

06-2090-CD
Nat'l Fuel Gas vs Victoria Aaron

National Fuel vs Victoria Aaron
2006-2090-CD

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

VS

VICTORIA AARON ALSO KNOWN AS
VICTORIA WICKETT

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA
:
:
:
: NO. *06-2090-CD*

TO: **VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT**

N O T I C E

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). THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Court Administrator
2nd floor, Court House
Clearfield, Pennsylvania 16830
814-765-2641 (ext 5982)

FILED Atty pd. \$5.00
mlm/BS *cc Sheriff*
DEC 15 2006
William A. Shaw
Prothonotary/Clerk of Courts

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION :
VS : OF CLEARFIELD COUNTY, PENNSYLVANIA
VICTORIA AARON ALSO KNOWN AS :
VICTORIA WICKETT : NO.

PURSUANT TO PROVISIONS OF THE FEDERAL FAIR DEBT
COLLECTION PRACTICE ACT, YOU ARE ADVISED AND WARNED THAT
THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED WILL BE USED FOR THAT PURPOSE.
SEE 15 U.S.C. §1692(e)(11).

NATIONAL FUEL GAS	:	IN THE COURT OF COMMON PLEAS OF
DISTRIBUTION CORPORATION,	:	
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
;		
v.		
;		
VICTORIA AARON a/k/a	:	
VICTORIA WICKETT	:	
Defendant	:	NO.

CIVIL ACTION

AND NOW, comes the Plaintiff, National Fuel Gas Distribution Corporation, by and through its attorneys, Quinn, Buseck, Leemhuis, Toohey, and Kroto, Inc., and files this Civil Action Complaint of which the following is a statement:

1. The Plaintiff, National Fuel Gas Distribution Corporation, is a New York corporation with a place of business located at 1100 State Street, Erie, Pennsylvania.
2. The Defendant, Victoria Aaron a/k/a Victoria Wickett, is an individual residing at 532 Armory Road, St. Marys, Pennsylvania.
3. Pursuant to the provisions of the Federal Fair Debt Collection Practices Act [15 U.S.C. Section 1692(g)], attached hereto as Exhibit "A" is a **DEBT VALIDATION STATEMENT.**
4. At the Defendant's request, the Plaintiff supplied gas service to the Defendant up to and including August 1, 2006 (the "gas service").
5. The gas service was supplied to the Defendant at 15 South Main Street, DuBois, Pennsylvania (the "premises") all in accordance with the rules and regulations of the Pennsylvania Public Utility Commission.
6. In regard to this gas service, the Plaintiff opened an account for the Defendant and

assigned the Defendant Account Number 594797110 (the "Defendant's Account").

7. For and in consideration of the Plaintiff supplying the gas service as stated, the Defendant expressly or implicitly promised to pay the Plaintiff the amount charged to the Defendant's account for the gas service.

8. The Plaintiff has kept accurate records of the amount of gas consumed by the Defendant under the aforementioned account, as well as all debits and credits to that account, and the Plaintiff has sent the Defendant statements of the account on a regular basis which summarize this information (the "statement of account"). A true and correct copy of some of the Plaintiff's records of the Defendant's account is attached hereto, made a part hereof and marked as Exhibit "B."

9. The Defendant has never disputed the Plaintiff's statement of account.

10. As of the date of the last statement of account, the Defendant owed the Plaintiff Three Thousand Eighty-nine and 75/100 (\$3,089.75) Dollars for gas service on this account.

11. The Plaintiff has demanded that the Defendant pay the Plaintiff the aforementioned amount, but the Defendant is either unable or unwilling to pay the amount due.

WHEREFORE, the Plaintiff demands judgment against the Defendant, above-captioned, in the amount of Three Thousand Eighty-nine and 75/100 (\$3,089.75) Dollars, plus interest, plus the costs incurred as a result of this action.

COUNT II

National Fuel Gas Distribution Corporation
v.
Victoria Aaron a/k/a Victoria Wickett

12. The Plaintiff hereby incorporates paragraphs one (1) through eleven (11) above as if fully set forth.

13. The Defendant, Victoria Aaron a/k/a Victoria Wickett, is the owner of and/or resides at the premises to which the Plaintiff supplied gas service. As such, the Defendant received the benefit of the gas service.

14. It would be inequitable and unconscionable, and the Defendant would thereby be unjustly enriched, if he/she is permitted to retain the benefits of the gas service without paying for the same.

WHEREFORE, the Plaintiff demands judgment against the Defendant, above-captioned, in the amount of Three Thousand Eighty-nine and 75/100 (\$3,089.75) Dollars, plus interest, plus the costs incurred as a result of this action.

COUNT III -- QUANTUM MERUIT

National Fuel Gas Distribution Corporation
v.
Victoria Aaron a/k/a Victoria Wickett

15. The Plaintiff hereby incorporates paragraph one (1) through fourteen (14) above as if fully set forth.

16. The Plaintiff, at the request of the Defendant and with the Defendant's knowledge and acquiescence, supplied gas service to the Defendant at his/her premises.

17. In the course of supplying such gas service, the Plaintiff was required to and did furnish natural gas as set forth in Exhibit "B."

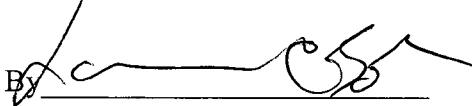
18. The fair market value of the said materials and services at the time they were furnished was Three Thousand Eighty-nine and 75/100 (\$3,089.75) Dollars.

19. Defendant has refused to pay Plaintiff the fair market value of the materials and services furnished, although the same is due.

WHEREFORE, the Plaintiff demands judgment against the Defendant above captioned in the amount of Three Thousand Eighty-nine and 75/100 (\$3,089.75) Dollars plus interest and costs incurred as a result of this action.

Respectfully submitted,

QUINN, BUSECK, LEEMHUIS, TOOHEY &
KROTO, INC.

By 
Lawrence C. Bolla, Esquire
Pa. ID. No. 19679
2222 West Grandview Boulevard
Erie, PA 16506-4508
(814) 833-2222
Attorneys for Plaintiff,
National Fuel Gas Distribution Corporation

Document #324223, v1

EXHIBIT "A"

NATIONAL FUEL GAS : IN THE COURT OF COMMON PLEAS
DISTRIBUTION CORPORATION : OF CLEARFIELD COUNTY, PENNSYLVANIA
VS :
VICTORIA AARON ALSO KNOWN AS :
VICTORIA WICKETT : NO.

DEBT VALIDATION STATEMENT

1. The amount of the debt is \$3,089.75.
2. The name of the creditor to whom the debt is owed is NATIONAL FUEL GAS DISTRIBUTION CORPORATION.
3. Unless Defendant(s), VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT, within thirty days after receipt of this Notice, disputes the debt validity, or any portion thereof, the attorney signing this Complaint will assume the debt to be valid.
4. If Defendant(s), VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT, notifies the attorney signing this Complaint in writing within the thirty day period that the debt or any portion thereof is disputed, the attorney will obtain verification of the debt or a copy of a judgment against VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT, and the attorney will mail a copy of such verification or judgment to VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT; and if appropriate,
5. A statement that, upon VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT written request within the thirty-day period, the attorney will provide VICTORIA AARON ALSO KNOWN AS VICTORIA WICKETT with the original creditor's name and address if different from the current creditor.

KGLN0015-1

NATIONAL FUEL GAS DISTRIBUTION CORPORATION
ACCOUNTS RECEIVABLE PRINT

DATE: 11/22/06

RBA NUM : 5947971 - 10
 NAME : AARON, VICTORIA
 PREM ADDR : 15 S MAIN ST DUBOIS PA
 MAIL ADDR : 532 ARMORY RD SAINT MARYS PA 15857
 RBA STATUS : INACTIVE CAC : OC

TRANS DATE	EMP ID	TRANSACTION TYPE	TRANS AMOUNT	BALANCE
080206		TOTAL BILLED CHARGES	715.28	3089.75
071406	3C945	ADJ NET EFFECT		2374.47
071006		TOTAL BILLED CHARGES	520.04	2374.47
060806		TOTAL BILLED CHARGES	494.00	1854.43
060806		60-DAY REBILL ADJUST		1360.43
050906		TOTAL BILLED CHARGES	505.22	1360.43
050206		RATEPAYER PYMT	-600.00	855.21
040706		TOTAL BILLED CHARGES	494.00	1455.21
032806		RATEPAYER PYMT	-600.00	961.21
030906		TOTAL BILLED CHARGES	508.40	1561.21
020806		TOTAL BILLED CHARGES	500.99	1052.81
012006		RATEPAYER PYMT	-1000.00	551.82
011006		TOTAL BILLED CHARGES	508.58	1551.82
120705		TOTAL BILLED CHARGES	748.19	1043.24
112905		RATEPAYER PYMT	-500.00	295.05
110405		TOTAL BILLED CHARGES	357.62	795.05
101405		RATEPAYER PYMT	-400.00	437.43
100605		TOTAL BILLED CHARGES	358.34	837.43
092105		RATEPAYER PYMT	-600.00	479.09
090705		TOTAL BILLED CHARGES	362.06	1079.09
080805		TOTAL BILLED CHARGES	356.78	717.03
072205	50951	RATEPAYER PYMT	-583.00	360.25
070805		TOTAL BILLED CHARGES	360.25	943.25
062305		RATEPAYER PYMT	-500.00	583.00
060805		TOTAL BILLED CHARGES	362.47	1083.00
050905		TOTAL BILLED CHARGES	357.19	720.53
042005		RATEPAYER PYMT	-762.06	363.34
040805		TOTAL BILLED CHARGES	363.34	1125.40
030905		TOTAL BILLED CHARGES	358.06	762.06
021805		RATEPAYER PYMT	-300.00	404.00
020805		TOTAL BILLED CHARGES	352.00	704.00
020405	50768	BGT PLAN ADJUSTMENT	-304.81	352.00
012605	50517	ADJ NET EFFECT	226.49	656.81
011005		TOTAL BILLED CHARGES	430.32	430.32
010605		RATEPAYER PYMT	-114.55	0.00
120704		TOTAL BILLED CHARGES	114.55	114.55

EXHIBIT

B

VERIFICATION

I, Mary C. Muroskey, Assistant Manager, Consumer Business Division, Pennsylvania, of National Fuel Gas Distribution Corporation, depose and say that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Mary C. Muroskey

DATED: December 13, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102253
NO: 06-2090-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: NATIONAL FUEL GAS DISTRIBUTION CORPORATION
vs.
DEFENDANT: VICTORIA AARON a/k/a VICTORIA WICKETT

SHERIFF RETURN

NOW, January 02, 2007, SHERIFF OF ELK COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON VICTORIA AARON aka VICTORIA WICKETT.

NOW, January 05, 2007 AT 2:36 PM SERVED THE WITHIN COMPLAINT ON VICTORIA AARON aka VICTORIA WICKETT, DEFENDANT. THE RETURN OF ELK COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

FILED
013-23401
MAR 16 2007
WM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102253
NO: 06-2090-CD
SERVICES 1
COMPLAINT

PLAINTIFF: NATIONAL FUEL GAS DISTRIBUTION CORPORATION
vs.
DEFENDANT: VICTORIA AARON a/k/a VICTORIA WICKETT

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	QUINN	279129	10.00
SHERIFF HAWKINS	QUINN	279129	21.00
ELK CO.	QUINN	279495	31.67

Sworn to Before Me This

So Answers,

____ Day of _____ 2007



by *[Signature]*

Chester A. Hawkins
Sheriff

Affidavit of Service

National Fuel Gas Distribution
Corporation

vs.

Victoria Aaron, also known as
Victoria Wickett

No. 2090 Term, 20 06

Returnable within _____ days
from date of service hereof.

NOW January 5, 2007 at 2:36 o'clock P.M.

served the within Complaint on Victoria Aaron also known
as Victoria Wickett

at 245 Russ Lane, St. Marys, Elk County, PA (current residence)

by handing to Debra Ernst, friend and adult in charge of residence,

a true and attested copy of the original Complaint and made
known to her the contents thereof. Sheriff's Costs - \$31.67 PAID

Sworn to before me this 7th

day of January A.D. 20 07

So answers,

Thomas C. Korte
Major of Fitzgerald
Deputy Prothonotary

My Commission Expires
January 7, 2008

Sheriff

Deputy

118.11-010

ADDRESS: 532 ARMORY ROAD, ST. MARYS, PA 15857

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF ELK COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, January 02, 2007.

RESPECTFULLY,

Chester A. Hawkins

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA