



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FirstEnergy Corporation,  
t/d/b/a Pennsylvania Electric Company,

Civil Action

Plaintiffs

In Law

vs.

Docket #: 2006 - 1307-CD

Rick Powers Contracting, Inc., and  
Fred Whelpley, individually, and  
t/d/b/a Fred Whelpley Excavation,

Defendants

Type of Pleading:

PRAECIPE FOR  
WRIT OF SUMMONS

Jury Trial Demanded

Attorney for Plaintiffs:  
Randy M. Wisnouse, Esq.  
Highland Commons  
351 Budfield St., 2<sup>nd</sup> Fl.  
Johnstown, PA 15904-3213  
(814) 266-6300  
PA ID Number: 27944

FILED 100-2 Writs  
12:20 PM to Shff  
AUG 15 2006  
Atty pd. 85.00  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

FirstEnergy Corporation,  
t/d/b/a Pennsylvania Electric Company  
Plaintiffs

vs.

Rick Powers Contracting, Inc., and  
Fred Whelpley, individually, and  
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Defendants

Civil Division

In Law

Docket # 2006 - \_\_\_\_\_

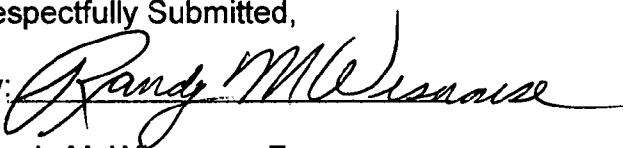
Praeclipe for Writ of Summons

To the Prothonotary:

Please issue a Writ of Summons against the Defendants Rick Powers Contracting, Inc., and Fred Whelpley individually and t/d/b/a Fred Whelpley Excavation, in the above captioned matter. The amount in controversy is not in excess of the arbitration limits.

Respectfully Submitted,

By:

  
Randy M. Wisnouse, Esq.  
Attorney for Plaintiffs  
351 Budfield St., 2<sup>nd</sup>. Fl.  
Johnstown, PA 15904-3213  
Telephone: (814) 539-2426  
PA ID #27944

FILED

AUG 15 2006

William A. Shaw  
Prothonotary/Clerk of Courts

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

cc.

**SUMMONS**

**FirstEnergy Corporation**

**Vs.**

**NO.: 2006-01307-CD**

**Rick Powers Contracting, Inc., and  
Fred Whelpley, individually and  
t/d/b/a Fred Whelpley Excavation**

**TO: RICK POWERS CONTRACTING, INC. and  
FRED WHELPLEY, individually and  
t/d/b/a FRED WHELPLEY EXCAVATION**

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: 08/15/2006**

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary

**Issuing Attorney:  
Randy M. Wisnouse, Esq.  
Highland Commons  
351 Budfield St., 2nd Floor  
Johnstown, PA 15904-3213  
(814) 266-6300**

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 2 Services

Sheriff Docket #

**101826**

FIRSTENERGY CORPORATION

Case # 06-1307-CD

vs.

RICK POWERS CONTRACTING, INC. and FRED WHELPLEY, Ind & t/d/b/a  
FRED WHELPLEY EXCAVATION

TYPE OF SERVICE SUMMONS

**SHERIFF RETURNS**

NOW September 22, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN SUMMONS  
"NOT FOUND" AS TO RICK POWERS CONTRACTING, INC., DEFENDANT. ATTEMPTED NOT FOUND.

SERVED BY: /

**FILED**  
03:40pm  
SEP 25 2006  
JS

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101826  
NO: 06-1307-CD  
SERVICE # 2 OF 2  
SUMMONS

PLAINTIFF: FIRSTENERGY CORPORATION

vs.

DEFENDANT: RICK POWERS CONTRACTING, INC. and FRED WHELPLEY, Ind & t/d/b/a  
FRED WHELPLEY EXCAVATION

**SHERIFF RETURN**

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NOW, August 16, 2006, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF  
OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON FRED WHELPLEY ind & t/d/b/a FRED  
WHELPLEY EXCAVATION.

NOW, August 18, 2006 AT 3:35 PM SERVED THE WITHIN SUMMONS ON FRED WHELPLEY ind & t/d/b/a FRED  
WHELPLEY EXCAVATION, DEFENDANT. THE RETURN OF JEFFERSON COUNTY IS HERETO ATTACHED AND  
MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101826  
NO: 06-1307-CD  
SERVICES 2  
SUMMONS

PLAINTIFF: FIRSTENERGY CORPORATION

vs.

DEFENDANT: RICK POWERS CONTRACTING, INC. and FRED WHELPLEY, Ind & t/d/b/a  
FRED WHELPLEY EXCAVATION

**SHERIFF RETURN**

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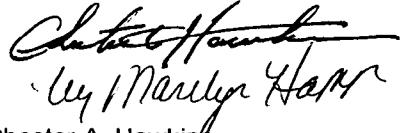
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WISNOUSE	2938	20.00
SHERIFF HAWKINS	WISNOUSE	2938	40.30
JEFFERSON CO.	WISNOUSE	2939	34.58

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,



Chester A. Hawkins  
Sheriff

No. 06-1307 C.D.

Personally appeared before me, Harry Dunkle, Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on August 18, 2006 at 3:35 o'clock P.M. served the Writ of Summons upon FRED WHELPLEY, t/d/b/a FRED WHELPLEY EXCAVATION, defendant, at the address of 2599 Horizon Drive, Brockway, Township of Snyder, County of Jefferson, State of Pennsylvania, by handing to Jo Whelpley, mother of the defendant and adult person in charge at time of service, a true copy of the Writ of Summons and by making known to her the contents thereof.

Advance Costs Received:	\$125.00
My Costs:	32.58 Paid
Frothy:	2.00
Total Costs:	34.58
REFUNDED:	\$ 90.42

So Answers,

Sworn and subscribed  
to before me this 25<sup>th</sup>  
day of Aug 2006  
By Thomas A. Demko  
my Commission expires  
the 1<sup>st</sup> Mon. Jan. 2010.

Harry Dunkle Deputy  
Thomas A. Demko Sheriff  
JEFFERSON COUNTY, PENNSYLVANIA

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

**SUMMONS**

**FirstEnergy Corporation**

**Vs.**

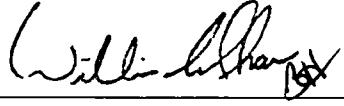
**NO.: 2006-01307-CD**

**Rick Powers Contracting, Inc., and  
Fred Whelpley, individually and  
t/d/b/a Fred Whelpley Excavation**

TO: **RICK POWERS CONTRACTING, INC. and  
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t/d/b/a FRED WHELPLEY EXCAVATION**

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Date: 08/15/2006

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary

Issuing Attorney:  
Randy M. Wisnouse, Esq.  
Highland Commons  
351 Budfield St., 2nd Floor  
Johnstown, PA 15904-3213  
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CLEARFIELD COUNTY, PENNSYLVANIA

FirstEnergy Corporation,  
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vs.

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Fred Whelpley, individually, and  
t/d/b/a Fred Whelpley Excavation,

Defendants

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Johnstown, PA 15904-3213  
(814) 266-6300  
PA ID Number: 27944

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

AUG 15 2006

Attest.

*William L. Brown*  
Prothonotary/  
Clerk of Courts

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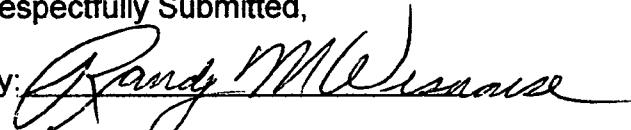
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By:



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Telephone: (814) 539-2426  
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