

05-429-CD  
A. Hardwood vs. Tri-Woods, Inc.

Appalachian Hardwood v. Tri-Woods  
2005-429-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100357  
NO: 05-429-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: APPALACHIAN HARDWOOD LUMBER COMPANY  
vs.  
DEFENDANT: TRI-WOODS, INC.

SHERIFF RETURN

NOW, April 05, 2005 AT 2:30 PM SERVED THE WITHIN COMPLAINT ON TRI-WOODS, INC. DEFENDANT AT 305 ASPEN WAY, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DUSTIN HORCHEN, OWNER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

FILED  
CR 01/10:30/30  
APR 25 2005

William A. Shaw  
Prothonotary/Clerk of Courts

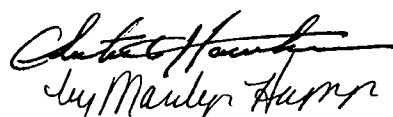
PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	ELY&SMITH	27782	10.00
SHERIFF HAWKINS	ELY&SMITH	27782	33.76

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2005

\_\_\_\_\_

So Answers,

  
Chester A. Hawkins  
Sheriff

APPALACHIAN HARDWOOD LUMBER : IN THE COURT OF COMMON PLEAS  
COMPANY, :  
Plaintiff : OF CLEARFIELD COUNTY, PENNSYLVANIA  
v. :  
TRI-WOODS, INC., : CIVIL DIVISION - LAW  
Defendant : NO. 05-429-CD

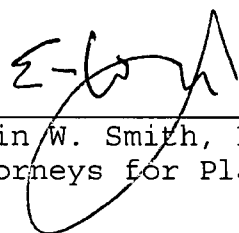
N O T I C E

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your 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 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

Pennsylvania Lawyer's Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
800-692-7375

  
\_\_\_\_\_  
Edwin W. Smith, Esquire  
Attorneys for Plaintiff

**FILED** 1cc Sheriff  
m 19: 2861  
MAR 29 2005 Atty pd. 85.00

William A. Shaw  
Prothonotary/Clerk of Courts

APPALACHIAN HARDWOOD LUMBER : IN THE COURT OF COMMON PLEAS  
COMPANY, :  
Plaintiff : OF CLEARFIELD COUNTY, PENNSYLVANIA  
v. :  
: CIVIL DIVISION - LAW  
: TRI-WOODS, INC., :  
Defendant : NO.

C O M P L A I N T

AND NOW comes the plaintiff, Appalachian Hardwood Lumber Company, by and through its attorneys undersigned, Ely & Smith and set forth their Complaint against the defendant, Tri-Woods, Inc., as follows:

1. The plaintiff, Appalachian Hardwood Lumber Company, is a business entity organized and existing under the laws of the State of Ohio, having its principal place of business at 5433 Perkins Road, Bedford Heights, OH 44146.

2. The defendant, Tri-Woods, Inc., is a corporation organized and existing under the laws of the State of Pennsylvania, having its principal place of business at 305 Aspen Way, DuBois, PA 15801.

3. At the special instance and request of the defendant, plaintiff sold and delivered to defendant certain goods, wares and merchandise, as more fully set forth in the invoices which are incorporated herein by reference and attached hereto as Exhibit "A".

4. Defendant, Tri-Woods, Inc., received and accepted said goods, wares and merchandise.

5. Plaintiff regularly sent defendant statements which were received by defendant without exception so as to constitute an account stated.

6. All credits to which defendant may be entitled are set forth in Exhibit "A".

7. Plaintiff is entitled to interest at the rate of 6 per cent per annum from the due date of said obligation.

8. Despite repeated demands for payment, defendant has willfully failed and refused to make payment of the balance.

9. Plaintiff has performed all conditions precedent to recovery.

WHEREFORE, plaintiff demands judgment against defendant in the amount of \$16,880.41 with interest and reasonable attorneys fees and costs.

Respectfully submitted,

ELY & SMITH

By 

Edwin W. Smith, Esquire  
Attorney for Plaintiff  
23 West Tenth Street  
Erie, PA 16501  
814-455-1381

TRIAL BY JURY OF  
TWELVE DEMANDED

APPALACHIAN HARDWOOD LUMBER	:	IN THE COURT OF COMMON PLEAS
COMPANY,	:	
Plaintiff	:	OF CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL DIVISION - LAW
	:	
TRI-WOODS, INC.,	:	
Defendant	:	NO.

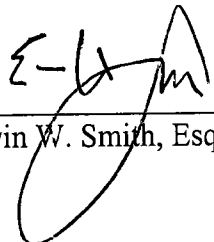
**AFFIDAVIT**

STATE OF PENNSYLVANIA

ss.

COUNTY OF CLEARFIELD

Edwin W. Smith, being duly sworn according to law, deposes and says that he is the attorney for the Plaintiff; that he is authorized to make this affidavit on behalf of the Plaintiff; that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief, and the said knowledge being based not on actual knowledge of his own but on information supplied to him by the Plaintiff herein; that this affidavit is made in order to expedite the disposition of the litigation and that an affidavit of the Plaintiff will be supplied on demand. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

  
 \_\_\_\_\_  
 Edwin W. Smith, Esquire



# Appalachian

Hardwood Lumber Company  
5433 Perkins Rd., Bedford Heights, Oh 44146  
(440) 232-6767 • Fax: (440) 232-6795

BILL TO:

Tri-Woods, Inc.  
305 Aspen Way  
P.O. Box 275  
DuBois, PA 15801

## INVOICE

www.appalachianlumber.com

PLEASE REMIT TO:  
APPALACHIAN  
HARDWOOD LUMBER CO.  
P.O. BOX 774037  
COLUMBUS, OHIO 43271-4037

INVOICE NO.	PAGE
00083088	1
INVOICE DATE	
07/29/04	

SHIP TO:

Tri-Woods, Inc.  
305 Aspen Way  
P.O. Box 275  
DuBois, PA 15801

ORDER NO.	ORDER DATE	CUSTOMER NO.	LOC	SALES REP.	PORT OF DELIVERY	VESSEL	CONTAINER NO.
29217	07/07/04	371-1195	BH	500			
CUSTOMER P.O. NUMBER		BOOKING NUMBER	SHIP VIA		PPD/COL	LETTER OF CREDIT NO.	
RYAN			PICK UP				
ITEM NUMBER	DESCRIPTION	QTY. ORDERED	QTY. SHIPPED (RETURNED) QTY. BACKORDERED		UNIT PRICE	UOM DISC %	EXTENDED PRICE
ROA04#1CKDRL	4/4 #1 COMMON RED OAK KD RL	6,800.00	6,813.00		1.325 BF		
			S2S 15/16				9,027.23
ROA05#1CKDRL	5/4 #1 COMMON RED OAK KD RL	5,000.00	5,511.00		1.425 BF		
			S2S 1+3/16"				7,853.18

COMMENTS:

TERMS: 1/10 N/30

SALES AMOUNT	16,880.41
MISC. CHARGES	.00
SHIPPING/HANDLING	.00
SALES TAX	.00
TOTAL	16,880.41
AMOUNT RECEIVED	.00
<b>BALANCED DUE</b>	<b>16,880.41</b>

PLAINTIFF'S  
EXHIBIT

tabbler

A

APPALACHIAN HARDWOOD LUMBER  
COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
: NO. 05-429-CD

**FILED**

NOTICE

TO: Tri-Woods, Inc.  
305 Aspen Way  
DuBois, PA 15801

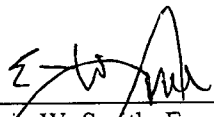
DATE OF NOTICE: April 28, 2005

MAY 02 2005  
M/1:00/62  
William A. Shaw  
Prothonotary  
ms 2/c

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 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 AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Lawyer's Referral Service  
P.O. Box 186  
Harrisburg, PA 17108  
800-692-7375

  
Edwin W. Smith, Esquire  
Attorneys for Plaintiff  
23 West Tenth Street  
Erie, PA 16501  
814/455-1381



**FILED**

MAY 02 2005

William A. Shaw  
Prothonotary

APPALACHIAN HARDWOOD  
LUMBER COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
: NO. 05-429-CD

PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT

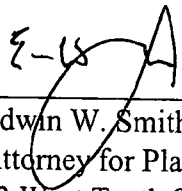
TO THE PROTHONOTARY:

1. Enter default judgment against defendant for failure to plead within twenty (20) days of service of the complaint and for failure to plead within ten (10) days of notice of praecipe for entry of default judgment in the amount of \$16,880.41 together with interest at the rate of 6% and costs of suit.
2. Undersigned counsel hereby certifies that written notice of intention to file this praecipe was mailed to the defendant and to any counsel of record on April 28, 2005, which is after default occurred and at least ten (10) days prior to the date of this praecipe.
3. A copy of the notices of intention of filing this praecipe are attached hereto.

Respectfully Submitted,

ELY & SMITH

By

  
Edwin W. Smith, Esquire  
Attorney for Plaintiff  
23 West Tenth Street  
Erie, PA 16501  
814/455-1381

DATE: May 12, 2005

**FILED**

MAY 16 2005

m/2:00/4

William A. Shaw  
Prothonotary

NOTICE TO DEPT.  
NO STATEMENT MADE  
TO ATT  
NO S/A/SEE

APPALACHIAN HARDWOOD LUMBER : IN THE COURT OF COMMON PLEAS  
COMPANY, :  
Plaintiff : OF CLEARFIELD COUNTY, PENNSYLVANIA  
v. :  
CIVIL DIVISION - LAW  
TRI-WOODS, INC., :  
Defendant : NO. 05-429-CD

NOTICE

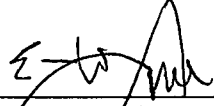
TO: Tri-Woods, Inc.  
305 Aspen Way  
DuBois, PA 15801

DATE OF NOTICE: April 28, 2005

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 LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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Pennsylvania Lawyer's Referral Service  
P.O. Box 186  
Harrisburg, PA 17108  
800-692-7375

  
Edwin W. Smith, Esquire  
Attorneys for Plaintiff  
23 West Tenth Street  
Erie, PA 16501  
814/455-1381

APPALACHIAN HARDWOOD  
LUMBER COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
:  
: NO. 05-429-CD

TO: Tri-Woods, Inc.  
305 Aspen Way  
DuBois, PA 15801

- ( x ) Notice is hereby given that a judgment in the above-captioned matter has been entered against you in the amount of \$16,880.41 on May 16, 2005.
- ( ) A copy of all documents filed with the Prothonotary in support of the within judgment is/are enclosed.



Prothonotary Division  
Clerk of Records

By \_\_\_\_\_

If you have any questions regarding this Notice, please contact the filing party:

Edwin W. Smith, Esquire  
23 West Tenth Street  
Erie, PA 16501  
814/455-1381

**FILED**

MAY 16 2005

William A. Shaw  
Prothonotary

Date: 5/16/2005  
Time: 02:09 PM

Clearfield County Court of Common Pleas  
Receipt

NO. 1901299  
Page 1 of 1

Received of: Smith, Edwin W. (attorney for Appalachia \$ 20.00

Twenty and 00/100 Dollars

Case: 2005-00429-CD	Plaintiff: Appalachian Hardwood Lumber Co	Amount
Judgment		20.00
Total:		20.00

check: 28217

Payment Method: Check  
Amount Tendered:  
Change Returned:  
Clerk: BILLSHAW

20.00  
0.00

William A. Shaw, Prothonotary/Clerk of Cou  
By: \_\_\_\_\_  
Deputy Clerk

APPALACHIAN HARDWOOD  
LUMBER COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
: NO. 05-429-CD

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Issue writ of execution in the above matter,

(1) directed to the Sheriff of Clearfield County:

(2) against Tri-Woods, Inc., defendant, and

(3) against \_\_\_\_\_ garnishee;

(4) and index this writ

(a) against \_\_\_\_\_, defendant and

(b) against \_\_\_\_\_, garnishee,

as a lis pendens against real property of the  
defendant(s) in name of garnishee as follows:

\_\_\_\_\_  
\_\_\_\_\_

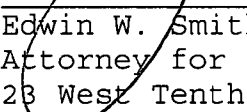
(Specifically describe property)  
(If space insufficient attach extra sheet)

FILED 11C & 6 wnts to  
m/1:47304 Sheriff  
JUN 13 2005  
William A. Shaw  
Prothonotary/Clerk of Courts  
Att. pd. 20.00  
(64)

(5) Amount due \$16,880.41  
Interest from 5/12/05 \$ 77.56  
[Costs to be added]

125.00

**Prothonotary costs**

  
\_\_\_\_\_  
Edwin W. Smith, Esquire  
Attorney for Plaintiff  
28 West Tenth Street  
Erie, PA 16501  
814-455-1381



APPALACHIAN HARDWOOD	:	IN THE COURT OF COMMON PLEAS
LUMBER COMPANY,	:	
Plaintiff	:	OF CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL DIVISION - LAW
	:	
TRI-WOODS, INC.,	:	
Defendant	:	NO. 05-429-CD

NOTICE OF WRIT OF EXECUTION

N O T I C E

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption.  
If you do not come to court and prove your exemption, you may lose  
some of your property.

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.

Pennsylvania Lawyer's Referral Service

Pennsylvania Bar Association

P.O. Box 186

Harrisburg, PA 17108

800-692-7375

APPALACHIAN HARDWOOD  
LUMBER COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
: NO. 05-429-CD

V E R I F I C A T I O N

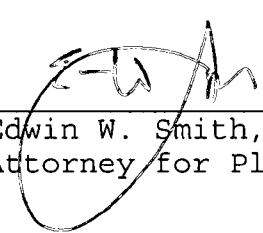
STATE OF PENNSYLVANIA

ss.

COUNTY OF MERCER

Edwin W. Smith, Esquire, verifies and states that the last known residence of the above-named defendants is: 305 Aspen Way, DuBois, PA 15801.

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

  
\_\_\_\_\_  
Edwin W. Smith, Esquire  
Attorney for Plaintiff

APPALACHIAN HARDWOOD  
LUMBER COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

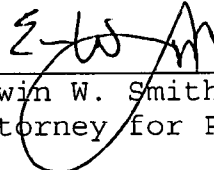
Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
:  
: NO. 05-429-CD

VERIFICATION OF NON-MILITARY SERVICE

I, Edwin W. Smith, Esquire, verify and state that the defendant in the above entitled case is not engaged in the military services of the United States of America.

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

  
\_\_\_\_\_  
Edwin W. Smith, Esquire  
Attorney for Plaintiff

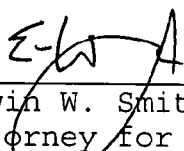
DATE: 6-9-63

APPALACHIAN HARDWOOD	:	IN THE COURT OF COMMON PLEAS
LUMBER COMPANY,	:	
Plaintiff	:	OF CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL DIVISION - LAW
	:	
TRI-WOODS, INC.,	:	
Defendant	:	NO. 05-429-CD

V E R I F I C A T I O N

The undersigned, counsel for the judgment creditor herein, verifies and states that the he/she having praeciped for a Writ of Execution in the above captioned proceeding does hereby verify and affirm that a levy, execution or garnishment is not being made on any judgment by confession entered pursuant to a transaction governed by the Goods and Services Installment Sales Act, 69 P.S. 1101 et seq; nor the Loan Interest and Protection Law of 1974, 41 P.S. 101 et seq; nor any confessed judgment governed by Pennsylvania Rules of Civil Procedure 2981-2986.

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

  
 Edwin W. Smith, Esquire  
 Attorney for Plaintiff

APPALACHIAN HARDWOOD	:	IN THE COURT OF COMMON PLEAS
LUMBER COMPANY,	:	
Plaintiff	:	OF CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL DIVISION - LAW
	:	
TRI-WOODS, INC.,	:	
Defendant	:	NO. 05-429-CD

CLAIM FOR EXEMPTION

To the Sheriff of Clearfield County:

I, the above-name defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300.00 statutory exemption be

(I) exemption be set aside in kind (specify property to be set aside in kind): \_\_\_\_\_

(ii) paid in cash following the sale of property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption): \_\_\_\_\_

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300.00 statutory exemption: \_\_\_in cash;  
\_\_\_\_\_in kind (specify property): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) Social Security benefits on deposit in the  
amount of \$ \_\_\_\_\_;

(c) Other (specify amount and basis of  
exemption):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I request a prompt court hearing to determine the exemption.  
Notice of the hearing should be given to me at \_\_\_\_\_

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone Number)

I verify that the statements made in this Claim for  
Exemption are true and correct. I understand that false  
statements herein are made subject to the penalties of 18 Pa.  
C.S.A. Section 4904 relating to unsworn falsification to  
authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Defendant

THIS CLAIM TO BE FILED WITH THE  
OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY  
230 E. Market Street  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641, Ext. 5986

APPALACHIAN HARDWOOD  
LUMBER COMPANY,

Plaintiff

v.

TRI-WOODS, INC.,

Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
:  
: NO. 05-429-CD

DESCRIPTION OF PROPERTY

Please levy, post and sell all personal property of the  
defendant located at 305 Aspen Way, DuBois, PA 15801.

ELY & SMITH

By 

Edwin W. Smith, Esquire  
Attorney for Plaintiff  
23 West Tenth Street  
Erie, PA 16501  
814-455-1381



- (1) You are directed to levy upon the property of the defendant and to sell its interest therein;
- (2) You also are directed to attach the property of the defendant not levied upon in the possession of \_\_\_\_\_, as garnishee, Account Number \_\_\_\_\_ in name of \_\_\_\_\_ and to notify the garnishee that:
- (a) An attachment has been issued.
- (b) The garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount Due \$16,880.41

Interest From 5/12/05 \$ 77.56

[Costs to be added]

*125.00* Prothonotary costs

Seal of the Court

WILLIAM A. SHAW, SR., CLERK OF RECORDS  
PROTHONOTARY (CIVIL) DIVISION

Dated: \_\_\_\_\_

By \_\_\_\_\_  
Deputy

Major Exemptions Under Pennsylvania and Federal Law

1. \$300 Statutory Exemption.
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20172  
NO: 05-429-CD

PLAINTIFF: APPALACHIAN HARDWOOD LUMBER COMPANY  
vs.  
DEFENDANT: TRI-WOODS, INC.

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 6/13/2005

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 9/27/2011

FILED  
0/2:18Lm  
SEP 27 2011  
William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

8/1/2005 @ 11:50 AM SERVED TRI-WOODS, INC.

SERVED TRI-WOODS, INC., DEFENDANT, AT 305 ASPEN WAY, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DUSTIN HORCHEN, OWNER

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND BY MAKING KNOWN TO HIM THE CONTENTS THREORF.

@ SERVED

DEPUTIES WERE UNABLE TO LEVY; THE BUSINESS WAS SOLD AND THERE WAS NO EQUIPMENT OR PROPERTY TO LEVY.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20172  
NO: 05-429-CD

PLAINTIFF: APPALACHIAN HARDWOOD LUMBER COMPANY  
vs.  
DEFENDANT: TRI-WOODS, INC.

Execution PERSONAL PROPERTY


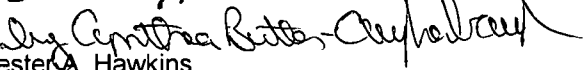
SHERIFF RETURN

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SHERIFF HAWKINS \$63.03

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
  
Chester A. Hawkins  
Sheriff

APPALACHIAN HARDWOOD  
LUMBER COMPANY,  
Plaintiff

v.

TRI-WOODS, INC.,  
Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: OF CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL DIVISION - LAW  
:  
: NO. 05-429-CD

WRIT OF EXECUTION

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD )

ss:

To the Sheriff of Clearfield County:

To satisfy the judgment, interest and costs against  
Tri-Woods, Inc., defendant,

- (1) You are directed to levy upon the property of the  
defendant and to sell its interest therein;
- (2) You also are directed to attach the property of  
the defendant not levied upon in the possession of  
\_\_\_\_\_, as garnishee, Account Number  
\_\_\_\_\_ in name of \_\_\_\_\_ and  
to notify the garnishee that:

- (a) An attachment has been issued.
- (b) The garnishee is enjoined from paying any  
debt to or for the account of the defendant  
and from delivering any property of the  
defendant or otherwise disposing thereof;

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount Due \$16,880.41

Interest From 5/12/05 \$ 77.56

[Costs to be added]

125.00 Prothonotary costs

Seal of the Court

WILLIAM A. SHAW, SR., CLERK OF RECORDS  
PROTHONOTARY (CIVIL) DIVISION

Dated: 6/13/05

By

Deputy

Received June 13, 2005 @ 2:30 P.M.

Christina A. Hankins

By Christina A. Hankins - Clerk

Major Exemptions Under Pennsylvania and Federal Law

1. \$300 Statutory Exemption.
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law.

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME TRI-WOODS, INC.

NO. 05-429-CD

NOW, September 27, 2011, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Tri-Woods, Inc. to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR	9.00
SERVICE	9.00
MILEAGE	15.39
LEVY	
MILEAGE	
POSTING	
HANDBILLS	
COMMISSION	0.00
POSTAGE	0.64
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	9.00
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$63.03</b>

DEBT-AMOUNT DUE	16,880.41
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	77.56
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$17,166.00</b>

**COSTS:**

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	63.03
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

<b>TOTAL COSTS</b>	<b>\$188.03</b>
<b>TOTAL COSTS</b>	<b>\$17,166.00</b>

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff