME HAS NOT BEEN SATISFIED OR RECORD AND NO APPEAL HAS BEEN TAKEN
THEREFROM.

IN WITNESS WHEREOF, I have hereunto
affixed my hand and seal of the court this

October 4, 2005

(Seal)



William A. Shaw, Prothonotary