

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

THT DESIGNS, INC.,
Plaintiff

vs.

STEVEN RAKE, individually and
d/b/a MAGGIE MAE MERCANTILE,
Defendant

)
) No. *06-1413-CD*
)
)
)
)
)
)

PRAECIPE

TO THE PROTHONOTARY:

No appeal has been timely filed from the judgment entered by District Justice Patrick N. Ford on May 8, 2006, in favor of Plaintiff THT Designs, Inc. and against Defendant Steven Rake, individually and d/b/a Maggie Mae Mercantile. Please enter judgment in the amount set forth below in the Court of Common Pleas of Clearfield County, Pennsylvania. A certified copy of the record of the proceeding before District Justice Ford is attached hereto.

Amount of Judgment	\$2,539.03
Less Payment	<u>\$500.00</u>
Remaining Balance of Judgment	\$2,039.03

LEE, GREEN & REITER, INC.

By: _____

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

FILED
mj:56/54
AUG 24 2006
Atty. pd. 20.00
Notice to Def.
Statement to Atty
William A. Shaw
Prothonotary/Clerk of Courts
(60)

Mag. Dist. No.: **46-3-01**
MDJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

NOTICE OF JUDGMENT/TRANSCRIPT CIVIL CASE

PLAINTIFF: **THT DESIGNS INC**
P.O. BOX 179
LEE GREEN & REITER INC
BELLEFONTE, PA 16823

VS.
DEFENDANT: **RAKE, CHERYL, ET AL.**
5522 SHAFFER ROAD APT/STE 112
ITBA MAGGIE MAE MERCANT.
DUBOIS, PA 15801

Docket No.: **CV-0000151-06**
Date Filed: **4/03/06**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

- ☒ Judgment was entered for: (Name) **THT DESIGNS INC**
☒ Judgment was entered against: (Name) **RAKE, STEVEN**

in the amount of \$ **2,539.03** on: (Date of Judgment) **5/08/06**

☐ 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	\$ 2,430.03
Judgment Costs	\$ 109.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 2,539.03
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 JUDGMENT 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.

5-8-06 Date Patrick N. Ford, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
8-24-06 Date Patrick N. Ford, Magisterial District Judge

My commission expires first Monday of January, **2012**.

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
MDJ Name: Hon.
PATRICK N. FORD
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF: **THT DESIGNS INC**
P.O. BOX 179
LEE GREEN & REITER INC
BELLEFONTE, PA 16823
NAME and ADDRESS

VS.
DEFENDANT: **RAKE, CHERYL, ET AL.**
5522 SHAFFER ROAD APT/STE 112
ITBA MAGGIE MAE MERCANT.
DUBOIS, PA 15801
NAME and ADDRESS

Docket No.: **CV-0000151-06**
Date Filed: **4/03/06**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **THT DESIGNS INC**

☒ Judgment was entered against: (Name) **MAGGIE MAE MERCHANTILE**

in the amount of \$ **2,539.03** on: (Date of Judgment) **5/08/06**

☐ 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	\$ 2,430.03
Judgment Costs	\$ 109.00
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 2,539.03

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.

5806 Date **Patrick N. Ford-PNF**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
824-06 Date **Patrick N. Ford**, Magisterial District Judge

My commission expires first Monday of January, **2012**.

SEAL

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

THT DESIGNS, INC.,
Plaintiff

vs.

STEVEN RAKE, individually and
d/b/a MAGGIE MAE MERCANTILE,
Defendant

)
) No. 06-1413-CD
)
)
)
)
)
)

NOTICE OF ENTRY OF JUDGMENT

TO: STEVEN RAKE, individually and
d/b/a MAGGIE MAE MERCANTILE

Pursuant to Pa. R.C.P. 236, you are hereby notified that judgment has been entered in
favor of THT Designs, Inc. and against you in the above-captioned civil action.

Date: August 29, 2006

William L. Shanahan
Prothonotary



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

THT Designs, Inc.
Plaintiff(s)

No.: 2006-01413-CD

Real Debt: \$2,039.03

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Steven Rake
Maggie Mae Mercantile
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: August 29, 2006

Expires: August 29, 2011

Certified from the record this 29th day of August, 2006.

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

CR

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

FILED
DEC 14 2006
William A. Shaw
Prothonotary/Clerk of Courts
no C/C

MOTION TO COMPEL DISCOVERY

NOW COMES THT DESIGNS, INC., Plaintiff, by its attorneys, Lee, Green & Reiter, Inc., and respectfully represents:

1. On September 14, 2006, Plaintiff filed and served Interrogatories in Aid of Execution on Defendant by U.S. Mail, first class, postage prepaid. True and correct copies of said Interrogatories in Aid of Execution are attached hereto and marked Exhibit "A".
2. To date of filing of this Motion to Compel Discovery, Defendant has not filed and served Answers to Interrogatories in Aid of Execution to said Plaintiff, nor has Defendant filed objections thereto.
3. To date of filing of this Motion to Compel Discovery, Defendant has not requested an extension of time for the filing and service of said Answer to Interrogatories in Aid of Execution, nor has an extension otherwise been granted.

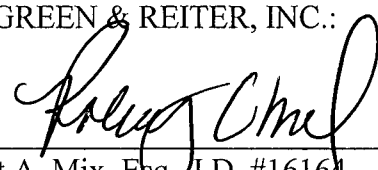
WHEREFORE, Plaintiff respectfully requests Your Honorable Court to issue an Order compelling Defendant to file and serve Answers to Interrogatories in Aid of Execution to said Plaintiff within twenty (20) days or such other period of time as the Court may deem appropriate.

LEE, GREEN & REITER, INC.:

Date: _____

12/13/06

By: _____


Robert A. Mix, Esq., I.D. #16164
Attorney for Plaintiff
115 East High St., P.O. Box 179
Bellefonte, PA 16823
814-355-4769

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

INTERROGATORIES IN AID OF EXECUTION

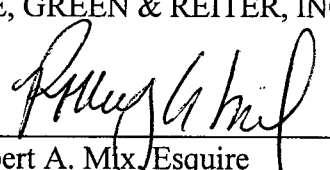
TO: Steven Rake, individually and
d/b/a Maggie Mae Mercantile

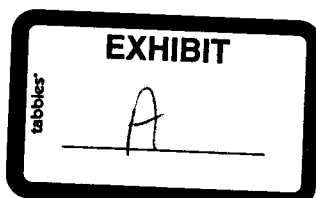
Pursuant to Pennsylvania Rules of Civil Procedure 4006, et seq., the Plaintiff by its attorneys, Lee, Green & Reiter, Inc., files upon Defendant Interrogatories and demands that it file full, complete and verified written answers thereto within thirty (30) days after the date of service hereof, pursuant to the Pennsylvania Rules of Civil Procedure No. 4006. In accordance with said Rule, any objections shall be signed by the attorney making them.

These Interrogatories are continuing and require supplement answers under oath if the Plaintiff, its attorney or representative, obtain any additional information requested in these Interrogatories prior to the time of trial.

LEE, GREEN & REITER, INC.:

By: _____


Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 East High Street
P.O. Box 179
Bellefonte, PA 16823
814-355-4769



INSTRUCTIONS FOR ANSWERING INTERROGATORIES

1. In accordance with Pa.R.C.P. No. 4005, original written Interrogatories have been served upon you to be answered by the party served or, if the party served is a public or private corporation or similar entity or a partnership or association, by any officer or agent, who shall furnish such information as is available to the party.
2. In accordance with Pa.R.C.P. No. 4006, written answers shall be inserted in the spaces provided in the Interrogatories. If there is insufficient space to answer any Interrogatory, the remainder of the answer shall follow on a supplemental sheet.
3. In accordance with Pa.R.C.P. No. 4006(b), a sufficient answer to such an Interrogatory shall be to specify the records from which the answer may be derived or ascertained.
4. Please return these original Interrogatories to our office with inserted answers.
5. For purposes of these Interrogatories, the following definitions shall apply:
 1. “Document” means any written, recorded or graphic matter, however produced or reproduced.
 2. “Identify” or “identification” when used in reference to an individual person means to state his name, present or last known address, present or last known position and business affiliation and his position and business affiliations at all times during the period covered by the complaint.
 3. “Describe” or “identify” when used in reference to a document means to state the type of document (for example, letter, memorandum, telegram, chart, etc.), the date, author, addresses title file and identifying number or symbol, and the name and address of its custodian. If any such documents are no longer in your possession or subject to your control, state what disposition was made of it or the date thereof.

1. REAL ESTATE: Do you have an ownership or interest in any real estate anywhere in the United States?

If so, set forth a brief description thereof, include the structure and lot size and type of construction; the volume and page number of the official record thereof; and whether you own it solely or together with any other person or persons and give their full names and addresses. If any of the above properties are mortgaged, supply the names and addresses of lenders, the date and amount of the mortgage, where it is recorded, the monthly payments and the balance now due.

ANSWER:

2. AGREEMENTS: State whether you have any agreements involving the purchase of any real estate anywhere in the United States. If so, state with whom this agreement is made, and state whether or not any persons are joined with you in the agreement. Supply full names and addresses of all parties concerned. If the said agreement is recorded, provide the state and county of recordation, volume and page numbers.

ANSWER:

3. MORTGAGES: State whether you own any mortgages against any real estate owned by another person in the United States. If so, state whether or not you own this mortgage with any other person or persons and, if so, supply their full name and address. State further the names and addresses of all borrowers and the state and county where said mortgage is recorded together with the number of the volume and the page number.

ANSWER:

4. DEBTS, NOTES & JUDGMENTS: State the names and addresses of any and all persons whom you believe owes you money and set forth in detail the amount of money owed, the terms of payment and whether or not you have written evidence of this indebtedness and, if so, give full details. If you hold a judgment or judgments as security for any of these debts, state where and when the judgment was recorded; and the county, number and term where the judgment is recorded. If you hold this judgment or judgments jointly with any other person or persons, give their name and address.

ANSWER:

5. GOVERNMENT, MUNICIPAL OR CORPORATE BONDS: State whether you own individually or jointly any corporate or governmental bonds. If so, include the face amount, serial numbers and maturity date and state the present location thereof. If you own any of these bonds jointly with any other person or persons, give their full name and address.

ANSWER:

6. STOCKS, SHARES OR INTEREST: State whether you own any stocks, shares or interest in any corporation or unincorporated association or partnership interest, limited or general, and state the location thereof. Include the names and addresses of the organizations and the serial numbers of the shares or stocks. If you own any of the stocks, shares or interest jointly with any other person or persons, give their name and address.

ANSWER:

7. ACCOUNTS: State whether you maintain any checking or savings accounts. If so, state the name and location of the banks or savings and loan association or building and loan association or credit union and the branch or branches thereof, the identification numbers of those accounts and the amount of assets you have in each account. If you maintain any of these jointly with any person, give their name and address.

ANSWER:

8. SAFETY DEPOSIT BOXES: State whether you maintain any safety deposit box or boxes. If so, include the name of the bank or banks, branch or branches and the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If you maintain any of these jointly with another person, give their full name and address.

ANSWER:

9. TRANSFERRED ASSETS AND GIFTS: If, since the date upon which the debt herein was first incurred to the Plaintiff herein, you have transferred any assets (real property, personal property, chose in action) to any person and/or if you have given any gift of any asset, including money, to any person, set forth in detail a description of the property, the type of transaction and the name and address of the transferee or recipient.

ANSWER:

10. PERSONAL PROPERTY: State whether you own any personal property. Include a full description of all furnishings and other items of personal property (including jewelry) with full description, value and present location. State also whether or not there are any encumbrances on that property and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of that encumbrance, the present balance of that encumbrance and the transaction which gave rise to the existence of the encumbrance. If you own any personal property jointly with any other person or persons, give their name and address.

ANSWER:

11. MOTOR VEHICLES: State whether you own any motor vehicles. Include a full description of such motor vehicles including color, model, title number, serial number and registration plate number. Also, show the exact name or names in which the motor vehicles are registered, the present value of those motor vehicles and their present location and place of regular storage, garaging or parking. State also whether there are any encumbrances on those motor vehicles and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of the encumbrance, the present balance of the encumbrance and the transaction which gave rise to the existence of the encumbrance.

ANSWER:

12. OTHER ASSETS: If you have any asset or assets which are not disclosed in the preceding Interrogatories, please set forth all details concerning those assets.

ANSWER:

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Interrogatories in Aid of Execution was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 14th day of September, 2006, addressed to the following:

Steven Rake, individually and
d/b/a Maggie Mae Mercantile
314 Olive Avenue
Dubois, PA 15801

LEE, GREEN & REITER, INC.:

By: _____

Robert A. Mix, Esquire

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

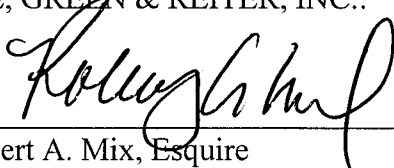
THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Compel Discovery
was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the
BR day of December, 2006, addressed to the following:

Steven Rake, individually and
d/b/a Maggie Mae Mercantile
314 Olive Avenue
Dubois, PA 15801

LEE, GREEN & REITER, INC.:

By: 
Robert A. Mix, Esquire

CM

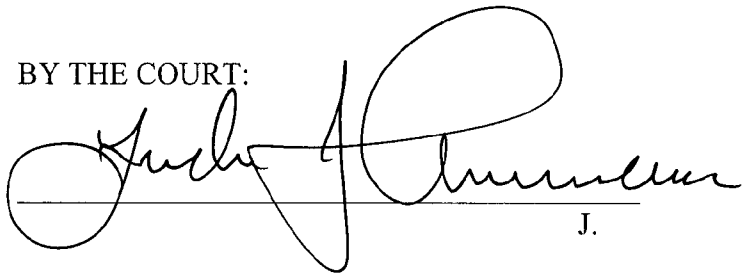
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA
CIVIL ACTION – LAW

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

ORDER

AND NOW, this 18th day of December, 2006, after consideration of Plaintiff's Motion to Compel Discovery, Defendant is hereby ORDERED to serve Answers to Interrogatories in Aid of Execution on Plaintiff within 20 days of the date of this Order.
PSA

BY THE COURT:


J.

FILED

DEC 18 2006

12:00

William A. Shaw

Prothonotary/Clerk of Courts

1 SENT TO HTL

DATE: 12-18-06

☒ You are responsible for serving all appropriate parties.

_____ Plaintiff(s)

_____ Defendant(s) Attorney

_____ Defendant(s) Attorney

_____ Other _____

Special Instructions:

Pro

CA

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

ORDER

AND NOW, this 17 day of May, 2007, upon consideration of the
within Plaintiff's Motion for Sanctions, argument is set for the 13th day of June,
2007, at 10:00 A .M. o'clock in Courtroom No. 1.

BY THE COURT:

_____ J.

FILED
07:51/31
MAY 18 2007
3cc
Any Mix
GK
William A. Shaw
Prothonotary/Clerk of Courts

DATE: 5/18/07

☒ 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:

FILED

MAY 18 2007

William A. Straw
Prothonotary/Clerk of Courts

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

THT DESIGNS, INC.,
Plaintiff

vs.

STEVEN RAKE, individually and
d/b/a MAGGIE MAE MERCANTILE,
Defendant

No. 2006-1413-CD

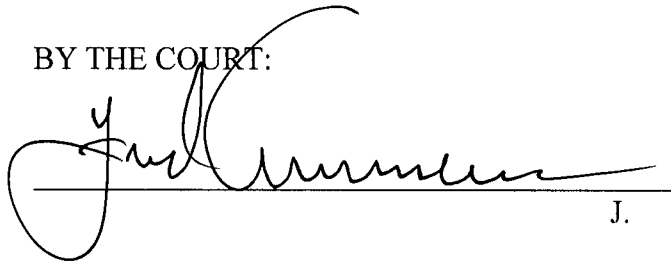
FILED ICC ATT mix
0/10: 20cm (w. 11 serve)
JUN 13 2007 (GK)

William A. Shaw
Prothonotary/Clerk of Courts

ORDER

AND NOW, this 13th day of June, 2007, after consideration of the within Motion for Sanctions, this Court finds that Defendant, STEVEN RAKE, individually and d/b/a MAGGIE MAE MERCANTILE, has failed to comply with the provisions of Pennsylvania Rules of Civil Procedure 3117, 4005 and 4006, and this Court's Order of December 18, 2006, and it is hereby Ordered that Defendant pay a penalty of \$ 10.- per day for each day from the date of this Order until he serves Answers to the Interrogatories in Aid of Execution on Plaintiff. FJA

BY THE COURT:


J.

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

FILED
MAY 09 2007

William A. Shaw
Prothonotary/Clerk of Courts
No ce

(GK)

MOTION FOR SANCTIONS

NOW COMES Plaintiff, THT DESIGNS, INC., by and through its attorneys, Lee, Green & Reiter, Inc., and respectfully moves this Honorable Court to enter an Order pursuant to Pennsylvania Rule of Civil Procedure 4019 for the reasons that follow;

1. On August 29, 2006, judgment in the above-captioned matter was entered in favor of Plaintiff and against Defendant, STEVEN RAKE, individually and d/b/a MAGGIE MAE MERCANTILE.

2. Pursuant to Pennsylvania Rules of Civil Procedure 3117, 4005 and 4006, on September 14, 2006, the Plaintiff served upon the Defendant Interrogatories in Aid of Execution, a copy of which is attached hereto and marked Exhibit "A".

3. On December 13, 2006, Plaintiff served a Motion to Compel Discovery on Defendant due to his failure to serve Answers to the said Interrogatories in Aid of Execution as required by Pennsylvania Rules of Civil Procedure 3117, 4005 and 4006.

4. On December 18, 2006, Your Honorable Court issued an Order directing Defendant to serve Answers to said Interrogatories in Aid of Execution within 20 days of the date of the Order, a copy of which is attached hereto and marked Exhibit "B".

5. On December 19, 2006, Plaintiff served a copy of said Order on the Defendant.
6. To date, Defendant has failed to serve Answers to said Interrogatories in Aid of Execution on Plaintiff.
7. Plaintiff will be prejudiced in its efforts to enforce the judgment entered against Defendant, if Defendant continues in his failure to serve Answers to said Interrogatories in Aid of Execution.

WHEREFORE, the Plaintiff respectfully requests Your Honorable Court to find that the Defendant, STEVEN RAKE, individually and d/b/a MAGGIE MAE MERCANTILE, has failed to comply with Pennsylvania Rules of Civil Procedure 3117, 4005 and 4006, and this Court's Order of December 18, 2006, and to Order that Defendant is to pay a monetary penalty in an amount this Court deems appropriate for each day until Defendant serves Answers to said Interrogatories in Aid of Execution.

Date: 6/8/07

By: 

LEE, GREEN & REITER, INC.:

Robert A. Mix, Esq., I.D. #16164
Attorney for Plaintiff
115 East High St., P.O. Box 179
Bellefonte, PA 16823
814-355-4769

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

INTERROGATORIES IN AID OF EXECUTION

TO: Steven Rake, individually and
d/b/a Maggie Mae Mercantile

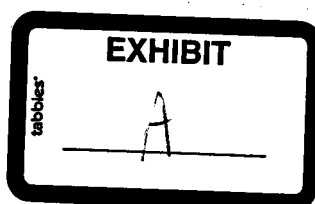
Pursuant to Pennsylvania Rules of Civil Procedure 4006, et seq., the Plaintiff by its attorneys, Lee, Green & Reiter, Inc., files upon Defendant Interrogatories and demands that it file full, complete and verified written answers thereto within thirty (30) days after the date of service hereof, pursuant to the Pennsylvania Rules of Civil Procedure No. 4006. In accordance with said Rule, any objections shall be signed by the attorney making them.

These Interrogatories are continuing and require supplement answers under oath if the Plaintiff, its attorney or representative, obtain any additional information requested in these Interrogatories prior to the time of trial.

LEE, GREEN & REITER, INC.:

By: _____

Robert A. Mix
Robert A. Mix, Esquire
I.D. #16164
Attorney for Plaintiff
115 East High Street
P.O. Box 179
Bellefonte, PA 16823
814-355-4769



INSTRUCTIONS FOR ANSWERING INTERROGATORIES

1. In accordance with Pa.R.C.P. No. 4005, original written Interrogatories have been served upon you to be answered by the party served or, if the party served is a public or private corporation or similar entity or a partnership or association, by any officer or agent, who shall furnish such information as is available to the party.
2. In accordance with Pa.R.C.P. No. 4006, written answers shall be inserted in the spaces provided in the Interrogatories. If there is insufficient space to answer any Interrogatory, the remainder of the answer shall follow on a supplemental sheet.
3. In accordance with Pa.R.C.P. No. 4006(b), a sufficient answer to such an Interrogatory shall be to specify the records from which the answer may be derived or ascertained.
4. Please return these original Interrogatories to our office with inserted answers.
5. For purposes of these Interrogatories, the following definitions shall apply:
 1. "Document" means any written, recorded or graphic matter, however produced or reproduced.
 2. "Identify" or "identification" when used in reference to an individual person means to state his name, present or last known address, present or last known position and business affiliation and his position and business affiliations at all times during the period covered by the complaint.
 3. "Describe" or "identify" when used in reference to a document means to state the type of document (for example, letter, memorandum, telegram, chart, etc.), the date, author, addresses title file and identifying number or symbol, and the name and address of its custodian. If any such documents are no longer in your possession or subject to your control, state what disposition was made of it or the date thereof.

1. REAL ESTATE: Do you have an ownership or interest in any real estate anywhere in the United States?

If so, set forth a brief description thereof, include the structure and lot size and type of construction; the volume and page number of the official record thereof; and whether you own it solely or together with any other person or persons and give their full names and addresses. If any of the above properties are mortgaged, supply the names and addresses of lenders, the date and amount of the mortgage, where it is recorded, the monthly payments and the balance now due.

ANSWER:

2. AGREEMENTS: State whether you have any agreements involving the purchase of any real estate anywhere in the United States. If so, state with whom this agreement is made, and state whether or not any persons are joined with you in the agreement. Supply full names and addresses of all parties concerned. If the said agreement is recorded, provide the state and county of recordation, volume and page numbers.

ANSWER:

3. MORTGAGES: State whether you own any mortgages against any real estate owned by another person in the United States. If so, state whether or not you own this mortgage with any other person or persons and, if so, supply their full name and address. State further the names and addresses of all borrowers and the state and county where said mortgage is recorded together with the number of the volume and the page number.

ANSWER:

4. DEBTS, NOTES & JUDGMENTS: State the names and addresses of any and all persons whom you believe owes you money and set forth in detail the amount of money owed, the terms of payment and whether or not you have written evidence of this indebtedness and, if so, give full details. If you hold a judgment or judgments as security for any of these debts, state where and when the judgment was recorded; and the county, number and term where the judgment is recorded. If you hold this judgment or judgments jointly with any other person or persons, give their name and address.

ANSWER:

5. GOVERNMENT, MUNICIPAL OR CORPORATE BONDS: State whether you own individually or jointly any corporate or governmental bonds. If so, include the face amount, serial numbers and maturity date and state the present location thereof. If you own any of these bonds jointly with any other person or persons, give their full name and address.

ANSWER:

6. STOCKS, SHARES OR INTEREST: State whether you own any stocks, shares or interest in any corporation or unincorporated association or partnership interest, limited or general, and state the location thereof. Include the names and addresses of the organizations and the serial numbers of the shares or stocks. If you own any of the stocks, shares or interest jointly with any other person or persons, give their name and address.

ANSWER:

7. ACCOUNTS: State whether you maintain any checking or savings accounts. If so, state the name and location of the banks or savings and loan association or building and loan association or credit union and the branch or branches thereof, the identification numbers of those accounts and the amount of assets you have in each account. If you maintain any of these jointly with any person, give their name and address.

ANSWER:

8. SAFETY DEPOSIT BOXES: State whether you maintain any safety deposit box or boxes. If so, include the name of the bank or banks, branch or branches and the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If you maintain any of these jointly with another person, give their full name and address.

ANSWER:

9. TRANSFERRED ASSETS AND GIFTS: If, since the date upon which the debt herein was first incurred to the Plaintiff herein, you have transferred any assets (real property, personal property, chose in action) to any person and/or if you have given any gift of any asset, including money, to any person, set forth in detail a description of the property, the type of transaction and the name and address of the transferee or recipient.

ANSWER:

10. PERSONAL PROPERTY: State whether you own any personal property. Include a full description of all furnishings and other items of personal property (including jewelry) with full description, value and present location. State also whether or not there are any encumbrances on that property and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of that encumbrance, the present balance of that encumbrance and the transaction which gave rise to the existence of the encumbrance. If you own any personal property jointly with any other person or persons, give their name and address.

ANSWER:

11. MOTOR VEHICLES: State whether you own any motor vehicles. Include a full description of such motor vehicles including color, model, title number, serial number and registration plate number. Also, show the exact name or names in which the motor vehicles are registered, the present value of those motor vehicles and their present location and place of regular storage, garaging or parking. State also whether there are any encumbrances on those motor vehicles and if so, the name and address of the encumbrance holder, the date of the encumbrance, the original amount of the encumbrance, the present balance of the encumbrance and the transaction which gave rise to the existence of the encumbrance.

ANSWER:

12. OTHER ASSETS: If you have any asset or assets which are not disclosed in the preceding Interrogatories, please set forth all details concerning those assets.

ANSWER:

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

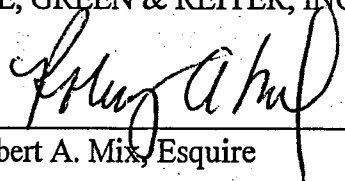
THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Interrogatories in Aid of Execution was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 14th day of September, 2006, addressed to the following:

Steven Rake, individually and
d/b/a Maggie Mae Mercantile
314 Olive Avenue
Dubois, PA 15801

LEE, GREEN & REITER, INC.:

By: 
Robert A. Mix, Esquire

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

THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

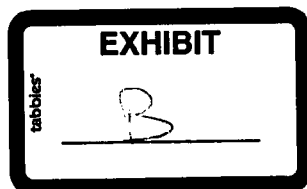
ORDER

AND NOW, this 18th day of DECEMBER, 2006, after consideration of Plaintiff's Motion to Compel Discovery, Defendant is hereby ORDERED to serve Answers to Interrogatories in Aid of Execution on Plaintiff within 20 days of the date of this Order.
FSA.

BY THE COURT:

/s/ Fredric J. Ammerman

J.



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


THT DESIGNS, INC.,)	
Plaintiff	)	No. 2006-1413-CD
)	
vs.)	
)	
STEVEN RAKE, individually and)	
d/b/a MAGGIE MAE MERCANTILE,)	
Defendant)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Sanctions was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 24th day of May, 2007, addressed to the following:

Steven Rake, individually and
d/b/a Maggie Mae Mercantile
314 Olive Avenue
Dubois, PA 15801

LEE, GREEN & REITER, INC.:

By: 
Robert A. Mix, Esquire