

06-1826-CD
Cargill Animal vs Scott Fairman et al

2006-1826-CD
Cargill vs Scott Fairman et al

HARTMAN & YANNETTI

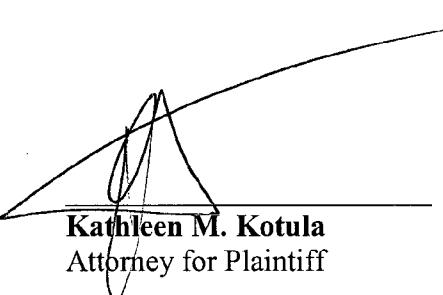
By: **KATHLEEN M. KOTULA, ESQ**, Attorney For Plaintiff
Identification No.: **86321**
126 Baltimore Street
Gettysburg, PA 17325
Telephone No.: (717) 334-3105

CARGILL ANIMAL NUTRITION :
Plaintiff, : **CLEARFIELD COUNTY**
vs. : **COURT OF COMMON PLEAS**
: **CIVIL ACTION - LAW**
SCOTT FAIRMAN and : No. 06-1806-CD
GAIL FAIRMAN, :
Defendants :

**PRAECIPE TO ENTER JUDGMENT
FROM NOTICE OF JUDGMENT/TRANSCRIPT
FROM DISTRICT JUSTICE**

TO THE PROTHONOTARY:

Please enter judgment on the attached certified district justice judgment of September 14, 2006 in favor of the Plaintiff, Cargill Animal Nutrition, against the Defendants, Scott Fairman and Gail Fairman, in the amount of \$2,349.29, plus interest and costs.


Kathleen M. Kotula
Attorney for Plaintiff

FILED Atty pd. 20.c
m/10/2006
NOV 06 2006 2CC & Statement
to Atty
William A. Shaw
Prothonotary/Clerk of Courts
1 CC & Notice
to Def.
610

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **FRANKLIN**

Mag. Dist. No.:

39-3-04

MDJ Name: Hon.

TODD R. WILLIAMS
Address: **1157 GARVER LN**
PO BOX 460
SCOTLAND, PA

Telephone: **(717) 263-7949**

17254-0460

CARGILL ANIMAL NUTRITION
512 WEST KING ST
SHIPPENSBURG, PA 17257

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

CARGILL ANIMAL NUTRITION
512 WEST KING ST
SHIPPENSBURG, PA 17257

NAME and ADDRESS

DEFENDANT:

FAIRMAN, SCOTT, ET AL.
R.R.3 BOX 251
DUBOIS, PA 15801

VS.

NAME and ADDRESS

Docket No.: **CV-0000130-06**
Date Filed: **6/08/06**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

(Date of Judgment) **9/14/06**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) CARGILL ANIMAL NUTRITION	Amount of Judgment \$ 2,217.84
<input checked="" type="checkbox"/> Judgment was entered against: (Name) FAIRMAN, GAIL in the amount of \$ 2,349.29	Judgment Costs \$ 131.45
<input type="checkbox"/> Defendants are jointly and severally liable.	Interest on Judgment \$.00
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Attorney Fees \$.00
<input type="checkbox"/> This case dismissed without prejudice.	Total \$ 2,349.29
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Post Judgment Credits \$ _____
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	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.

9-14-06 Date *Todd R. Williams*, Magisterial District Judge

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

10-30-06 Date *Todd R. Williams*, Magisterial District Judge

My commission expires first Monday of January, **2008**

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **FRANKLIN**

Mag. Dist. No.:

39-3-04

MDJ Name: Hon. .

TODD R. WILLIAMS
Address: **1157 GARVER LN**
PO BOX 460
SCOTLAND, PA

Telephone: **(717) 263-7949** - **17254-0460**

CARGILL ANIMAL NUTRITION
512 WEST KING ST
SHIPPENSBURG, PA 17257

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

CARGILL ANIMAL NUTRITION
512 WEST KING ST
SHIPPENSBURG, PA 17257

VS.

DEFENDANT:

NAME and ADDRESS

FAIRMAN, SCOTT, ET AL.
R.R.3 BOX 251
DUBOIS, PA 15801

Docket No.: **CV-0000130-06**
Date Filed: **6/08/06**



THIS IS TO NOTIFY YOU THAT:

DEFAULT JUDGMENT PLTF

Judgment: _____ (Date of Judgment) **9/14/06**

Judgment was entered for: (Name) **CARGILL ANIMAL NUTRITION**

Judgment was entered against: (Name) **FAIRMAN, SCOTT**
in the amount of \$ **2,349.29**

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	\$ 2,217.84
Judgment Costs	\$ 131.45
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 2,349.29
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.

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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.

9-14-06 Date *Todd R. Williams* Magisterial District Judge

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

10-30-06 Date *Todd R. Williams* Magisterial District Judge

My commission expires first Monday of January, **2008**

SEAL

Office of the

Prothonotary
of Clearfield County
William A. Shaw, Prothonotary
230 East Market Street
Clearfield, Pennsylvania 16830

CC: *[Handwritten stamp]*

Date 11/16/06

CARGILL ANIMAL NUTRITION :
Plaintiff :
:
vs. :
:
SCOTT FAIRMAN and :
GAIL FAIRMAN, :
Defendants :

NOTICE

TO: Scott Fairman and Gail Fairman
RR3, Box 251
Dubois, PA 15801

Pursuant to requirements of Pennsylvania Rules of Civil Procedure, Rule 236, notice is hereby given that on November 6, 2006, a judgment was entered against you in this office in the proceeding as indicated above.

[Handwritten signature]

Prothonotary

Date mailed: 11/16/06

Deputy Prothonotary

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

cc:by

Cargill Animal Nutrition
Plaintiff(s)

No.: 2006-01826-CD

Real Debt: \$2,349.29

Atty's Comm: \$

Vs.

Costs: \$

Scott Fairman
Gail Fairman
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: November 6, 2006

Expires: November 6, 2011

Certified from the record this 6th day of November, 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

PRAECIPE FOR WRIT OF EXECUTION – (MONEY JUDGEMENTS)
P.R.C.P. 3101 TO 3149

CARGILL ANIMAL NUTRITION

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD
COUNTY, PENNSYLVANIA

No 06-1826-CD

vs

SCOTT FAIRMAN and GAIL FAIRMAN

Amount due \$2,349.29

Interest _____

Atty's Comm. _____

and Costs _____

TO THE PROTHONOTARY OF SAID COURT: ISSUE WRIT OF EXECUTION IN THE ABOVE MANNER,

(1) Directed to the Sheriff of Clearfield County, Pennsylvania;

(2) against Scott Fairman and Gail Fairman Defendants(s) and

(3) and against _____ Garnishee(s),

(4) and index this writ

(a) against Scott Fairman and Gail Fairman Defendants(s) and

(b) against _____ Garnishee (s) and

as a lis pendens against the real property of the defendant(s) in the name of the Garnishee(s) as follows :
(Specifically describe property and note any specific direction to Sheriff) (Furnish 4 copies for real estate levy)
Any and all personal property.

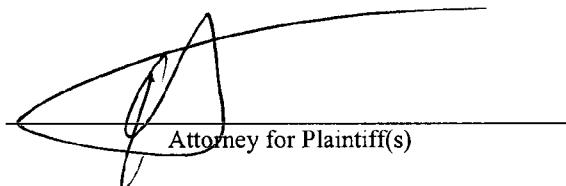
FILED Atty pd. 2000
m/2/58674 NOV 06 2006 1CC Gwits
to Shff

William A. Shaw
Prothonotary/Clerk of Courts

(6K)

(5) Exemption has (not) been waived.

November 2, 2006
Dated



Attorney for Plaintiff(s)

Print Name: Kathleen M. Kotula, Esq.
Address: 126 Baltimore Street
Attorney for: Plaintiff
Telephone: 717-334-3105
Supreme Court ID No.: 86321

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cargill Animal Nutrition

Vs.

NO.: 2006-01826-CD

Scott Fairman and Gail Fairman

 COPY

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due CARGILL ANIMAL NUTRITION, Plaintiff(s) from SCOTT FAIRMAN and GAIL FAIRMAN, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$2,349.29
INTEREST: \$
ATTY'S COMM: \$
DATE: 11/06/2006

PROTHONOTARY'S COSTS PAID: \$40.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Sheriff

Requesting Party: Kathleen M. Kotula, Esq.
126 Baltimore Street
Gettysburg, PA 17325
(717) 334-3105

HARTMAN & YANNETTI

By: **KATHLEEN M. KOTULA, ESQ.**, Attorney For Plaintiff

Identification No.: **86321**

126 Baltimore Street

Gettysburg, PA 17325

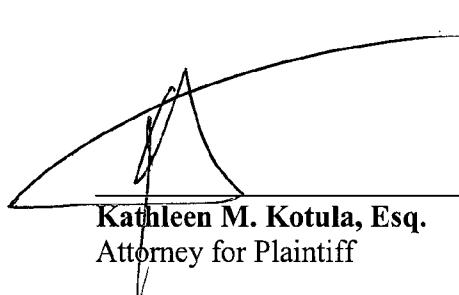
Telephone No.: **(717) 334-3105**

CARGILL ANIMAL NUTRITION	:	
Plaintiff,	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
vs.	:	CIVIL ACTION - LAW
	:	
SCOTT FAIRMAN and	:	No. <u>06-18216-CD</u>
GAIL FAIRMAN,	:	
Defendants	:	

CERTIFICATION OF ADDRESS

Kathleen M. Kotula, Esquire, certified that the present address of Plaintiff, Cargill Animal Nutrition, is 512 West King Street, Shippensburg, Pennsylvania 17257; and the last known address of the Defendants is as follows:

Scott Fairman and Gail Fairman
R.R. 3, Box 251
Dubois, PA 15801


Kathleen M. Kotula, Esq.
Attorney for Plaintiff

FILED
NOV 06 2006
M 12:52 PM '06
cc
6K

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20478
NO: 06-1826-CD

PLAINTIFF: CARGILL ANIMAL NUTRITION
vs.
DEFENDANT: SCOTT FAIRMAN AND GAIL FAIRMAN
Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 11/6/2006

LEVY TAKEN 1/10/2007 @ 3:20 PM

POSTED 6/19/2007 @ 11:10 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 10/21/2011

DATE DEED FILED

PROPERTY ADDRESS 1099 JUNIATA STREET EXT. DUBOIS , PA 15801

*FILED
OCT 21 2011*
S William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES

SHERIFF HAWKINS \$121.38

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2011

Chester A. Hawkins
by Cynthia Butler, Deputy Sheriff
Chester A. Hawkins
Sheriff

CARGILL ANIMAL NUTRITION
vs
SCOTT FAIRMAN AND GAIL FAIRMAN

1 1/10/2007 @ 3:20 PM SERVED SCOTT FAIRMAN

SERVED SCOTT FAIRMAN, DEFENDANT, AT HIS RESIDENCE 1099 JUNIATA STREET EXT., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SCOTT FAIRMAN

A TRUE AND ATTESTED COPY OF THE ORIGIANL WRIT OF EXECUTION AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

2 1/10/2007 @ 3:20 PM SERVED GAIL FAIRMAN

SERVED GAIL FAIRMAN, DEFENDANT, AT HIS RESIDENCE 1099 JUNIATA STREET EXT., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SCOTT FAIRMAN, HUSBAND/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

3 6/19/2000 @ 11:10 AM SERVED SCOTT FAIRMAN

SERVED SCOTT FAIRMAN, DEFENDANT, AT HIS RESIDENCE 1099 JUNIATA STREET, EXT., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SCOTT FAIRMAN

A NOTICE OF SALE AND BY MAKING KNOWN TO HIM THE CONTENTS THREROF.

4 6/9/2007 @ 11:10 AM SERVED GAIL FAIRMAN

SERVED GAIL FAIRMAN, DEFENDANT, AT HER RESIDENCE 1099 JUNIATA STREET EXT., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SCOTT FAIRMAN, HUSBAND/CO DEFENDANT.

A NOTICE OF SALE AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

@ SERVED

NOW, JULY 9, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE INDEFINITELY THE SHERIFF SALE SCHEDULED FOR JULY 20, 2007, THEY WILL CONTACT US TO RE-LIST THE SALE.

@ SERVED

NOW, OCTOBER 21, 2011 RETURN WRIT AS TIME EXPIRED.

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cargill Animal Nutrition

Vs.

NO.: 2006-01826-CD

Scott Fairman and Gail Fairman

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the debt, interest and costs due CARGILL ANIMAL NUTRITION, Plaintiff(s) from SCOTT FAIRMAN and GAIL FAIRMAN, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

Garnishee(s) as follows:

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$2,349.29

INTEREST: \$

ATTY'S COMM: \$

DATE: 11/06/2006

PROTHONOTARY'S COSTS PAID: \$40.00

SHERIFF: \$

OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 6th day
of November A.D. 2006
At 3:00 A.M./P.M.

Conestea A. Hawkins
Sheriff By Cynthia Beller Aufderheide

Requesting Party: Kathleen M. Kotula, Esq.
126 Baltimore Street
Gettysburg, PA 17325
(717) 334-3105

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME SCOTT FAIRMAN

NO. 06-1826-CD

NOW, October 20, 2011, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Scott Fairman And Gail Fairman to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	9.00
SERVICE	9.00
MILEAGE	16.91
LEVY	20.00
MILEAGE	16.91
POSTING	9.00
HANDBILLS	
COMMISSION	0.00
POSTAGE	1.56
HANDBILLS	10.00
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	9.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$121.38

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	2,349.29
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$2,550.67
COSTS:	
ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	121.38
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	40.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$161.38
TOTAL COSTS	\$2,550.67

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

126 Baltimore Street
Gettysburg, PA 17325

Phone: 717-334-3103
Fax: 717-334-5866
e-mail: bay@hartman-yannetti.com

Hartman & Yannetti

Fax

To: Clearfield County Sheriff's Office From: Kathleen M. Kotula, Esq.
Attention: Cindy
Fax: 814-765-5915 Pages: 1 (including cover sheet)
Phone: Date: July 19, 2007
Re: Cargill Animal Nutrition v. Scott cc:
and Gail Fairman
06-1826-CD

• Comment:

Please continue indefinitely the Sheriff Sale scheduled on July 20, 2007. We will contact you when we want the matter re-listed for sale

Thank you.