

05-1204-CD

Evansville Veneer vs Shelly Reed et al

Evansville Veneer et al vs Shelly Reed et al
2005-1204-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

EVANSVILLE VENEER, A DIVISION
OF KIMBALL INC.,

Plaintiff

vs.

SHELLY REED, I/D/B/A WALLACETON
HARDWOODS,

Defendant

)
: No. 2005-1204-C9
)
: Type of Pleading Filed: Complaint
)
:
) Filed on Behalf of: Plaintiff
:
) Counsel of Record for this Party:
: Robert A. Mix, Esquire
) LEE, GREEN & REITER, INC.
: 115 East High Street
) PO Box 179
: Bellefonte, PA 16823
) 814-355-4769

FILED

AUG 12 2005

W/3:40 PM

William A. Shaw

Prothonotary/Clerk of Courts

LEARN TO SHEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

EVANSVILLE VENEER, A DIVISION)	
OF KIMBALL INC.,	:	No.
)	
Plaintiff	:	
	:	
vs.)	
	:	
SHELLY REED, I/D/B/A WALLACETON)	
HARDWOODS,	:	
)	
Defendant	:	

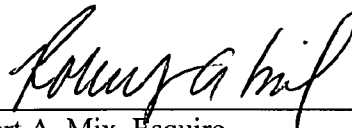
NOTICE

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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2642, Ext. 5982

LEE, GREEN & REITER, INC.



Robert A. Mix, Esquire
115 East High Street
PO Box 179
Bellefonte, PA 16823
814-355-4769

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

EVANSVILLE VENEER, A DIVISION)	
OF KIMBALL INC.	:	
Plaintiff)	No.
	:	
vs.)	
	:	
SHELLY REED, INDIVIDUALLY AND)	
D/B/A WALLACETON HARDWOODS	:	
Defendant)	

COMPLAINT

NOW COMES Plaintiff Evansville Veneer, a division of Kimball Inc., by its attorneys,
Lee, Green & Reiter, Inc., and respectfully represents:

1. Plaintiff is Evansville Veneer, a division of Kimball Inc, a Delaware corporation with a place of business located at 7988 Gardner Road, Chandler, Indiana 47610.
2. Defendant is Shelly Reed, an adult individual residing at 189 Sawmill Road, Wallaceton, Pennsylvania 16876, who at all times relevant to this civil action, did business as Wallaceton Hardwoods with a place of business located at 171 Reed Street, Wallaceton, Pennsylvania 16876.
3. At all times relevant to this civil action, Plaintiff was engaged in the retail and wholesale sale of lumber and other wood products.
4. On or prior to August 5, 2003, Defendant requested that she be permitted to purchase lumber and other wood products from Plaintiff on credit.
5. Plaintiff approved said request, established an account for Defendant and permitted her to purchase lumber and other wood products from it on credit.
6. Between August 5, 2003 and December 31, 2003, Defendant purchased lumber and other wood products from Plaintiff of the description, at the prices and on the terms set forth in

the invoices, true and correct copies of which are attached hereto, incorporated herein and collectively marked as Exhibit "A."

6. Defendant received and accepted the lumber and other wood products above described.

7. The prices charged for the lumber and other wood products were fair and reasonable and the prices Defendant agreed to pay.

8. At the present time, the principal sum of \$15,551.74 is due and owing to Plaintiff from Defendant for the purchases above described.

9. Pursuant to the terms of the purchases above described, payment was due within thirty (30) days of shipment.

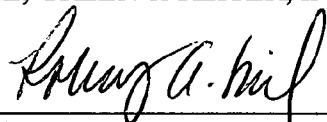
10. Plaintiff has complied with all conditions precedent to payment of the amount presently due and owing from Defendant.

11. Despite a demand therefore, Defendant has failed and refused to pay Plaintiff the principal amount plus interest presently due and owing.

WHEREFORE, Plaintiff demands judgment in its favor and against Defendant in the principal amount of \$15,551.74, plus interest at the rate of 6% in the amount of \$1,693.86 and costs.

LEE, GREEN & REITER, INC.

By: _____



Robert A. Mix, Esq., ID #06164
Attorney for Plaintiff
115 East High Street, PO Box 179
Bellefonte, PA 16823
814-355-4769

Evanisville Veneer



RMG

7988 Gardner Road
Chandler, IN 47610

Phone: (812)925-3343 Fax: (812)925-3959

Remit To:

P.O. Box 70068

Chicago, IL 60673-0068

INVOICE

Sold To: 380080
Name Wallaceton Hardwoods
Address Reed Street
City Wallaceton **State** PA
ZIP 16876

Ship To: 380080
Name Wallaceton Hardwoods
Address Reed Street
City Wallaceton **State** PA
ZIP 16876

Invoice# 591354
Date Aug/05/2003
Terms Net 30 Days
Shipped Via Yellow Trucking

FOB Chandler
Contact Mr. Merwin
Contact Ph# 814-342-3942
BOL # 19307

Item/Pcs	Width	Length	Part #	Description	Footage	Unit Price	Total
1/74	Order # ----> 072103 50 X 99	CHERRY A GRADE* BM FC Natural Glue 0721031			2,544	\$0.60/Foot	\$1,526.40
2/50	Order # ----> 072103 50 X 99	CHERRY A GRADE* BM FC Natural Glue 0721032			1,719	\$0.60/Foot	\$1,031.40
3/233	Order # ----> 072103 50 X 99	CHERRY C GRADE* BM FC Natural Glue 0721033			8,009	\$0.17/Foot	\$1,361.53
4/104	Order # ----> 072103 50 X 99	WHITE OAK A GRADE* BM FC Natural Glue 0721034			3,575	\$0.36/Foot	\$1,287.00
5/41	Order # ----> 072103 50 X 99	WHITE OAK B GRADE* BM FC Natural Glue 0721035			1,409	\$0.30/Foot	\$422.70
6/862	Order # ----> 072103 50 X 99	WHITE OAK C GRADE* BM FC Natural Glue 0721036			29,631	\$0.16/Foot	\$4,740.96
7/186	Order # ----> 072103 38 X 110	MAHOGANY A GRADE* BM FC Natural Glue 2110			5,399	\$0.52/Foot	\$2,807.48
8/74	Order # ----> 072103 38 X 99	HARD MAPLE A GRADE* BM FC Natural Glue 21101		Quartered	1,933	\$0.88/Foot	\$1,701.04

POSTED



**Evansville Veneer**

7988 Gardner Road
Chandler, IN 47610
812-925-3343 Fax 812-925-2064

Invoice**Customer**

Name Wallaceton Hardwoods
Address Reed Street
City Wallaceton State IA Zip 56876
Customer # 380080

Date 31-Dec-03
Invoice # 592900

Qty	Description	Unit Price	TOTAL
1,719	Cherry B Grade 50 x 99 Faces 50 pcs	\$0.1124	\$193.22
1,719	Maple A Grade 50 x 99 Faces 50 pcs	\$0.1124	\$193.22
1,719	Walnut A Grade 50 x 99 Faces 50 pcs	\$0.1124	\$193.22
1	Freight Charge	\$93.58	\$93.58
SubTotal			\$673.23
TOTAL			\$673.23

Description

THANK YOU

Remittance Address: P.O. Box 70068 Chicago, IL 60673-0068



VERIFICATION

Bill Kelly states that he/she is the Controller
Inc.
of Evansville Veneer, a division of Kimball National; that he/she is acquainted with the facts set
forth in the foregoing Complaint; that the same are true and correct to the best of his/her
knowledge, information and belief; and that this statement is made subject to the penalties of 18
Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Bill Kelly 6/30/2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100733
NO: 05-1204-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: EVANSVILLE VENEER, A DIVISON OF KIMBALL INC.

vs.

DEFENDANT: SHELLY REED I/D/B/A WALLACETON HARDWOODS

SHERIFF RETURN

NOW, August 24, 2005 AT 2:42 PM SERVED THE WITHIN COMPLAINT ON SHELLY REED i/d/b/a WALLACETON HARDWOODS DEFENDANT AT 189 SAWMILL ROAD, WALLACETON, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BETSY HOUSER, SECRETARY A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

FILED
09:08:01
DEC 21 2005

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	LEE	12077	10.00
SHERIFF HAWKINS	LEE	12077	26.47

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,

Chester A. Hawkins
by Marilyn Hamer

Chester A. Hawkins
Sheriff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

EVANSVILLE VENEER, A DIVISION)	
OF KIMBALL INC.,)	
Plaintiff)	
)	No. 2005-1204-CD
vs.)	
)	
SHELLY REED, I/D/B/A WALLACETON)	
HARDWOODS,)	
Defendant)	

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter settled and discontinued of record.

LEE, GREEN & REITER, INC.:

Date: February 8, 2006

By:



Robert A. Mix, Esquire, ID #16164
Attorney for Plaintiff
115 E. High St., P.O. Box 179
Bellefonte, PA 16823
(814) 355-4769

FILED

m/2:02cm Nacc.

FEB 09 2006

Cert of disc

Ⓢ

issued to
Att. R. Mix

William A. Shaw
Prothonotary

LEE, GREEN & REITER, INC.

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

DONALD E. LEE
JOSEPH P. GREEN
DENNIS O. REITER
ROBERT A. MIX
JONATHAN D. GRINE

115 EAST HIGH STREET
POST OFFICE BOX 179
BELLEFONTE, PA. 16823-0179
(814) 355-4769
FAX (814) 355-5024
WWW.LMGRLAW.COM

February 8, 2006

William A. Shaw, Sr., Prothonotary
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830

Re: Evansville Veneer, a division of Kimball Inc.
Vs. Shelly Reed, i/d/b/a Wallaceton Hardwoods
No. 2005-1204-CD

Dear Mr. Shaw:

Enclosed for filing is a Praeceptum to Discontinue.

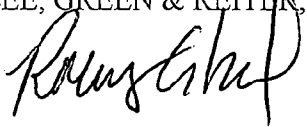
If you have any questions or require anything further, please do not hesitate to contact me.

Thank you.

Very truly yours,

LEE, GREEN & REITER, INC.

By:


Robert A. Mix

RAM/taw

Enclosure

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

CIVIL DIVISION

Evansville Veneer, a Division of Kimball Inc.

Vs.

No. 2005-01204-CD

**Shelly Reed i/d/b/a
Wallaceton Hardwoods**

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on February 9, 2006, marked:

Settled and discontinued

Record costs in the sum of \$85.00 have been paid in full by Lee, Green, Reiter Inc..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 9th day of February A.D. 2006.

William A. Shaw, Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

EVANSVILLE VENEER, A DIVISION)	
OF KIMBALL INC.,)	
Plaintiff)	
)	No. 2005-1204-CD
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SHELLY REED, I/D/B/A WALLACETON)	
HARDWOODS,)	
Defendant)	

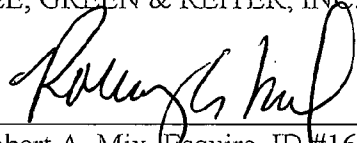
CERTIFICATE OF SERVICE

I, Robert A. Mix, Esquire, attorney for the Plaintiff in the above-captioned action, hereby certify that a true and correct copy of the Praecipe to Discontinue was served on February 8, 2006, by U.S. Mail, first class postage prepaid addressed to:

Shelly Reed
Wallaceton Hardwoods
189 Sawmill Road
Wallaceton, PA 16876

LEE, GREEN & REITER, INC.:

By:


Robert A. Mix, Esquire, ID #16164
Attorney for Plaintiff
115 E. High St., P.O. Box 179
Bellefonte, PA 16823
814-355-4769

FILED
m/2:02cm (S) No cc.
FEB 09 2006

William A. Shaw
Prothonotary