



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

(814) 695-7581

---

**FILED** <sup>cc</sup>  
m) 1:38/64  
APR 19 2005  
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. Meholick  
Court Administrator  
Clearfield County Court House  
Clearfield, PA 16830

Phone: (814) 765-2641 Ext. 5982

EVEY, ROUTH, 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.	:	NO. 05-91-CD
	:	
DAVID C. HAMILTON, JR.,	:	
Defendant	:	

### COMPLAINT

AND NOW, comess the Plaintiffs, Wayne G. Ball and Wilda M. Ball, by and through their attorneys, Evey, Rutch, 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, 115-21<sup>st</sup> 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, ROUTH, 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



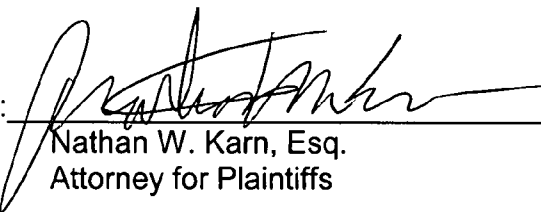
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the *18<sup>th</sup>* 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  
115-21<sup>st</sup> 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

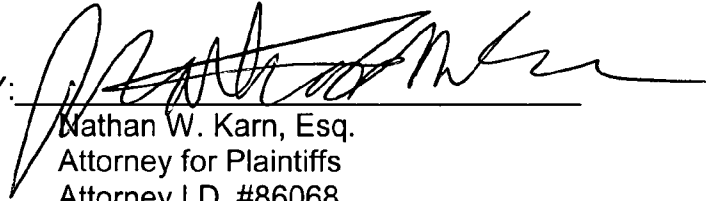
**PRAECIPE FOR WRIT OF SUMMONS**

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 ICC & Writ  
m/2/2005 to Shff  
JAN 20 2005 Atty pd. 85.00

William A. Shaw  
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**

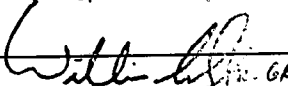
D 2:47 P.M. GK

FEB 23 2005

William A. Shaw  
Prothonotary


Sworn to Before Me This

23rd Day of Feb 2005



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

So Answers,

  
by Marilyn Hamer

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** <sup>AP</sup> <sub>11:45/61</sub> <sub>20.00</sub>  
JUL 27 2005 <sub>Notice to Def.</sub>

William A. Shaw <sup>Statement</sup>  
Prothonotary/Clerk of Courts <sub>to Alley</sub>

PRAECIPE FOR ENTRY OF JUDGMENT


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 27<sup>th</sup> 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. : CIVIL DIVISION  
:  
DAVID C. HAMILTON, JR., : NO. 05-91-CD  
Defendant :

TO: **DAVID C HAMILTON JR**  
c/o Clearfield County Jail  
115-21<sup>st</sup> 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. Meholick  
Court Administrator  
Clearfield County Court House  
Clearfield, PA 16830 Phone: (814) 765-2641 Ext. 5982

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

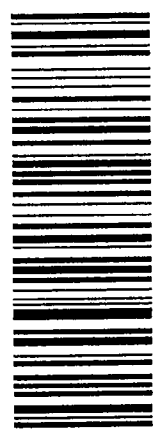
BY: 

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

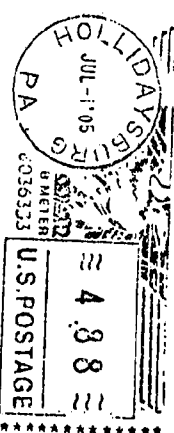
**EVER RUTCH BLACK**  
ATTORNEYS

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

**CERTIFIED MAIL™**



7004 1350 0005 5527 9252



*UAA*

DAVID C HAMILTON JR  
C/O CLEARFIELD COUNTY JAIL  
115-21<sup>ST</sup> ST

*NOT IN CARE*

CLEARFIE

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

**RTS**  
RETURN TO SENDER



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

Other Offices:  
99 NASON DRIVE  
P.O. BOX 5  
ROARING SPRING, PA 16673  
814.224.5162  
102 W. PENN STREET, SUITE 1  
BEDFORD, PA 15522  
814.623.7817  
FAX: 814.623.8740

[www.eveyrutchblack.com](http://www.eveyrutchblack.com)

JAMES S. RUTCH CLYDE O. BLACK, II BENJAMIN I. LEVINE, JR. J. MICHAEL DOREZAS  
MICHAEL B. MAGEE AMY ORR ROSENSTEEL MICHAEL P. RUTCH 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"

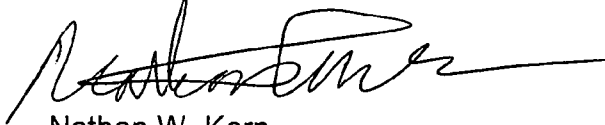
David C Hamilton Jr  
c/o Clearfield County Jail  
115-21<sup>st</sup> Street  
Clearfield PA 16830

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 Praecipe with the Prothonotary.

EVEY, RUTCH, 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 15<sup>th</sup> 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.

Lisa Morse Rothwell

Sworn to and subscribed before me

this 17<sup>th</sup> day of June, 2005.

Yvonne J. Beaudet  
Notary Public

My Commission Expires:

NOTARIAL SEAL  
Yvonne J. Beaudet, Notary Public  
Birmingham Twp., Delaware County  
My commission expires November 8, 2007

**RECEIVED**

**MAY 16 2005**  
**CONCORDVILLE**  
**CIO**

04/25/2003 AT 06:43 PM  
36939

JOB NUMBER: 30

CONDRIN 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				S 5.0*	1.0*
29		OVERLAP MAJOR ADJ. PANEL					-0.4
30		ADD FOR CLEAR COAT					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
-----			
SUBTOTAL			\$ 1547.83
SALES TAX	\$ 1544.33	@ 6.0000%	92.66
-----			
GRAND TOTAL			\$ 1640.49
ADJUSTMENTS:			
DEDUCTIBLE			250.00
-----			
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 VEHICLES 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  
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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

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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 :

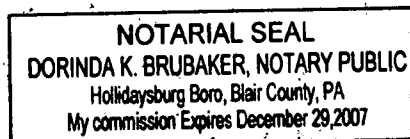
COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF BLAIR : SS  
:

Personally appeared before me, a notary public in and for said Commonwealth and County, NATHAN W. KARN, ESQUIRE, of the firm of Evey, Rutch, 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.

  
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, 115-21<sup>st</sup> 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

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
	:	CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiff	:	CIVIL DIVISION
vs.	:	NO. 05-91-CD
	:	JUDGMENT IN THE AMOUNT OF \$1,690.49
DAVID C. HAMILTON, JR.,	:	FILED <u>July 27</u> , 2005
	:	
Defendant	:	ORDER OR DECREE ENTERED ON
	:	in

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: \$

Int. From: \$

David C. Hamilton, Jr.  
Defendant(s)

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



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: RRI 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