

06-1449-CD

Wallaceton Boggs vs Clair Godissart

2006-1449-CD

Wallaceton-Boggs vs Clair Godissart

Date: 11/3/2014

Time: 08:04 AM

Page 1 of 1

**Clearfield County Court of Common Pleas**

ROA Report

User: LMILLER

Case: 2006-01449-CD

Current Judge: No Judge

Wallaceton-Boggs Municipal Authority vs. Clair Godissart

**District Justice Appeal**

Date		Judge
9/7/2006	New Case Filed.  Filing: Notice of Appeal and Praeclipe to Enter Rule to File Complaint and Rule to File Paid by: Godissart, Clair (defendant) Receipt number: 1915454 Dated: 09/07/2006 Amount: \$85.00 (Check) Copies issued to Plff., deft., and MDJ Rudella.	No Judge No Judge
9/13/2006	Transcript from District Rudella, filed.	No Judge
10/3/2006	Petition to Consolidate, filed by s/ George S. Test, Esquire. No CC. Original filed to 06-1448-CD  Complaint filed by s/ George S. Test Esq. No CC.  Certificate of Service, filed. Served true and correct copies of the Complaints and Petition to Consolidate in the above captioned matter on Mr. Clair Godissart, filed by s/ George S. Test Esq. No CC. (original filed to 06-1448-CD)	No Judge No Judge No Judge No Judge
10/5/2006	Order, NOW, this 4th day of October, 2006, upon Petition of the Plaintiff, the above actions are consolidated to Number 2006-1448 and all documents filed from this date forward will be filed at said term and number. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. Original filed to 06-1448-CD  NO FURTHER FILINGS TO THIS NUMBER--CONSOLIDATED TO 06-1448-CD per Court Order of October 4, 2006.	No Judge No Judge
8/29/2014	Motion for Leave of Court to File Amended Complaint and Answer New Matter, Filed by Daniel J. Nelson, Esquire. 1cc Atty. Nelson.  Certificate of Service filed. On August 29th, 2014, a true and correct copy of Deft's Motion for Leave of Court to File Amended Complaint and Answer New Matter was served upon David R. Thompson, Esq. via Us First Class mail, postage prepaid. Filed by s/Daniel J. Nelson, Esq. 1CC Atty Nelson.	No Judge No Judge
9/4/2014	Motion for Continuance, filed by s/ Daniel J. Nelson, Esq. 3CC Atty. Nelson	No Judge
9/8/2014	Order, this 2nd of Sept., 2014, hearing and argument on Plaintiff Wallaceton Boggs Municipal Authority's Motion for Leave of Court to File Amended Complaint and Answer, New Matter is scheduled for the 24th of Sept., 2014, at 1:30 p.m. in Courtroom 1. By the Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Nelson	Fredric Joseph Ammerman
9/9/2014	Order, this 5th of Sept., 2014, Plaintiff Wallaceton Boggs Municipal Authority's Motion for Continuance is Granted. A Judicial Status Conference is rescheduled for the 13th of Oct., 2014, at 9:00 a.m. in Judge Ammerman's Chambers. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Nelson  NO FURTHER FILINGS TO THIS NUMBER--CONSOLIDATED TO 06-1448-CD per Court Order of October 4, 2006.	Fredric Joseph Ammerman No Judge



**Status Report**  
**Pursuant to Servicemembers Civil Relief Act**

Last Name: SHIFTER

First Name: GARY

Middle Name:

Active Duty Status As Of: Mar-27-2014

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individual's active duty status based on the Active Duty Status Date.			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date.			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty.			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

*Mary M. Snavely-Dixon*

Mary M. Snavely-Dixon, Director  
Department of Defense - Manpower Data Center  
4800 Mark Center Drive, Suite 04E25  
Arlington, VA 22350

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

WASHAKIE TOW B0669MUNICIPAL CIVIL ACTION  
(Plaintiff) WASHAKIE TOW

P.O. BOX 87 No. 06-1449-cd  
(Street Address)

WEST DECKTUR PA 16878 Type of Case: \_\_\_\_\_  
(City, State ZIP) Type of Pleading: \_\_\_\_\_

VS. Filed on Behalf of:  
Chair 60 Dissent

(Defendant) \_\_\_\_\_  
525 KEYSTONE HIGHWAY (Plaintiff/Defendant)

525 KEYSTONE HIGHWAY  
(Street Address)  
PHILADELPHIA PA 16866  
(City, State ZIP)

Chair 60 Dissent  
(Filed by) \_\_\_\_\_  
525 KEYSTONE HIGHWAY  
PHILADELPHIA PA  
(Address)

814 342 4149  
(Phone)

Chair 60 Dissent  
(Signature)

**FILED** Def pd 85.00  
01/30/01  
SEP 07 2006  
Copies-  
Plff  
Def  
William A. Shaw  
Prothonotary/Clerk of Courts  
DJ Rudella

## COMMONWEALTH OF PENNSYLVANIA

## COURT OF COMMON PLEAS

Judicial District, County Of

46<sup>th</sup>

## NOTICE OF APPEAL

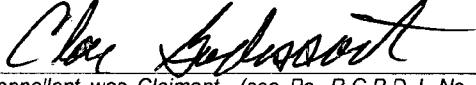
FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 06-1449-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 referenced below.

NAME OF APPELLANT <b>Clair Godissart</b>	MAG. DIST. NO. <b>46-3-03</b>	NAME OF D.J. <b>Michael A. Rudella</b>
ADDRESS OF APPELLANT <b>525 Keystone Hill Road Philipsburg, PA</b>	CITY <b>16866</b>	STATE <b>ZIP CODE</b>
DATE OF JUDGMENT <b>Aug 8, 2006</b>	IN THE CASE OF (Plaintiff) <b>Wallaceton Boggs Municipal Authority</b>	(Defendant)
DOCKET No. <b>CV-0000318-06</b>	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT 	
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.D.J. 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.</p> <p><i>Signature of Prothonotary or Deputy</i></p>		If appellant was Claimant (see Pa. R.C.P.D.J. No. 1001(6) in action before a District Justice, A COMPLAINT MUST BE FILED within twenty (20) days after filing the 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.D.J. 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 Wallaceton Boggs Municipal Authority appellee(s), to file a complaint in this appeal  
 Name of appellee(s)

(Common Pleas No. 06-1449-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.



Signature of appellant or attorney or agent

RULE: To Wallaceton Boggs Municipal Authority 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 MAY BE ENTERED AGAINST YOU.

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

Date: 9/7/06



Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

---

**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 of the notice of appeal. Check applicable boxes.)*

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF \_\_\_\_\_ ; ss

**AFFIDAVIT:** I hereby (swear) (affirm) that I served

a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail,  
sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_, on  
\_\_\_\_\_, 20\_\_\_\_\_,  by personal service  by (certified) (registered) mail,  
sender's receipt attached hereto.

(SWORN) (AFFIRMED) AND SUBSCRIBED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

*Signature of affiant*

*Signature of official before whom affidavit was made*

*Title of official*

My commission expires on \_\_\_\_\_, 20\_\_\_\_\_.

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**

**CLAIR GODISSART**  
**525 KEYSTONE HILL**  
**PHILIPSBURG, PA 16866**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**WALLACETON-BOGGS MUNICIPAL AUTH.**  
**P.O. BOX 97**  
**WEST DECATUR, PA 16878**

VS.

DEFENDANT:

**GODISSART, CLAIR**  
**525 KEYSTONE HILL**  
**PHILIPSBURG, PA 16866**

NAME and ADDRESS

Docket No.: **CV-0000319-06**  
Date Filed: **6/27/06**



**THIS IS TO NOTIFY YOU THAT:**

**FOR PLAINTIFF**

Judgment: \_\_\_\_\_ (Date of Judgment) **8/08/06**

Judgment was entered for: (Name) **WALLACETON-BOGGS MUN, ICIPAL A**

Judgment was entered against: (Name) **GODISSART, CLAIR**  
in the amount of \$ **172.20**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time \_\_\_\_\_

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>114.70</b>
Judgment Costs	\$ <b>57.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>172.20</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</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.

*8-8-06* Date *MAR* 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, **2012**

SEAL

**FILED**

**SEP 07 2006**

*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**

2006-1449-CD

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**WALLACETON-BOGGS MUNICIPAL AUTH.  
P.O. BOX 97  
WEST DECATUR, PA 16878**

NAME and ADDRESS

DEFENDANT:

**GODISSART, CLAIR  
525 KEYSTONE HILL  
PHILIPSBURG, PA 16866**

VS.

NAME and ADDRESS

Docket No.: **CV-0000319-06**  
Date Filed: **6/27/06**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR PLAINTIFF**

(Date of Judgment) **8/08/06**

Judgment was entered for: (Name) **WALLACETON-BOGGS MUN, ICIPAL A**

Judgment was entered against: (Name) **GODISSART, CLAIR**  
in the amount of \$ **172.20**

Defendants are jointly and severally liable.

Damages will be assessed on Date & Time \_\_\_\_\_

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>114.70</b>
Judgment Costs	\$ <b>57.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>172.20</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</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.

**FILED**

SEP 13 2006

013:00 am

William A. Shaw  
Prothonotary/Clerk of Courts

8-8-06 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.

9/8/06 Date M. A. Rudella

, Magisterial District Judge

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

SEAL

AOPC 315-06

DATE PRINTED: **8/09/06** 8:28:00 AM

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

vs.

CLAIR GODISSART,  
Defendant

\*  
\* No.: 2006-1448-CD  
\* No.: 2006-1449-C D  
\*

**PETITION TO CONSOLIDATE**

Filed on behalf of:  
Wallaceton Boggs Municipal Authority,  
Plaintiff

Attorney of record for this party:  
George S. Test, Esquire  
P O Box 706  
Philipsburg, PA 16866  
(814) 342-4640

P.A.I.D. #15915

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

SEARCHED  
SERIALIZED  
INDEXED  
OCT 03 2006  
NO CC  
LKF

William A. Shaw  
Prothonotary/Clerk of Courts

Original  
Filed to  
Dkt 1448-CD

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

WALLACETON BOGGS	*	
MUNICIPAL AUTHORITY,	*	No.: <u>2006-1448-CD</u>
Plaintiff	*	No.: <u>2006-1449-C D</u>
	*	
VS.	*	
	*	
CLAIR GODISSART,	*	
Defendant	*	

**PETITION TO CONSOLIDATE**

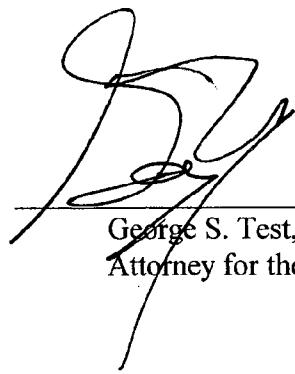
Your Petitioner is the Wallacetton-Boggs Municipal Authority by its attorney, George S. Test, Esquire and Petitioner represents as follows:

1. The Petitioner is a municipal authority providing sewage collection and treatment in Boggs Township and Wallacetton Borough in Clearfield County.
2. Your Petitioner is the Plaintiff in two (2) legal actions with the above two (2) terms and numbers.
3. Clair Godissart is the Defendant in each of the above terms and numbers.
4. Both of the above actions are appeals from decisions by the District Justice for sewage bills in Boggs Township.
5. Except for the amount in controversy, which is less than \$200.00 in each case, the facts in each case are the same.

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

WHEREFORE, in the interest of judicial economy, Petitioner requests that the above

actions be consolidated at 2006-1448.



George S. Test, Esquire  
Attorney for the Petitioner

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,

Plaintiff

vs.

CLAIR GODISSART,

Defendant

\*  
\* No.: 2006-1449-CD

\*  
\* COMPLAINT

\*  
\*  
\*  
\*

Filed on behalf of:  
Wallacetton Boggs Municipal Authority,  
Plaintiff

Attorney of record for this party:

George S. Test, Esquire  
P O Box 706  
Philipsburg, PA 16866  
(814) 342-4640

P.A.I.D. #15915

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

FILED NO  
OCT 03 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

\*  
\* No.: 2006-1449-CD

vs.

\*

\*

\*

\*

\*

CLAIR GODISSART,  
Defendant

\*

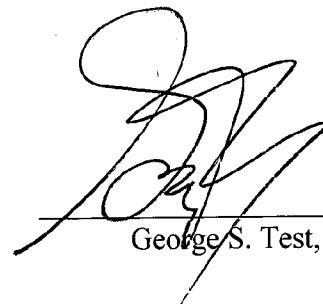
NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator's Office  
Clearfield County Court House  
Clearfield PA 16830  
(814) 765-2641 Ext. 5982

GEORGE S. TEST  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA



George S. Test, Esquire

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY,  
Plaintiff

No.: 2006-1449-CD

VS.

CLAIR GODISSART,  
Defendant

**COMPLAINT**

1. The Plaintiff is a municipal authority organized and existing under Pennsylvania Law whose address is P. O. Box 97, West Decatur, Pennsylvania 16878-0097.
2. The Plaintiff collects and treats sewage.
3. The Defendant is owns a rental property on SR 2024 which is connected to Plaintiff's sewer system.
4. Defendant is indebted to the Plaintiff in the amount of \$168.50.
5. Defendant refuses to pay Plaintiff the amount Defendant owes.

WHEREFORE, Plaintiff requests judgment against the Defendant in the amount of \$168.50 with costs and interest.

# WALLACETON BOGGS MUNICIPAL AUTHORITY

By:

George S. Test, Solicitor  
Attorney for Plaintiff

**GEORGE S. TEST**  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF CLEARFIELD } SS:  
} }

**AFFIDAVIT**

On this, the 29<sup>th</sup> day of SEPTEMBER, 2006, before me, a Notary Public, personally appeared CHRISTOPHER P. BUNGO, (title) SECRETARY of the WALLACETON-BOGGS MUNICIPAL AUTHORITY, the Plaintiff herein and acknowledged that he has read the foregoing Complaint and that the statements made therein are true and correct to the best of his knowledge, information, and belief.

Christopher P. Bungo

SWORN to and SUBSCRIBED  
before me, this 29<sup>th</sup> day of  
September, 2006.  
Bernadette C. Robbins  
Notary Public

NOTARIAL SEAL  
BERNADETTE C. ROBBINS, Notary Public  
Decatur Twp., Clearfield County  
My Commission Expires Jan. 22, 2007

**FILED**

**OCT 03 2006**

William A. Shaw  
Prothonotary/Clerk of Courts



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

## **ORDER**

AND NOW, this 4th day of October, 2006 upon Petition of the Plaintiff, the above actions are consolidated to Number 2006-1448 and all documents filed from this date forward will be filed at said term and number.

/s/ Fredric J Ammerman

J.

**GEORGE S. TEST**  
ATTORNEY-AT-LAW  
PHILIPSBURG, PA

FILED  
OCT 5 2006  
COPY  
William A. Shaw  
Prothonotary/Clerk of Courts  
Original filed  
to  
06-1448  
(61)

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

VS.

CLAIR GODISSART,

DEFENDANT.

- \* No. 2006-1448-CD
- \* 2006-1449-CD ✓
- \* TYPE OF PLEADING: Motion for Leave  
\* of Court to File Amended Complaint  
\* and Answer New Matter
- \* FILED ON BEHALF OF: Plaintiff  
\* Wallacetton-Boggs Municipal Authority
- \* COUNSEL OF RECORD FOR THIS  
\* PARTY:
  - \* Daniel J. Nelson, Esquire  
\* Supreme Court ID #208506  
\* MASON LAW OFFICE  
\* 200 North Front Street, Suite 201  
\* P.O. Box 28  
\* Philipsburg, PA 16866  
\* Ph: 814-342-2240
- \* ATTORNEY FOR DEFENDANT:
  - \* David R. Thompson, Esquire  
\* Supreme Court ID # 73053  
\* Thompson Law Offices, LLC  
\* 308 Walton Street, Suite 4  
\* Philipsburg, PA 16866  
\* Ph: 814-342-4100

FILED

(34)

AUG 29 2014

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

M/943/BIS

law Atty. Nelson

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD

PLAINTIFF,

vs.

CLAIR GODISSART,

DEFENDANT.

\*

\*

\*

\*

\*

**PLAINTIFF'S MOTION FOR LEAVE OF COURT  
TO FILE AMENDED COMPLAINT & ANSWER NEW MATTER**

NOW comes the Plaintiff, Wallaceton-Boggs Municipal Authority, by and through its duly appointed solicitor, Daniel J. Nelson, Esquire, who files the following Motion for Leave of Court to File Amended Complaint and Answer New Matter and, in support thereof, avers as follows:

1. Plaintiff is a Pennsylvania municipal authority organized and existing under Pennsylvania law, whose address is PO BOX 97, 59 Blue Ball Road, West Decatur, Boggs Township, Clearfield County, Pennsylvania.
2. Defendant is an adult individual who resides at Keystone Hill Road, Decatur Township, Clearfield County, Philipsburg, Pennsylvania.

3. Plaintiff owns and operates a sanitary sewerage system, which services parts of Boggs Township and Wallacetown Borough, and collects and treats municipal sewage.

3. Defendant owns other, additional property along State Route 2024, situate in Boggs Township, that is directly connected to and serviced by the Wallacetown Boggs Municipal Authority sewer system.

4. On or about October 3, 2006, Plaintiff instituted two (2) civil actions against the defendant for the purpose of collecting any and all delinquent sewer bills owed to Plaintiff by Defendant, being docketed at 2006—1448 & 1449-CD.

5. On or about October 4, 2006, and upon consideration of Plaintiff's contemporaneously filed Petition to Consolidate, this Honorable Court entered an Order, granting Plaintiff's petition and consolidating both matters for the purposes of trial.

5. On or about November 9, 2006, Defendant, by and through his counsel, David R. Thompson, Esq., filed an Answer to Plaintiff's Complaint, which included a count containing new matter.

6. Since that date and until through the present, no further action has been taken by either party to prosecute, defend, or dismiss these civil actions.

7. The reasons for the failure to prosecute claims, on behalf of Plaintiff, is largely unexplainable, except to note that George S. Test, Esq., subsequent to the filing of these actions, became ill and passed away around July of 2009.

8. Pennsylvania Rule of Civil Procedure 1033 allows for the amendment of pleadings, with leave of court, at any time and may be amended to include transactions and occurrences that have happened before and since the filing to the Complaint.

9. Plaintiff requests leave of court to amend its Complaint for three (3) reasons:

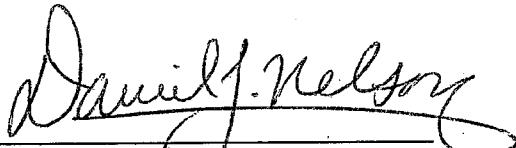
- (i) To revise its original claim for damages which stands today at a significantly high amount than in 2006;
- (ii) To respond to the New Matter set out in Defendant's Answer of November of 2006; and
- (iii) To search and name Defendant's tenants, past and present, as possible indispensable parties to the instant actions.

10. Little prejudice will result to Defendant because of the explained passage of time and Plaintiff's failure to prosecute, since Defendant has continued to receive the benefits of the sewer services provided by Plaintiff without interruption and the underlying facts and circumstances, which are the basis of this action, remain largely the same as of this date.

**WHEREFORE**, for the reasons set out herein, Plaintiff respectfully requests this Honorable Court grant his Motion for Leave of Court to File Amended Complaint and Answer New Matter, pursuant to Pa.R.C.P. 1033, and enter an Order allowing Plaintiff to file an Amended Complaint within the next thirty (30) days.

DATE: Aug. 28, 2014

Respectfully submitted,  
MASON LAW OFFICE:

By:   
Daniel J. Nelson, Esquire  
Attorney for Plaintiff

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

# WALLACETON BOGGS MUNICIPAL AUTHORITY

No. 2006-1448-CD  
2006-1449-CD ✓

**PLAINTIFF,**

vs.

CLAIR GODISSART,

**DEFENDANT.**

## ORDER

Now, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, upon  
consideration of Plaintiff Wallacetton Boggs Municipal Authority's Motion for Leave of  
Court to File Amended Complaint and Answer New Matter, filed in the above-captioned  
civil matters, it is the ORDER of this Court that said Motion shall be and is hereby  
GRANTED.

It is the further ORDERED that Plaintiff shall have no more than thirty (30) days from the date of this Order to file an Amended Complaint and/or Reply to New Matter, pursuant to the Pennsylvania Rules of Civil Procedure.

BY THE COURT:

---

**FREDRIC J. AMMERMAN  
PRESIDENT JUDGE**

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

VS.

CLAIR GODISSART,

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD ✓

\*  
\*  
\*  
\*  
\*  
\* TYPE OF PLEADING: Certificate of  
\* Service

\*  
\* FILED ON BEHALF OF: Plaintiff  
\* Wallaceton Boggs Municipal Authority

\*  
\* COUNSEL OF RECORD FOR THIS  
\* PARTY:

\* Daniel J. Nelson, Esquire  
\* Supreme Court ID#208506  
\* MASON LAW OFFICE  
\* 200 North Front Street, Suite 201  
\* P.O. Box 28  
\* Philipsburg, PA 16866  
\* Ph: 814-342-2240

\*  
\* ATTORNEY FOR DEFENDANT:  
\* David R. Thompson, Esquire  
\* Supreme Court ID # 73053  
\* Thompson Law Offices, LLC  
\* 308 Walton Street, Suite 4  
\* Philipsburg, PA 16866  
\* Ph: 814-342-4100

(LG) FILED

S M/9/30/14  
AUG 29 2014

1cc Atty Nelson

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

VS.

CLAIR GODISSART,

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD

**CERTIFICATE OF SERVICE**

I, DANIEL J. NELSON, Esquire, do hereby certify that I served a true and correct copy of the Defendant's Motion for Leave of Court to File Amended Complaint and Answer New Matter, filed in the above captioned matter, by depositing the same in the United States Mail, first class, postage prepaid, and addressed as follows:

David R. Thompson, Esquire  
Thompson Law Offices, LLC  
PO BOX 587  
308 Walton Street, Suite 4  
Philipsburg, PA 16866

MASON LAW OFFICE:

DATED: Aug. 29, 2014

By: Daniel J. Nelson  
Daniel J. Nelson, Esquire  
Attorney for Plaintiff

PROTHONOTARY & CLERK OF COURTS  
BRIAN K. SPENCER

AUG 29 2014

FILED

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

VS.

CLAIR GODISSART,

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD ✓

\*  
\*  
\* TYPE OF PLEADING: Motion for  
\* Continuance

\* FILED ON BEHALF OF: Plaintiff  
\* Wallacetton-Boggs Municipal Authority

\*  
\* COUNSEL OF RECORD FOR THIS  
\* PARTY:

\* Daniel J. Nelson, Esquire  
\* Supreme Court ID #208506  
\* MASON LAW OFFICE  
\* 200 North Front Street, Suite 201  
\* P.O. Box 28  
\* Philipsburg, PA 16866  
\* Ph: 814-342-2240

\*  
\*  
\* ATTORNEY FOR DEFENDANT:  
\* David R. Thompson, Esquire  
\* Supreme Court ID # 73053  
\* Thompson Law Offices, LLC  
\* 308 Walton Street, Suite 4  
\* Philipsburg, PA 16866  
\* Ph: 814-342-4100

FILED 3CCATT  
of 11:47 am Nelson  
S SEP 04 2014  
61  
BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

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

WALLACETON BOGGS \*  
MUNICIPAL AUTHORITY \* No. 2006-1448-CD  
\* 2006-1449-CD  
PLAINTIFF, \*  
\*  
vs. \*  
\*  
CLAIR GODISSART, \*  
\*  
DEFENDANT. \*

**MOTION FOR CONTINUANCE**

NOW comes the Plaintiff, Wallaceton-Boggs Municipal Authority, by and through its duly appointed solicitor, Daniel J. Nelson, Esquire, who files the following Motion for Continuance and, in support thereof, avers as follows:

1. Plaintiff is a Pennsylvania municipal authority organized and existing under Pennsylvania law, whose address is PO BOX 97, 59 Blue Ball Road, West Decatur, Boggs Township, Clearfield County, Pennsylvania.
2. Defendant is an adult individual who resides at 525 Keystone Hill Road, Decatur Township, Clearfield County, Philipsburg, Pennsylvania.
3. On or about October 3, 2006, two (2) civil actions were filed by Plaintiff and against Defendant for failure to pay accumulated, delinquent sanitary sewer bills, relative two (2) piece of real property owned by Defendant and service by Plaintiff.

4. Since approximately November of 2006, these two consolidated civil matters have laid dormant without any further legal action being taken by either Plaintiff or Defendant or any further judicial action by the Court.

5. In response to the filing of Plaintiff's Motion for Judicial Status Conference, filed on or about July 30, 2014, this Honorable Court scheduled this matter for a Judicial Status Conference to occur on Wednesday, September 24, 2014, at 1:30 P.M., in Chambers.

6. Undersigned counsel, unfortunately, is unavailable to attend this status conference, as he is scheduled to depart for a pre-paid vacation to the Outer Banks of North Carolina, beginning on Sunday, September 21, 2014, and lasting until Sunday, September 28, 2014.

7. In the alternative and with the Court's permission only, undersigned counsel could make himself available for a phone conference with the Court, if it is determined that Plaintiff's continuance request will not be granted.

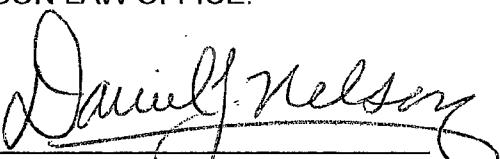
8. Opposing counsel, David R. Thompson, Esquire, has been contacted and did offer his consent to Plaintiff's continuance request.

**WHEREFORE**, for the reasons set out herein, Plaintiff respectfully requests this Honorable Court grant his Motion for Continuance and set a new date and time for a Judicial Status Conference at the convenience of the Court.

DATE: *Sept. 4, 2014*

Respectfully submitted,  
MASON LAW OFFICE

By:

  
Daniel J. Nelson, Esquire  
Attorney for Plaintiff

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

VS.

CLAIR GODISSART,

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD

\*  
\* TYPE OF PLEADING: Certificate of  
\* Service

\*  
\* FILED ON BEHALF OF: Plaintiff  
\* Wallacetton Boggs Municipal Authority

\*  
\* COUNSEL OF RECORD FOR THIS  
\* PARTY:

\* Daniel J. Nelson, Esquire  
\* Supreme Court ID#208506  
\* MASON LAW OFFICE  
\* 200 North Front Street, Suite 201  
\* P.O. Box 28  
\* Philipsburg, PA 16866  
\* Ph: 814-342-2240

\*  
\* ATTORNEY FOR DEFENDANT:

\* David R. Thompson, Esquire  
\* Supreme Court ID # 73053  
\* Thompson Law Offices, LLC  
\* 308 Walton Street, Suite 4  
\* Philipsburg, PA 16866  
\* Ph: 814-342-4100

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

vs.

CLAIR GODISSART,

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD

**CERTIFICATE OF SERVICE**

I, DANIEL J. NELSON, Esquire, do hereby certify that I served a true and correct copy of the Plaintiff's Motion for Continuance, filed in the above captioned matter, by depositing the same in the United States Mail, first class, postage prepaid, and addressed as follows:

David R. Thompson, Esquire  
Thompson Law Offices, LLC  
PO BOX 587  
308 Walton Street, Suite 4  
Philipsburg, PA 16866

MASON LAW OFFICE:

DATED: Sept. 4, 2014

By: Daniel J. Nelson  
Daniel J. Nelson, Esquire  
Attorney for Plaintiff

FILED

SEP 04 2014

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD✓

PLAINTIFF,

vs.

CLAIR GODISSART

DEFENDANT.

**ORDER**

Now, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, upon  
consideration of Plaintiff Wallacetton Boggs Municipal Authority's Motion for  
Continuance, filed in the above-captioned civil matters, it is the ORDER of this Court  
that hearing and argument on said Motion shall be and is hereby scheduled for the  
\_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_. \_\_\_\_\_.m., in  
Courtroom #\_\_\_\_\_ of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

---

FREDRIC J. AMMERMAN  
PRESIDENT JUDGE

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

vs.

CLAIR GODISSART

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD ✓

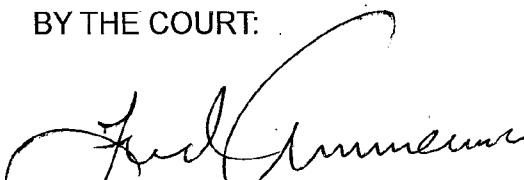
FILED ICC Atty  
O/S 8.35cm Nelson  
SEP 08 2014

ORDER

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

Now, this 3<sup>rd</sup> day of September, 2014, upon  
consideration of Plaintiff Wallacetton Boggs Municipal Authority's Motion for Leave of  
Court to File Amended Complaint and Answer New Matter, filed in the above-captioned  
civil matters, it is the ORDER of this Court that hearing and argument on said Motion  
shall be and is hereby scheduled for the 24<sup>th</sup> day of  
September, 2014, at 1:30 p.m., in Courtroom # 1 of the  
Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
PRESIDENT JUDGE

FILED  
SEP 08 2014  
BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

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

WALLACETON BOGGS  
MUNICIPAL AUTHORITY

PLAINTIFF,

vs.

CLAIR GODISSART,

DEFENDANT.

\*  
\* No. 2006-1448-CD  
\* 2006-1449-CD ✓

3CC A/H  
FILED  
018:30pm  
SEP 09 2014  
Nelson

**ORDER**

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

Now, this 5<sup>th</sup> day of September, 2014, upon  
consideration of Plaintiff Wallaceton Boggs Municipal Authority's Motion for  
Continuance, filed in the above-captioned civil matters, the Court noting opposing  
counsel's consent to the same, it is the ORDER of this Court that said Motion shall be  
and is hereby GRANTED.

It is further ORDERED that a Judicial Status Conference shall be and is hereby  
rescheduled for the 13<sup>th</sup> day of October, 2014, at  
9:00 am., in President Judge Ammerman's Chambers, at the Clearfield County  
Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
PRESIDENT JUDGE

FILED

SEP 09 2014

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS