

05-1343-CD

Dale J. Granite vs Colors Galore al

Dale Granite vs Colors Galore, Jim Hile  
2005-1343-CD

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

DALE J. GRANITE,  
Plaintiff

\* No. 2005 -1343 - CD

VS

\* Type of Case: Civil

COLORS GALORE/JIM HILE,  
Defendant

\* Type of Pleading: Notice of  
\* Appeal

\* Filed on Behalf of: Defendant

\* Counsel of Record for this Party:  
\* CHRIS A. PENTZ, Esquire

\* Supreme Court I.D. # 39232  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield PA 16830  
\* 814 765-4000

Date: 8-31-05

FILED *Atty Pentz*  
01/10/4261 PD 85.00  
AUG 31 2005 *copy to*  
William A. Shaw *Plff*

Prothonotary/Clerk of Courts

*copy to* *Rudella*

*copy to* *Atty Pentz*

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS  
Clearfield County  
JUDICIAL DISTRICT  
46

NOTICE OF APPEAL

FROM

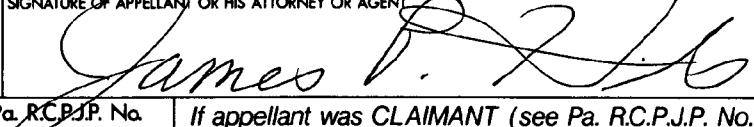
DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-1343-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT		MAG. DIST. NO. OR NAME OF D.J.		
Colors Galore/Jim Hile		Michael Rudella		
ADDRESS OF APPELLANT		CITY	STATE	ZIP CODE
P. O. Box 785		Clearfield	PA	16830
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)		(Defendant)	
08/02/05	Dale J. Granite		vs Colors Galore/Jim Hile	
CLAIM NO.	SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT			
CV 223-05				
This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.				
Signature of Prothonotary or Deputy				

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filling his NOTICE of APPEAL.

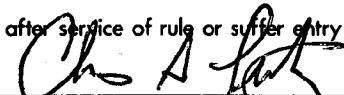
**PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE**

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

**PRAECIPE:** To Prothonotary

Enter rule upon Dale J. Granite, appellee(s), to file a complaint in this appeal  
Name of appellee(s)

(Common Pleas No. 05-1343-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

  
Signature of appellant or his attorney or agent

**RULE:** To Dale J. Granite, appellee(s).  
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: August 31, 2005



Signature of Prothonotary or Deputy

---

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)*

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_ ; SS

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on  
\_\_\_\_\_  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_

COURT OF COMMON PLEAS  
Clearfield County  
JUDICIAL DISTRICT  
46

## NOTICE OF APPEAL

FROM

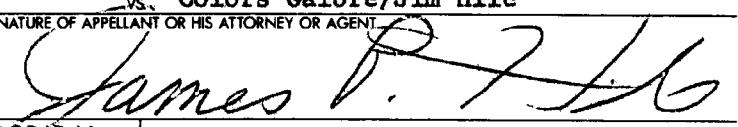
## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-1343-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT <b>Colors Galore/Jim Hile</b>		MAG. DIST. NO. OR NAME OF D.J. <b>Michael Rudella</b>		
ADDRESS OF APPELLANT <b>P. O. Box 785</b>		CITY <b>Clearfield</b>	STATE <b>PA</b>	ZIP CODE <b>16830</b>
DATE OF JUDGMENT <b>08/02/05</b>	IN THE CASE OF (Plaintiff) <b>Dale J. Granite</b>	(Defendant) <b>vs. Colors Galore/Jim Hile</b>		
CLAIM NO. <b>CV 223 -05</b>		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT 		
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>_____ Signature of Prothonotary or Deputy</p>				
<p>If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.</p>				

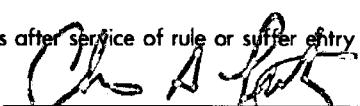
## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

## PRAECIPE: To Prothonotary

Enter rule upon Dale J. Granite, appellee(s), to file a complaint in this appeal  
(Name of appellee(s))

(Common Pleas No. 05-1343-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

  
Signature of appellant or his attorney or agent

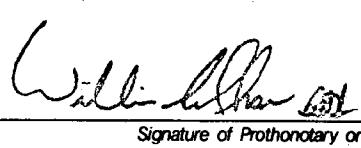
RULE: To Dale J. Granite, appellee(s).  
(Name of appellee(s))

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: August 31 2005

  
Signature of Prothonotary or Deputy

---

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)*

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_, ss

**AFFIDAVIT:** I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on \_\_\_\_\_,  by personal service  by (certified) (registered) mail, sender's receipt attached hereto.

SIGNED (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

commission expires on \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
PO BOX 210  
KYLERTOWN, PA**

Telephone: **(814) 345-6789**      **16847-0444**

**COLORS GALORE/JIM HILE  
P O BOX 785  
CLEARFIELD, PA 16830**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: **NAME and ADDRESS**

**GRANITE, DALE J  
P O BOX 121  
KARTHAUS, PA 16845**

VS.

DEFENDANT: **NAME and ADDRESS**

**COLORS GALORE/JIM HILE  
P O BOX 785  
CLEARFIELD, PA 16830**

Docket No.: **CV-0000223-05**  
Date Filed: **7/08/05**



**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR PLAINTIFF**

Judgment was entered for: (Name) **GRANITE, DALE J**

Judgment was entered against: (Name) **COLORS GALORE/JIM HILE**

in the amount of \$ **1,478.12** on: (Date of Judgment) **8/02/05**

Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. \_\_\_\_\_

Amount of Judgment Subject to  
Attachment/42 Pa.C.S. § 8127 \$ \_\_\_\_\_

Portion of Judgment for physical  
damages arising out of residential  
lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>1,408.62</b>
Judgment Costs	\$ <b>69.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
Total	\$ <b>1,478.12</b>

Post Judgment Credits \$ \_\_\_\_\_

Post Judgment Costs \$ \_\_\_\_\_

=====

**Certified Judgment Total** \$ \_\_\_\_\_

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

8-2-05 Date M A Rudella, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, **2006**

SEAL

**FILED**

**AUG 31 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789**

**16847-0444**

**MICHAEL A. RUDELLA**  
**131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT**  
**CIVIL CASE**

PLAINTIFF:

**GRANITE, DALE J**  
**P O BOX 121**  
**KARTHAUS, PA 16845**

NAME and ADDRESS

DEFENDANT:

**COLORS GALORE/JIM HILE**  
**P O BOX 785**  
**CLEARFIELD, PA 16830**

NAME and ADDRESS

Docket No.: **CV-0000223-05**  
Date Filed: **7/08/05**



*05-1343-CD*

**THIS IS TO NOTIFY YOU THAT:**

Judgment:

**FOR PLAINTIFF**

Judgment was entered for: (Name) **GRANITE, DALE J**

Judgment was entered against: (Name) **COLORS GALORE/JIM HILE**

in the amount of \$ **1,478.12** on: (Date of Judgment) **8/02/05**

Defendants are jointly and severally liable. (Date & Time) \_\_\_\_\_

Damages will be assessed on: \_\_\_\_\_

This case dismissed without prejudice. **FILED NO CC**  
*112-DS-61*  
*SEP 14 2005* *CR*

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ \_\_\_\_\_

Portion of Judgment for physical damages arising out of residential lease \$ \_\_\_\_\_

William A. Shaw  
Prothonotary/Clerk of Courts

Amount of Judgment	\$ <b>1,408.62</b>
Judgment Costs	\$ <b>69.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>1,478.12</b>
Post Judgment Credits	\$ <b>—</b>
Post Judgment Costs	\$ <b>—</b>
<b>Certified Judgment Total</b> <b>\$1478.12</b>	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

*8/2-05*

Date

*M A Rudella*

, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

*9/6/05*

Date

*M Rudella*

, Magisterial District Judge

My commission expires first Monday of January, **2006**

SEAL

AOPC 315-05

DATE PRINTED: **8/02/05 4:23:34 PM**

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

**DALE J. GRANITE**

(Plaintiff)

PO BOX 121

KARTHAUS, PA 16845

**CIVIL ACTION**

District Justice Appeal

Case No. 05-1343-C. D.

Type of Pleading:

Vs.

**COMPLAINT**

**COLORS GALORE / JIM HILE**

(Defendant)

PO BOX 785

CLEARFIELD, PA 16830

Filed on Behalf of:

**PLAINTIFF**

**FILED**

Filed By:

William A. Shaw  
Prothonotary

Dale J. Granite  
PO Box 121  
Karthaus, PA 16845  
Phone: 263-4838

(Signature)

*Dale J. Granite*  
9-18-05

SEP 19 2005  
01:50 PM  
cc plff  
R

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

**DALE J. GRANITE**

Plaintiff

District Justice Appeal

Vs.

Case No. 05-1343-C.D.

**COLORS GALORE /JIM HILE**

Defendant

Type of Pleading:

**COMPLAINT**

**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 defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed 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.**

Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641, extension 1300

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

**DALE J. GRANITE**

Plaintiff

District Justice Appeal

Vs.

Case No. 05-1343-C.D.

**COLORS GALORE /JIM HILE**

Defendant

Type of Pleading:

**COMPLAINT**

**COMPLAINT**

1. The Plaintiff is **Dale J. Granite** whose address is PO Box 121, Karthaus, PA 16845.
2. The Defendant is **Colors Galore / Jim Hile** whose address is PO Box 785, Clearfield, PA 16830.
3. On or about October 18, 2004, Plaintiff was hired to do a painting job by Defendant, Jim Hile, a painting contractor doing business as Colors Galore of Clearfield PA. The work site was the Wellsboro High School new construction project in Wellsboro, PA.
4. It was agreed that Defendant would pay Plaintiff at the rate of \$27.62 per hour for the duration of the contracted work period.
5. However, Defendant did not pay Plaintiff for the last 6 days Plaintiff worked for him. The specific dates are as follows:
  - a. December 2, 3, 6, 7, 8, 9, 2004
6. Therefore, there remains a total of 51 hours at \$27.62 per hour (or the sum of \$1408.62) for which Plaintiff has not been paid.
7. Additionally, as a direct result of Defendant's failure to uphold his contractual promise, Plaintiff has sustained several other miscellaneous costs and expenses as follows:

a. Magistrate filing fees, bounced check bank fees, loss of work / wages, certified letter and other postage mailing fees, transportation costs approximating \$350.00.

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$1758.62, plus interest, court costs and such other reasonable costs as the court may allow.

Dale P. Groulx  
Plaintiff  
7-18-85

**VERIFICATION**

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

Dale J. Gantz  
9-18-05

**FILED**

SEP 19 2005

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

DALE J. GRANITE

Plaintiff

District Justice Appeal

Vs.

Case No. 05-1343-C.D.

COLORS GALORE /JIM HILE

Defendant

**CERTIFICATE OF SERVICE**

I, DALE J. GRANITE, Plaintiff above named, do hereby certify  
that on the 19th day of September, 2005, I caused a  
certified copy of the Complaint to be mailed, first class - postage  
prepaid, to the Defendant at his address as follows:

COLORS GALORE / JIM HILE  
PO BOX 785  
CLEARFIELD, PA 16830

Dale J. Granite

FILED NO cc  
m/10-59301  
SEP 22 2005  
LW

William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

SEP 22 2005

Prothonotary, U.S. Courthouse

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

**DALE J. GRANITE**

Plaintiff

Vs.

**COLORS GALORE /JIM HILE**

Defendant

**District Justice Appeal**

Case No. 05-1243-C.D.

**FILED**

10/31/2005  
NO CC  
1 Statement to  
PFO  
R  
Notice today

William A. Shaw  
Prothonotary

**PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter judgment against the Defendant above named in the amount of \$1758.62 plus costs for the Defendant's failure to answer the Complaint within twenty (20) days of service thereof.

I hereby certify that a Notice of Intention to Enter Default Judgment was mailed or delivered to the Defendant on October 15, 2005, being at least ten (10) days prior to the date of the filing of this Praecipe. A true and correct copy of the Notice of Intention to Enter Default Judgment mailed or delivered in this case is attached to this Praecipe.

*Dale J. Granite*

Dale J. Granite

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

**DALE J. GRANITE**

Plaintiff

District Justice Appeal

Vs.

Case No. 05-1343-C.D.

**COLORS GALORE / JIM HILE**

Defendant

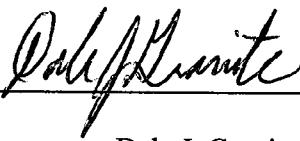
TO: COLORS GALORE / JIM HILE  
Defendant

Date of Notice: October 15, 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 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:

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PENNSYLVANIA 16830  
(814) 765-2641, EXTENSION 1300



Dale J. Granite  
PO Box 121  
Karthaus, PA 16845

**FILED**

NOV - 7 2005

William A. Shaw  
Prothonotary

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

**COPY**

Dale J. Granite  
Plaintiff(s)

No.: 2005-01343-CD

Real Debt: \$1758.62

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Colors Galore  
Jim Hile  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 7, 2005

Expires: November 7, 2010

Certified from the record this November 7, 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

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Dale J. Granite

Vs.

No. 2005-01343-CD

Colors Galore Jim Hile

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$1758.62 on the November 7, 2005.

William A. Shaw  
Prothonotary

---

William A. Shaw

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Dale J. Granite  
(Plaintiff)

CIVIL ACTION

3523 MAIN, Box 121  
(Street Address)

No. 05-1343-C.D.

Karthaus PA 16845  
(City, State ZIP)

Type of Case: CIVIL COMPLAINT

Type of Pleading: CERTIFICATE OF READINESS

vs.

Colors Galore/Jim Hile  
(Defendant)

Filed on Behalf of:

Dale J. Granite  
(Plaintiff/Defendant)

FILED

DEC 14 2005

073130/

William A. Shaw

Prothonotary/Clerk of Courts

2 copy to PLFF.

copy to C/A.

Darrell M. Granite  
(Filed by)

PO Box 171  
(Address)

Karthaus PA 16845  
(Phone)

Darrell M. Granite  
(Signature)

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

DATE PRESENTED

CASE NUMBER	TYPE TRIAL REQUESTED	ESTIMATED TRIAL TIME
05-1343-C.D.	( ) Jury ( ) Non-Jury	
Date Complaint Filed: 12-14-05	(X) Arbitration	.25 days/hours

PLAINTIFF(S)

Dale J. Granite ( ) Check block if a Minor  
DEFENDANT(S) is a Party to the Case

Colors Galore / Jim Hile ( )  
ADDITIONAL DEFENDANT(S)

( )

JURY DEMAND FILED BY:

DATE JURY DEMAND FILED:

AMOUNT AT ISSUE CONSOLIDATION DATE CONSOLIDATION ORDERED

More than  
& 1798.62 ( ) yes (X) no

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:

Dale J. Granite 814-263-4838  
FOR THE PLAINTIFF TELEPHONE NUMBER

Colors Galore / Jim Hile 814-765-6637  
FOR THE DEFENDANT TELEPHONE NUMBER

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

FILED

DEC 14 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

FILED  
01/10/2006  
MAR 28 2006  
GR

DALE J. GRANITE

vs.

: No. 05-1343-CD

COLORS GALORE/JIM HILE

William A. Shaw  
Prothonotary/Clerk of Courts

**ORDER**

NOW, this 27<sup>th</sup> day of March, 2006, it is the ORDER of the Court that the above-captioned matter is scheduled for Arbitration on Tuesday, May 23, 2006 at 9:00

**A.M.** The following have been appointed as Arbitrators:

John Sughrue, Esquire, Chairman

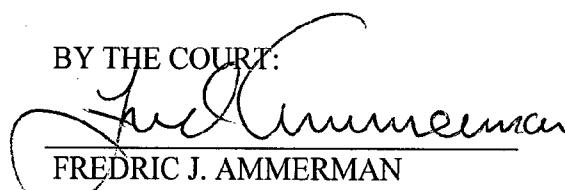
Jeffrey S. DuBois, Esquire

Lea Ann Heltzel, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators. For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local Rule of Court.

Please report to Hearing Room No. 3, 2<sup>nd</sup> Floor, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

**FILED**

**MAR 28 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

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

DALE J. GRANITE,  
Plaintiff

\*

\*

\*

vs.

\*

NO. 05-1343-CD

\*

\*

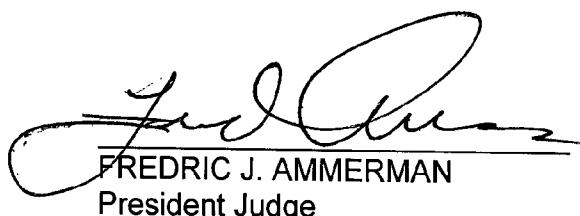
\*

COLORS GALORE/JIM HILE,  
Defendant

**ORDER**

NOW, this 5<sup>th</sup> day of May, 2006, the Court having reviewed the file and noting that Default Judgment was entered against the Defendant on or about November 7, 2005 and that there is no need to proceed to arbitration; it is the ORDER of this Court that above-captioned case be and is hereby struck from the Arbitration List.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

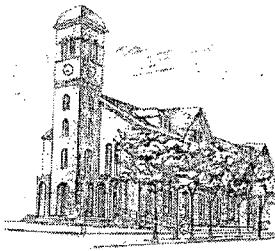
FILED  
03/30/2006  
MAY 05 2006  
Kartaus, PA  
10845

William A. Shaw  
Prothonotary/Clerk of Courts ICC Atty Renter  
60

**FILED**

**MAY 05 2006**

William A. Shaw  
Prothonotary/Clerk of Courts



## Clearfield County Office of the Prothonotary and Clerk of Courts

---

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

**David S. Ammerman**  
Solicitor

**Jacki Kendrick**  
Deputy Prothonotary

**Bonnie Hudson**  
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

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

Sincerely,

William A. Shaw  
Prothonotary

DATE: 5/5/04

You are responsible for serving all appropriate parties.

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

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions:

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

DALE J. GRANITE,  
Plaintiff

vs

\* No. 2005- 1343 -CD

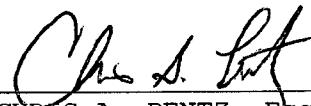
COLORS GALORE/JIM HILE,  
Defendant

\* Type of Case: Contract

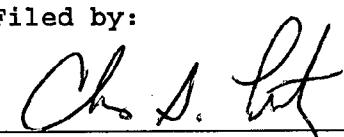
\* Type of Pleading: Petition to  
\* Open and Strike Judgment/Rule

\* Filed on Behalf of: Defendant

\* Counsel of Record for this Party:

\*   
\* CHRIS A. PENTZ, Esquire  
\* Supreme Court I.D. # 39232  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield PA 16830  
\* 814 765-4000

\* Filed by:

\*   
\* Chris A. Pentz, Esquire  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield, PA 16830  
\* 814 765-4000

Date: 6-30-06

FILED <sup>3cc</sup>  
018:58:01 <sup>Atty Pentz</sup>  
JUN 30 2006 <sup>66</sup>

William A. Shaw  
Prothonotary/Clerk of Courts

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

DALE J. GRANITE,

Plaintiff

\*

\*

\*

\*

\*

\*

\*

\*

\*

\*

\*

vs

No. 2005- 1343 -CD

COLORS GALORE/JIM HILE,  
Defendant

PETITION TO OPEN AND STRIKE JUDGMENT

1. The Petitioner is the Defendant in the above captioned matter.

2. The Respondent is the Plaintiff in the above captioned matter.

3. This matter is a District Judge appeal filed by Petitioner's Counsel Chris A. Pentz, Attorney at Law.

4. The Respondent/Plaintiff filed and served his Complaint on or about September 19, 2005.

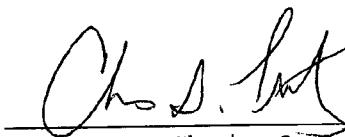
5. The Respondent/Plaintiff filed a default judgment on November 11, 2005 without providing Counsel for the Petitioner/Defendant any notice of the filing.

6. Respondent/Plaintiff did not provide Counsel for Petitioner/Defendant a ten (10) day Notice of Default Judgment as required by the Pennsylvania Rules of Civil Procedure.

7. Respondent/Plaintiff has initiated execution proceedings, on the improperly obtained judgment, against assets of the Petitioner/Defendant.

WHEREFORE, Petitioner/Defendant respectfully requests your Honorable Court to Open and Strike the Judgment and to award counsel fee in favor of Petitioner/Defendant.

Respectfully submitted this 30 of July, 2006

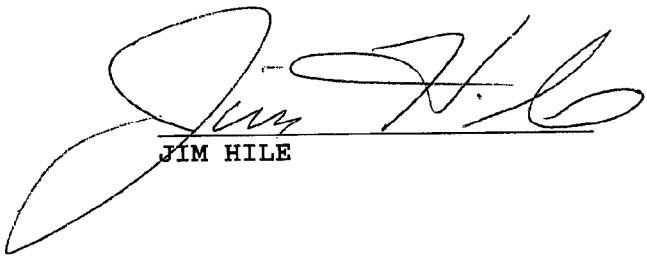
  
\_\_\_\_\_  
Chris A Pentz  
Attorney for Petitioner/Defendant

VERIFICATION

I, **JIM HILE**, verify that the statements made in this **Petition to Open and Strike** are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

6-3506

Date

  
Jim Hile

**FILED**

**JUN 30 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

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

DALE J. GRANITE,

Plaintiff

vs

No. 2005- 1343 -CD

COLORS GALORE/JIM HILE,  
Defendant

FILED  
07:54 AM JUL 03 2006  
3cc  
Aug Peretz  
JUL 03 2006  
LK

ORDER OF COURT

William A. Shaw  
Prothonotary/Clerk of Courts

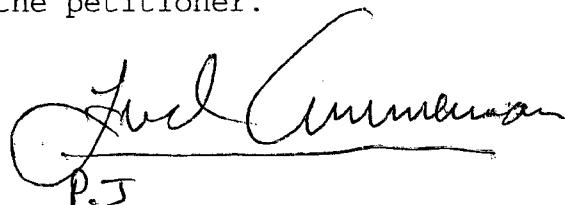
AND NOW, this 30 day of June, 2006,  
upon consideration of the foregoing petition, it is hereby  
ordered that:

(1) a rule is issued upon the respondent to show cause  
why the petitioner is not entitled to the relief requested;

(2) the respondent shall file an answer to the  
petition within twenty (20) days of service upon the  
respondent;

(3) the petition shall be decided under Pa.R.C.P. No.  
206.7;

(4) notice of the entry of this order shall be  
provided to all parties by the petitioner.

  
P.J.

**FILED**

**JUL 03 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE MATTERS SET FORTH IN THE FOLLOWING PETITION, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE AN ANSWER IN WRITING WITH THE PROTHONOTARY SETTING FORTH YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU AND SERVE A COPY ON THE ATTORNEY OR PERSON FILING THE PETITION. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PETITIONER. YOU MAY LOSE 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.

COURT ADMINISTRATOR  
Clearfield County Courthouse  
Second and Market Streets  
Clearfield PA 16830  
814 765-2641, Ext. 1300

BY THE COURT:

---

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

**DALE J. GRANITE**  
(Plaintiff)

PO BOX 121  
KARTHAUS, PA 16845

**CIVIL ACTION**  
District Justice Appeal  
Case No. 05-1343-C. D.

**Type of Pleading:** Answer to  
Defendant's Petition to Open  
and Strike Judgment/Rule

**Vs.**

**COLORS GALORE / JIM HILE**  
(Defendant)

PO BOX 785  
CLEARFIELD, PA 16830

Filed on Behalf of:  
**PLAINTIFF**

Filed By:  
Margaret J. Granite  
PO Box 121  
Karthaus, PA 16845  
Phone: 263-4838

**FILED**  
JUL 19 2006  
011:45 AM 64  
William A. Shaw  
Prothonotary/Clerk of Courts  
3 C.R.ATT TO RIFF.

Margaret J. Granite 7-19-06  
Signature Date

Wherefore. Plaintiff respectfully requests your Honorable Court to deny the Defendant's Petition to Open and Strike the Judgment, and to allow the Plaintiff's Court Ordered Default Judgment against the Defendant to stand.

Respectfully submitted this 19<sup>th</sup> day of July, 2006.

Dale J. Granite

Dale J. Granite, Plaintiff

**VERIFICATION**

I verify that the statements made in this Reply to Petition to Open and Strike are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

Dale J. Granite

Dale J. Granite

7-19-06

Date

• **sub-100 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2000-2005. **100-200 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2006-2010. **200-500 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2011-2015. **500-1000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2016-2020. **1000-2000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2021-2025. **2000-5000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2026-2030. **5000-10000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2031-2035. **10000-20000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2036-2040. **20000-50000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2041-2045. **50000-100000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2046-2050. **100000-200000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2051-2055. **200000-500000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2056-2060. **500000-1000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2061-2065. **1000000-2000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2066-2070. **2000000-5000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2071-2075. **5000000-10000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2076-2080. **10000000-20000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2081-2085. **20000000-50000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2086-2090. **50000000-100000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2091-2095. **100000000-200000000 nm**: Oldstone, E. (1992) *Journal of Immunology* 149, 2096-2099.

Digitized by Google

## NOTADVERTIZ

1. *Antithesis* (Antithesis) is a figure of speech in which two opposite ideas are contrasted. It is often used to emphasize a particular point or to create a strong emotional effect. For example, in the sentence "He is not only a good man, but also a wise man", the two contrasting ideas are "good" and "wise".

— 100 —

FILED  
JUL 19 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

**DALE J. GRANITE**

Plaintiff

Vs.

**District Justice Appeal**

**Case No. 05-1343-C.D.**

**COLORS GALORE /JIM HILE**

Defendant

**CERTIFICATE OF SERVICE**

I, Dale J. Granite, Plaintiff above named, do hereby certify  
that on the **19th day of July, 2006**, I served a certified copy of the  
**Reply to Defendant's Petition to Open and Strike Judgment** on  
the Defendant above named, by hand delivering said certified copy  
to the Defendant at Office of his Attorney, Chris A.  
Penty, 207 E. Market St., PO Box 552.  
Clearfield PA 16830. (Received by "Jamie"  
at front desk).

Dale J. Granite

**FILED**

*9/9/06*  
*JUL 24 2006*

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

THE JUDICIAL COUNCIL OF ARIZONA  
ARIZONA STATE BAR

ATTACHMENT  
Exhibit 3

Legal Assistant to the  
Chair

Secretary of the  
Arizona State Bar

ATTACHMENT  
Exhibit 3

NOTICE TO STAKEHOLDERS

Notice is given of former proceedings taken in the  
matter of Arizona Board of Bar Examiners v. State Bar of Arizona (Case  
No. 05-1001, Appeal No. 05-1002) to determine  
whether the Board of Bar Examiners of Arizona  
acted in a discriminatory manner in its treatment of  
Arizona bar applicants based on their race or ethnicity.

In that case, the Board of Bar

Prothonotary/Clerk of Courts  
William A. Shaw

**FILED**

JUL 24 2006

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,  
PENNSYLVANIA

**DALE J. GRANITE**

Plaintiff

Vs.

**District Justice Appeal**

**Case No. 05-1343-C.D.**

**COLORS GALORE /JIM HILE**

Defendant

**CERTIFICATE OF SERVICE**

I, Dale J. Granite, Plaintiff above named, do hereby certify  
that on the **20th day of July, 2006**, I caused a certified copy of the  
**Reply to Defendant's Petition to Open and Strike Judgment** to  
be mailed, first-class, postage prepaid, to the Defendant at his  
address as follows:

COLORS GALORE  
ATTN: JIM HILE  
PO BOX 785  
CLEARFIELD, PA 16830

*Dale J. Granite*

**FILED**  
M 19:34 8/11 NO CC  
JUL 24 2006

William A. Shaw  
Prothonotary/Clerk of Courts

THE COURT OF COMMONS OF THE UNITED KINGDOM  
PARLIAMENT

## АЛГОРИТМЫ

B207.4 2012-05174

.5 3-5401 20 May 1963

## ДИДАКТИЧЕСКИЕ

## CELEBRATING INNOVATION

On the 15th of January 1892, the following day after the arrival of the  
steamship *W. H. Smith* at the port of Callao, the following  
order was issued by the Consul of the United States of America in  
Peru:

CAIRN, PA 19830  
PO BOX 782  
ATTN: JIM HILL  
CO 962 CALORI

William A. Shaw  
Prothonotary/Clerk of Courts

FILED  
JUL 24 2006

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

DALE J. GRANITE,  
Plaintiff

VS \* No. 2005- 1343 -CD

COLORS GALORE/JIM HILE,  
Defendant \*

SCHEDULING ORDER

AND NOW, this 7 day of August, 2006,  
upon consideration of the **PETITION OPEN AND STRIKE JUDGMENT** filed  
by Chris A. Pentz, Attorney for Defendant, and an answer being  
filed by the Plaintiff, a hearing is hereby scheduled for  
the 18<sup>th</sup> day of September, 2006, at 10:00 A.M. in  
Court Room No. 1 of the Clearfield County Courthouse,  
Clearfield, Pennsylvania.

BY THE COURT:

Judge

FILED

AUG 08 2006

10:00 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

3 CENTS TO PENTZ  
1 CENTS TO PLAINTIFF

Prothonotary/Clerk of Courts  
William A. Shaw

AUG 08 2006

FILED

16845  
KATIE HARRIS  
P.O. Box 121  
DATE 8-8-06  
X You are responsible for serving all appropriate parties.  
The Prothonotary's office has provided service to the following parties:  
X Plaintiff(s) Plaintiff(s) Attorney Other  
X Defendant(s) Defendant(s) Attorney  
Special Instructions

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DALE J. GRANITE

:

VS.

: NO. 05-1343-CD

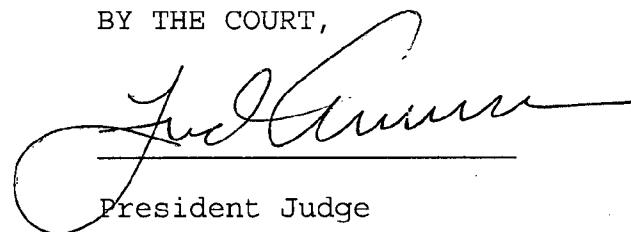
COLORS GALORE/JIM HILE

:

O R D E R

AND NOW, this 18th day of September, 2006, following argument on the Petition to Open and Strike Judgment; with it being clear that, contrary to the Rules of Civil Procedure, the Plaintiff did not serve counsel for the Defendant with any documents filed until the Reply to the Petition to Open and Strike Judgment, it is the ORDER of this Court that Petition to Open and Strike Judgment be and is hereby granted. The Prothonotary is directed to strike the judgment. The Defense shall have no more than twenty (20) days from this date in which to respond to the Plaintiff's Complaint.

BY THE COURT,



President Judge

FILED *2CC*  
*9/15/06* *PISF-*  
SEP 21 2006 *Po Box 121*  
*Karthaus, PA 16845*

William A. Shaw *2CC*  
Prothonotary/Clerk of Courts *Atty Pente*

*(CR)*

# FILED

SEP 21 2006

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: Shaw

You are responsible for serving all appropriate parties.

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

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

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

DALE J. GRANITE,

Plaintiff

VS

\* No. 2005- 1343 -CD

COLORS GALORE/JIM HILE,

Defendant

\* Type of Case: Contract

\* Type of Pleading: Answer to  
\* Complaint and New Matter

\* Filed on Behalf of: Defendant

\* Counsel of Record for this Party:

Chris A. Pentz

\* CHRIS A. PENTZ, Esquire  
\* Supreme Court I.D. # 39232  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield PA 16830  
\* 814 765-4000

FILED 344 AM  
OCT 10 2005  
W.A. Shaw  
Clerk of Courts

\* Filed by:

William A. Shaw  
Prothonotary/Clerk of Courts

Chris A. Pentz

\* Chris A. Pentz, Esquire  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield, PA 16830  
\* 814 765-4000

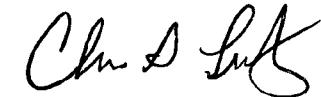
Date: 10/10/06

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

DALE J. GRANITE, \*  
Plaintiff \*  
\*  
vs \* No. 2005- 1343 -CD  
\*  
\*  
\*  
COLORS GALORE/JIM HILE, \*  
Defendant \*

To: DALE J. GRANITE

You are hereby notified to file a written response to the  
enclosed Answer to Complaint/New Matter within twenty (20) days from  
the service hereof or a judgment may be entered against you.



Chris A. Pentz, Esquire  
I. D. # 39232  
Attorney for Defendant

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

DALE J. GRANITE, \*  
Plaintiff \*  
\*  
vs \* No. 2005- 1343 -CD  
\*  
\*  
\*  
COLORS GALORE/JIM HILE, \*  
Defendant \*

ANSWER TO COMPLAINT AND NEW MATTER

1. Paragraph 1 is admitted.
2. Paragraph 2 is denied. The Defendant is Colors Galore/Jim Hile whose address is 64 Color Lane, Clearfield Pennsylvania 16830.
3. Paragraph 3 is denied. The Plaintiff was not hired by the Defendant. It is believed and therefore averred that the Plaintiff was brought to the work site by Kevin Long.
4. Paragraph 4 is denied. The Defendant believes and therefore avers that the Plaintiff was to receive a minimum of \$27.62 per hour and a percentage of the profit if any existed.
5. Paragraph 5 is admitted in part and denied in part. It is admitted that the Defendant did not pay the Plaintiff any sums for the specific dates. It is denied

4

that the Defendant was personally liable to the Plaintiff for the work performed from the date set forth.

6. Answer to Paragraph 5 above is incorporated herein by reference as though set forth in full.

7. Paragraph 7 is denied. The Defendant denies any damages have resulted by any actions taken or not taken by the Defendant.

WHEREFORE, the Defendant demands judgment in his favor.

**NEW MATTER**

8. All painters on the work site at the Wellsboro High School in Wellsboro, Pennsylvania were to be paid a minimum of \$27.62 per hour with the painters receiving additional profit based on the amount of the profit being divided by the number of hours required to complete the job.

9. All painters on the project were to be paid upon receipt of funds from the general contractor, Lobar, Inc. of Dillsburg, Pennsylvania.

10. The general contractor has failed to make any payments from approximately December, 2004 to present.

11. A suit has been filed by the Defendant on behalf of the painters against Lobar, Inc. to collect the sums due for unpaid work on the Wellsboro High School project in

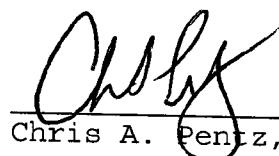
Wellsboro, Pennsylvania.

12. The Defendant is not in possession of any money which may be due the Plaintiff from Lobar, Inc.

13. If the Defendant does come in possession of funds due the Plaintiff from Lobar, Inc. he will immediately forward all the funds to the Plaintiff.

WHEREFORE, the Defendant demands judgment against the Plaintiff and in his favor.

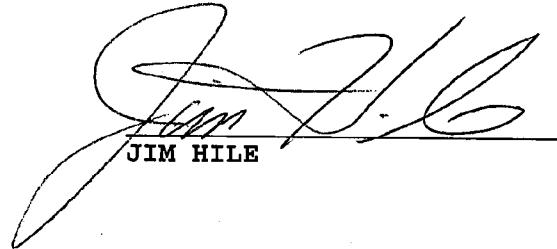
Respectfully submitted this 10 day of Oct, 2006.

  
\_\_\_\_\_  
Chris A. Pentz, Esquire  
I.D. 39323  
207 East Market Street  
Clearfield PA 16830  
814 765-4000

VERIFICATION

I, **JIM HILE**, verify that the statements made in this **Answer to Complaint and New Matter** are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
Date



JIM HILE

FILED

OCT 10 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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

DALE J. GRANITE,  
Plaintiff

VS

\* No. 2005- 1343 -CD

COLORS GALORE/JIM HILE,  
Defendant

\* Type of Case: Contract

\* Type of Pleading: Certificate  
\* of Service

\* Filed on Behalf of: Defendant

\* Counsel of Record for this Party:

*Chris Pentz*

\* CHRIS A. PENTZ, Esquire  
\* Supreme Court I.D. # 39232  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield PA 16830  
\* 814 765-4000

\* Filed by:

*Chris Pentz*

\* Chris A. Pentz, Esquire  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield, PA 16830  
\* 814 765-4000

Date: 10-18-06

01/03/06  
FILED NO CC  
OCT 18 2006

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY PENNSYLVANIA  
CIVIL DIVISION

DALE J. GRANITE,  
Plaintiff

\*

vs

No. 2005-1343-CD

\*

COLORS GALORE/JIM HILE,  
Defendant

\*

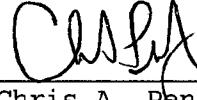
\*

CERTIFICATE OF SERVICE

I, Chris A. Pentz, Esquire, do hereby certify that a certified copy of Answer to Complaint and New Matter filed to the above-captioned action was served on the following person and in the following manner on the 12th day of October, 2006.

First-Class Mail, Postage Prepaid

Mr. Dale Granite  
P. O. Box 121  
Karthaus PA 16845

  
\_\_\_\_\_  
Chris A. Pentz, Esquire

**FILED**

**OCT 18 2006**

*William A. Shaw*  
Prothonotary/Clerk of Courts