

06-2132-CD
Sherwin-Williams vs Joyce Wisor

Sherwin-Williams vs Joyce Wisor et al
2006-2132-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff,

No. 06-2132-CJ

v.

JOYCE A. WISOR and KEVIN S.
WISOR,

Defendants.

COMPLAINT IN CIVIL ACTION

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Joshua M. Farber, Esquire
Pa. I.D. No. 201060

STRASSBURGER McKENNA
GUTNICK & POTTER, P.C.
Firm No. 278

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Telephone: (412) 281-5423
Facsimile: (412) 281-8264

FILED *pd \$85.00 Att'y*
M 12:10 pm 100 Shft
DEC 26 2006 *(S)*

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS) CIVIL DIVISION
COMPANY,)
) No.
Plaintiff,)
)
vs.)
)
JOYCE A. WISOR and KEVIN S.)
WISOR,)
)
Defendants.

NOTICE TO DEFEND

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 OR KNOW 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.

**LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 E. MARKET STREET
CLEARFIELD, PA 16830
814-765-2641 Ext. 5982**

NOTICE: YOU MUST RESPOND TO THIS COMPLAINT WITHIN TWENTY (20) DAYS OR A JUDGMENT FOR THE AMOUNT CLAIMED MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS) CIVIL DIVISION
COMPANY,)
Plaintiff,) No.
vs.)
JOYCE A. WISOR and KEVIN S.)
WISOR,)
Defendants.

COMPLAINT IN CIVIL ACTION

NOW COMES the Plaintiff, The Sherwin-Williams Company, by and through its attorneys, Strassburger McKenna Gutnick & Potter, P.C., and files this Complaint in Civil Action and in support thereof states as follows:

1. The Sherwin-Williams Company is a corporation organized under the laws of the State of Ohio and duly authorized to do business in the Commonwealth of Pennsylvania with offices located at 910 Sheraton Drive, Suite 400, Mars, Pennsylvania 16046 (hereinafter referred to as "Plaintiff").

2. Defendants, Joyce A. Wisor and Kevin S. Wisor, are adult individuals with a last known address of 1 West Pauline Drive, Clearfield, PA 16830 (hereinafter referred to as "Defendant").

3. On or about April 7, 2000, Defendants executed a Commercial Credit Application requesting Plaintiff to extend credit to Defendants, for the purchase of paint and related materials. A true and correct copy of the Credit Application is attached hereto, made a part hereof, and marked as **Exhibit "A."**

4. The terms of the above-referenced Credit Application provide that Joyce A. Wisor and Kevin S. Wisor personally guarantee repayment of the indebtedness associated with the account.

5. The terms of the above-referenced Credit Application provide; "If credit is granted, I/We understand that the terms of the sale are net 20th of the month following purchase."

6. Plaintiff extended credit to Defendants, at their request, for the purchase of paint and related materials in the total unpaid amount of \$2,544.81.

7. The latest date that payment was due without default for any of the above-referenced amount was September 28, 2006.

8. Defendants have defaulted on their payment obligations by refusing, and continuing to refuse, to tender payment of the above amount.

9. Pursuant to the terms of the Credit Application, Plaintiff is entitled to collect interest and the past due balance at the rate of 1.5% per month totaling \$105.00 as of December 20, 2006 and continuing at the rate of \$1.25 per day until judgment is entered.

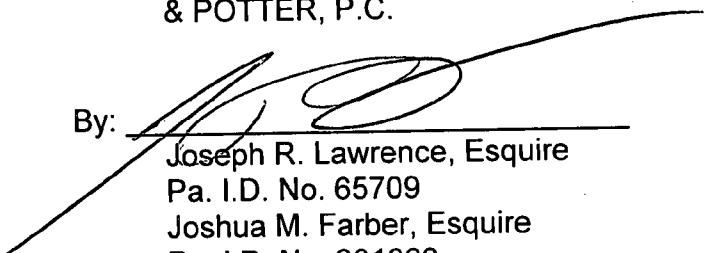
10. Pursuant to the Defendants' default and the terms of the Credit Application, Plaintiff is also entitled to collect reasonable attorneys' fees which are estimated to be \$509.00 representing 20% of the unpaid balance.

WHEREFORE, the Plaintiff, Sherwin-Williams Company, demands judgment against Defendants, Joyce A. Wisor and Kevin S. Wisor, in the amount

of \$2,544.81, plus interest of \$105.00 through December 20, 2006 and continuing at the rate of \$1.25 per day until the date of the judgment, plus reasonable attorneys' fees which are estimated to be \$509.00 and post-judgment interest and costs.

Respectfully Submitted,

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By: 

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709
Joshua M. Farber, Esquire
Pa. I.D. No. 201060

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423

Counsel for Plaintiff

FROM : SHERWIN WILLIAMS CLEARFIELD

FAX NO. : 1 814 765 9626

Apr. 07 2000 03:05PM P3

SHERWIN Williams		COMMERCIAL CREDIT APPLICATION																																													
FIRM'S FULL LEGAL NAME		JOYCE A. WISOR																																													
STREET ADDRESS		1 W. Pauline Dr. CLEARFIELD, PA																																													
MAILING ADDRESS		1 W. Pauline Dr. CLEARFIELD, PA 512 CHESTER ST. CLEARFIELD, PA																																													
CITY		STATE		ZIP CODE																																											
PARENT COMPANY NAME		CITY		STATE																																											
DATE BUSINESS STARTED		NO. EMPLOYED		ESTIMATED ANNUAL SALES		CONTRACTOR LICENSE NO																																									
P.O. REQUIRED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO TAX EXEMPT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, certificate must be attached to or mailed with application to qualify. FEDERAL ID#																																															
PLEASE CHECK ONE: <input checked="" type="checkbox"/> PROPRIETORSHIP <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION State Incorporated In																																															
(FOR PROPRIETORSHIP, PARTNERSHIP) NAME OF OWNERS / HOME ADDRESS / CITY / STATE / ZIP CODE / SOCIAL SECURITY NUMBER (CORPORATION IF APPLICABLE)																																															
1. Joyce A. Wisor 512.曹斯街 Clearfield PA 16830																																															
2. Kevin S. Wisor 1 W. Pauline Drive Clearfield PA 16830																																															
THE INFORMATION IN THIS SECTION MAY BE USED TO OBTAIN A PERSONAL CREDIT REPORT FROM A CONSUMER REPORTING AGENCY																																															
CREDIT REFERENCES. (If more space is needed, please use back of page.)																																															
NAME	ADDRESS	PHONE	ACCT#																																												
1. CNB	Corner Market & 2nd St.	814-765-9621	Several																																												
2.	Clearfield, PA																																														
3. Joyce Wisor																																															
4. Credit																																															
BANK NAME & ADDRESS		PHONE #		ACCT#																																											
County National BANK		814-765-9621		Several																																											
If credit is granted, I/We understand that the terms of the sale are not 20th of the month following purchase. The Sherwin-Williams Company ("Sherwin-Williams") may charge interest on any past due balance at the maximum rate allowed by law with said interest being calculated from the date of default.																																															
In consideration of Sherwin-Williams extending credit to the above business, I/We do hereby agree jointly and individually, to pay for all goods, wares and merchandise supplied to me or to any of us or the above business. In the event that the amount is passed with a third party for collection, I/We agree to pay all costs including reasonable attorney fees, court costs and finance charges.																																															
I/We authorize Sherwin-Williams to investigate our credit history (both business and personal), bank references and any information deemed necessary to extend credit. I/We agree to: (i) immediately notify Sherwin-Williams in writing, delivered in person or by certified mail return receipt requested, of any change in ownership, form of business, or address, or the termination of a person's authority to incur charges under the account on behalf of the applicant; and (ii) to indemnify Sherwin-Williams for any loss incurred thereby as a result of our failure to provide said written notice. This agreement shall remain in full force and effect until written notice of revocation is received by Sherwin-Williams.																																															
Authorized Signature		4-7-00	Authorized Signature		4-7-00																																										
Print Name Here		JOYCE A. WISOR	Print Name Here		KEVIN S. WISOR																																										
INTERNAL USE ONLY																																															
STORE #	1294	TERRITORY #	100	PC CODE	1733	DCP	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> 2.5 VOLUME																																								
APPROVED CREDIT LIMIT				500	APPROVED CREDIT LIMIT	1000	0-1,000																																								
ACCOUNT NUMBER		6732-9198-5		DATE	4-7-00	APPROVED BY	R. Meyer																																								
<table border="1"> <thead> <tr> <th>CREDITOR NAME</th> <th>SELLING SINCE</th> <th>DATE LAST CLOSE SALE</th> <th>TERMS</th> <th>HIGH CREDIT</th> <th>BALANCE</th> <th>PAST DUE</th> <th>COMMENTS</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>								CREDITOR NAME	SELLING SINCE	DATE LAST CLOSE SALE	TERMS	HIGH CREDIT	BALANCE	PAST DUE	COMMENTS																																
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EXHIBIT

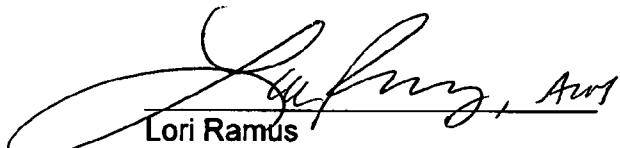
A

VERIFIED STATEMENT

I, Lori Ramus, am duly authorized to make this Verified Statement on behalf of The Sherwin-Williams Company, and I hereby verify that the statements set forth in the foregoing Complaint in Civil Action are true and correct to the best of my knowledge, information and belief.

I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: 12/13/06



Lori Ramus
The Sherwin-William Company



kmaiorano@smgplaw.com

December 20, 2006

William A. Shaw, Sr., Prothonotary
Prothonotary's Office of Clearfield County
230 E. Market Street
Clearfield, PA 16830

Strassburger McKenna
Gutnick & Potter, P.C.

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

412-281-5423 phone
412-281-8264 fax
www.smgplaw.com

**Re: The Sherwin-Williams Company v. Joyce A. Wisor and
Kevin S. Wisor
Our File No.: 11091-29**

Dear Mr. Shaw:

Enclosed please find the original Complaint in Civil Action for filing in the above-referenced matter. I have enclosed a check in the amount of \$85.00 representing the filing fee made payable to the Prothonotary of Clearfield County, along with an additional copy of the cover sheet to be time stamped and returned to our firms Pittsburgh Office in the stamped address envelope that I have provided.

In addition, I have enclosed one (1) additional copy of the Complaint for you to forward to the Sheriff's Office for service. I have enclosed a check in the amount of \$100.00 for the service fee made payable to the Sheriff, along with a self-addressed stamped envelope for their use.

Note to Sheriff: Please serve the following defendant with the enclosed Complaint:

1. Joyce A. Wisor and Kevin S. Wisor at 1 West Pauline Drive, Clearfield, PA 16830;

William A. Shaw, Sr., Prothonotary
December 20, 2006
Page 2



Thank you for your assistance in this matter. If you have any questions, please do not hesitate to give me a call.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Maiorano".

Kim Maiorano
Legal Assistant to
Joshua M. Farber

/kim

Enclosures

cc: Lori Ramus

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff, No. 06-2132-CD

v.

TEN DAY NOTICE

JOYCE A. WISOR and KEVIN S.
WISOR,

Defendants. Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Joshua M. Farber, Esquire
Pa. I.D. No. 201060

STRASSBURGER McKENNA
GUTNICK & POTTER, P.C.
Firm No. 278

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Telephone: (412) 281-5423
Facsimile: (412) 281-8264

FILED NOCC.
M/12:00 pm (60)
FEB 14 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS) CIVIL DIVISION
COMPANY,)
Plaintiff,) No. 06-2132-CD
vs.)
JOYCE A. WISOR and KEVIN S.)
WISOR,)
Defendants.

Date of Notice: February 12, 2007

To: Joyce A. Wisor and Kevin S. Wisor
1 West Pauline Drive
Clearfield, PA 16830

TEN DAY NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 E. MARKET STREET
CLEARFIELD, PA 16830
(814) 765-2641 EXT. 5982

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By:


Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Ten Day Notice** was served by First Class Mail, U.S. Mail, postage prepaid, this 12th day of February, 2007, on the following:

Joyce A. Wisor
Kevin S. Wisor
1 West Pauline Drive
Clearfield, PA 16830

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By: 

Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff,

No. 06-2132-CD

v.

**PRAECIPE TO ENTER DEFAULT
JUDGMENT**

JOYCE A. WISOR and KEVIN S.
WISOR,

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Defendants.

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Joshua M. Farber, Esquire
Pa. I.D. No. 201060

STRASSBURGER McKENNA
GUTNICK & POTTER, P.C.
Firm No. 278

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Telephone: (412) 281-5423
Facsimile: (412) 281-8264

FILED *EW*

MAR 01 2007
M/1:15/07/07
William A. Shaw

Prothonotary/Clerk of Courts

1 CENT TO DEF'T'S

w/NOTICE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS) CIVIL DIVISION
COMPANY,)
Plaintiff,) No. 06-2132-CD
vs.)
JOYCE A. WISOR and KEVIN S.)
WISOR,)
Defendants.)

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

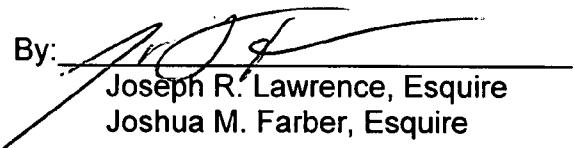
Please enter a default judgment against Joyce A. Wisor and Kevin S. Wisor, in the following amount:

Principal:	\$2,544.81
Interest from September 28, 2006 To December 20, 2006 at \$1.25 per diem:	\$ 105.00
Attorneys Fees	<u>\$ 509.00</u>
Total	<u>\$3,158.81</u>

The Notice of Intention to Enter Judgment by Default was sent to Joyce A. Wisor and Kevin S. Wisor on February 12, 2007 and there has been no response filed since that date. A true and correct copy of the Notice is attached hereto, made a part hereof, and marked as Exhibit "A".

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By:


Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423

Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff,

No. 06-2132-CD

v.

JOYCE A. WISOR and KEVIN S.
WISOR,

TEN DAY NOTICE

Defendants.

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Joshua M. Farber, Esquire
Pa. I.D. No. 201060

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GUTNICK & POTTER, P.C.
Firm No. 278

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Telephone: (412) 281-5423
Facsimile: (412) 281-8264

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

FEB 14 2007

Attest.

William B. Ober
Prothonotary/
Clerk of Courts

EXHIBIT

A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS) CIVIL DIVISION
COMPANY,)
Plaintiff,) No. 06-2132-CD
vs.)
JOYCE A. WISOR and KEVIN S.)
WISOR,)
Defendants.)

Date of Notice: February 12, 2007

To: Joyce A. Wisor and Kevin S. Wisor
1 West Pauline Drive
Clearfield, PA 16830

TEN DAY NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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LAWYER REFERRAL SERVICE
DAVID S. MEHOLICK, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 E. MARKET STREET
CLEARFIELD, PA 16830
(814) 765-2641 EXT. 5982

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By: 

Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Ten Day Notice** was served by First Class Mail, U.S. Mail, postage prepaid, this 12th day of February, 2007, on the following:

Joyce A. Wisor
Kevin S. Wisor
1 West Pauline Drive
Clearfield, PA 16830

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By: 

Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **Praecipe to Enter Default Judgment** was served by First Class Mail, U.S. Mail, postage prepaid, this 27th day of Feb., 2007, on the following:

Joyce A. Wisor
Kevin S. Wisor
1 West Pauline Drive
Clearfield, PA 16830

STRASSBURGER McKENNA GUTNICK
& POTTER, P.C.

By: Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire
Joseph R. Lawrence, Esquire
Joshua M. Farber, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff

NOTICE OF JUDGMENT

TO: Joyce A. & Kevin Wilson

You are hereby notified that a Judgment was entered against you in the above-captioned case on the 1ST day of MARCH, 2007 in the amount of \$ 3,158.81, plus costs.



Clerk

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102285
NO. 06-2132-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: THE SHERWIN-WILLIAMS COMPANY
vs.
DEFENDANT: JOYCE A. WISOR and KEVIN S. WISOR

SHERIFF RETURN

NOW, January 23, 2007 AT 3:38 PM SERVED THE WITHIN COMPLAINT ON JOYCE A. WISOR and KEVIN S. WISOR DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KEVIN S. WISOR, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: MORGILLO /

FILED
03:55 pm
MAR 21 2007
S

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	STRASSBURGER	67020	10.00
SHERIFF HAWKINS	STRASSBURGER	67020	21.00

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff, No. 06-2132-CD

v.

JOYCE A. WISOR and KEVIN S.
WISOR,

**PRAECIPE TO ISSUE WRIT OF
EXECUTION**

Defendants.

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Joshua M. Farber, Esquire
Pa. I.D. No. 201060

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Facsimile: (412) 281-8264

FEB. 19, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

FILED Atty pd.
M 12 39 2008 20.00
OCT 05 2007 1000writs
William A. Shaw to Shff
Prothonotary/Clerk of Courts
(GK)

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OCT 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

1967-1972 1973-1974

1938-1939

THE UNIVERSITY OF TORONTO LIBRARIES
1970-1971
SERIALS ACQUISITION
1970-1971 (SP)

THE JOURNAL

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

The Sherwin-Williams Company

Vs.

NO.: 2006-02132-CD

Joyce A. Wisor and Kevin S. Wisor

OPY

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against THE SHERWIN-WILLIAMS COMPANY, Plaintiff(s) from JOYCE A. WISOR and KEVIN S. WISOR, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's 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:
as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), 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; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (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 such other person that he or 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: \$3,158.81
INTEREST FROM: \$
ATTY'S COMM: \$
DATE: 10/05/2007

PROTH. COSTS PAID: \$125.00
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: Joseph R. Lawrence, Esq.
Four Gateway Center, Ste. 2200
444 Liberty Ave.
Pittsburgh, PA 15222
(412) 281-5423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff,

No. 06-2132-CD

v.

JOYCE A. WISOR and KEVIN S.
WISOR,

Defendants.

FILED

FEB 19 2008

1/4/08
William A. Shaw
Prothonotary/Clerk of Courts
cc: [unclear]
REISSUE WRIT

**PRAECIPE TO REISSUE WRIT OF
EXECUTION**

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Christopher J. Azzara, Esquire
Pa. I.D. No. 204114

STRASSBURGER McKENNA
GUTNICK & POTTER, P.C.
Firm No. 278

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Telephone: (412) 281-5423
Facsimile: (412) 281-8264

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS) CIVIL DIVISION
COMPANY,)
Plaintiff,) No. 06-2132-CD
vs.)
JOYCE A. WISOR and KEVIN S.)
WISOR,)
Defendants.)

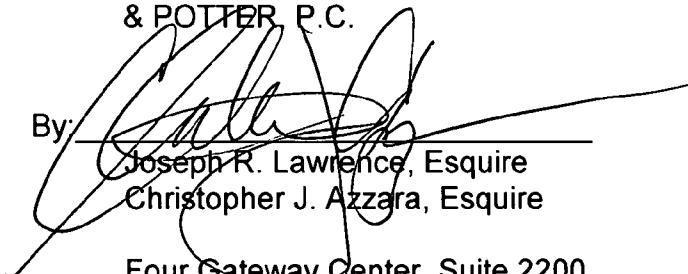
PRAECIPE TO REISSUE WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly reissue a Writ of Execution for the levy and sale of Defendant's personal property located at 526 West Pauline Drive, Clearfield, PA 16830.

STRASSBURGER McKENNA GUTNICK
& POTTER P.C.

By:


Joseph R. Lawrence, Esquire
Christopher J. Azzara, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423

Counsel for Plaintiff

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

The Sherwin-Williams Company

Vs.

NO.: 2006-02132-CD

Joyce A. Wisor and Kevin S. Wisor

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against THE SHERWIN-WILLIAMS COMPANY, Plaintiff(s) from JOYCE A. WISOR and KEVIN S. WISOR, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's 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:

as garnishee(s):

and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), 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; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(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 such other person that he or 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: \$3,158.81

INTEREST FROM: \$

ATTY'S COMM: \$

DATE: 10/05/2007

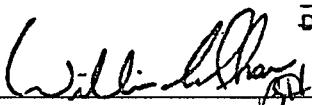
PROTH. COSTS PAID: \$125.00 + 7.00

FEB. 19, 2008 Document

SHERIFF: \$

OTHER COSTS: \$

Reinstated/Reissued to Sheriff/Attorne
for service.


Deputy Prothonotary

William A. Shaw
Prothonotary/Clerk Civil Division

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

Sheriff

Requesting Party: Joseph R. Lawrence, Esq.

Four Gateway Center, Ste. 2200
444 Liberty Ave.
Pittsburgh, PA 15222
(412) 281-5423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, CIVIL DIVISION

Plaintiff,

No. 06-2132-CD

v.

JOYCE A. WISOR and KEVIN S.
WISOR,

Defendants.

**PRAECIPE TO SATISFY
JUDGMENT**

FILED
AUG 04 2008
m(2:30 (w
William A. Shaw
Prothonotary/Clerk of Courts
1 cent to Attn

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Christopher J. Azzara, Esquire
Pa. I.D. No. 204114

STRASSBURGER McKENNA
GUTNICK & GEFSKY

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

jlawrence@smgglaw.com
cazzara@smgglaw.com

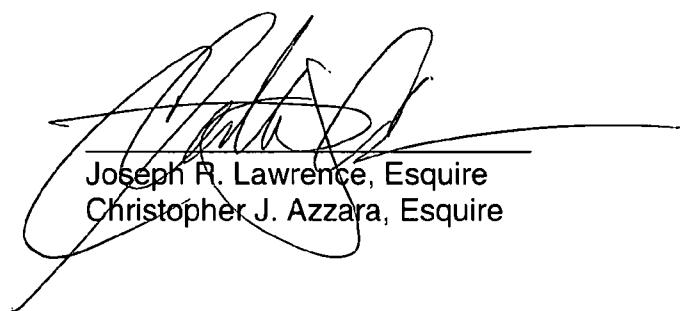
Telephone: (412) 281-5423
Facsimile: (412) 281-8264

Firm No. 278

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing PRAECIPE TO SATISFY JUDGMENT was served by first class mail, postage pre-paid, on the 31st day of July, 2008:

Joyce A. and Kevin S. Wisor
1 West Pauline Drive
Clearfield, PA 16830



Joseph R. Lawrence, Esquire
Christopher J. Azzara, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20679
NO: 06-2132-CD

PLAINTIFF: THE SHERWIN-WILLIAMS COMPANY
vs.
DEFENDANT: JOYCE A. WISOR AND KEVIN S. WISOR

PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 10/5/2007

LEVY TAKEN 3/12/2008 @ 10:44 AM

POSTED 4/1/2008 @ 11:59 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 1/20/2012

DATE DEED FILED

PROPERTY ADDRESS 526 WEST PAULINE DRIVE CLEARFIELD , PA 16830

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES

5 FILED
01345301
JAN 20 2012
WMA: 
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF HAWKINS \$91.64

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2011


Chester A. Hawkins
Sheriff

THE SHERWIN-WILLIAMS COMPANY

vs
JOYCE A. WISOR AND KEVIN S. WISOR

1 @ SERVED JOYCE A. WISOR

DEPUTIES NOT ABLE TO SERVE JOYCE A. WISOR, DEFENDANT, AT 1 WEST PAULINE DRIVE, CLEARFIELD, PA
THERE IS NO SUCH ADDRESS

2 @ SERVED KEVIN S. WISOR

DEPUTIES NOT ABLE TO SERVE KEVIN S. WISOR, DEFENDANT, AT 1 WEST PAULINE DRIVE, CLEARFIELD,
PENNSYLVANIA THERE IS NO SUCH ADDRESS.

3 3/12/2008 @ 10:44 AM SERVED JOYCE A. WISOR

SERVED JOYCE A. WISOR, DEFENDANT, AT HER RESIDENCE 526 WEST PAULINE DRIVE, CLEARFIELD, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO KEVIN WISOR, SON/ADULT AT RESIDENCE

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

4 3/12/2008 @ 10:44 AM SERVED KEVIN S. WISOR

SERVED KEVIN S. WISOR, DEFENDANT, AT HIS RESIDENCE 526 WEST PAULINE DRIVE, CLEARFIELD, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO KEVIN WISOR, SON/ADULT AT RESIDENCE

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

5 3/18/2008 @ 11:32 AM SERVED JOYCE A. WISOR

SERVED JOYCE A. WISOR, DEFENDANT, AT HER RESIDENCE 526 WEST PAULINE DRIVE, CLEARFIELD, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO KEVIN WISOR, JR., SON OF DEFENDANT/ADULT AT RESIDENCE

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

6 3/18/2008 @ 11:32 AM SERVED KEVIN S. WISOR

SERVED KEVIN S. WISOR, DEFENDANT, AT HIS RESIDENCE 526 WEST PAULINE DRIVE, CLEARFIELD, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO KEVIN WISOR, JR., SON OF DEFENDANT/ADULT AT RESIDENCE.

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

7 @ SERVED

NOW, MAY 21, 208 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CANCEL THE SHERIFF SALE
SCHEDULED FOR MAY 23, 2008

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

The Sherwin-Williams Company

Vs.

NO.: 2006-02132-CD

Joyce A. Wisor and Kevin S. Wisor

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against THE SHERWIN-WILLIAMS COMPANY, Plaintiff(s) from JOYCE A. WISOR and KEVIN S. WISOR, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's 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:
as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), 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; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (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 such other person that he or 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: \$3,158.81
INTEREST FROM: \$
ATTY'S COMM: \$
DATE: 10/05/2007

PROTH. COSTS PAID: \$125.00 *+ 7.00*
FEB. 19, 2008 Document
SHERIFF: \$
OTHER COSTS: \$ *Reinstated/Reissued to Sheriff/Attorne*
for service. *Miller*

William A. Shaw
Deputy Prothonotary

William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 20th day
of February A.D. 2008
At 1:30 A.M. P.M.

Chesler A. Hawkins
Sheriff Day Anthony Babb, Deputy Sheriff

Requesting Party: Joseph R. Lawrence, Esq.
Four Gateway Center, Ste. 2200
444 Liberty Ave.
Pittsburgh, PA 15222
(412) 281-5423

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME JOYCE A. WISOR

NO. 06-2132-CD

NOW, January 20, 2012, 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 Joyce A. Wisor And Kevin S. Wisor 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:

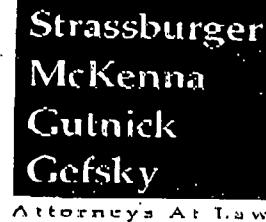
SHERIFF COSTS:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	9.00	DEBT-AMOUNT DUE	3,158.81
MILEAGE	9.00	INTEREST @ %	0.00
LEVY	2.00	FROM TO	
MILEAGE	20.00		
POSTING	9.00	PROTH SATISFACTION	
HANDBILLS		LATE CHARGES AND FEES	
COMMISSION	0.00	COST OF SUIT-TO BE ADDED	
POSTAGE	1.64	FORECLOSURE FEES	
HANDBILLS	10.00	ATTORNEY COMMISSION	
DISTRIBUTION		REFUND OF ADVANCE	
ADVERTISING		REFUND OF SURCHARGE	40.00
ADD'L SERVICE	9.00	SATISFACTION FEE	
ADD'L POSTING		ESCROW DEFICIENCY	
ADD'L MILEAGE	2.00	PROPERTY INSPECTIONS	
ADD'L LEVY		INTEREST	
BID/ SETTLEMENT AMOUNT		MISCELLANEOUS	
RETURNS/DEPUTIZE			
COPIES	15.00	TOTAL DEBT AND INTEREST	\$3,415.45
		COSTS:	
BILLING/PHONE/FAX	5.00	ADVERTISING	0.00
CONTINUED SALES		TAXES - COLLECTOR	
MISCELLANEOUS		TAXES - TAX CLAIM	
		DUE	
TOTAL SHERIFF COSTS	\$91.64	LIEN SEARCH	
		ACKNOWLEDGEMENT	
		SHERIFF COSTS	91.64
		LEGAL JOURNAL COSTS	0.00
		PROTHONOTARY	125.00
		MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$216.64
		TOTAL COSTS	\$3,415.45

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



smackey@smgqlaw.com

May 21, 2008

VIA FACSIMILE ONLY

Clearfield County Sheriff's Department
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
Attn: Cindy

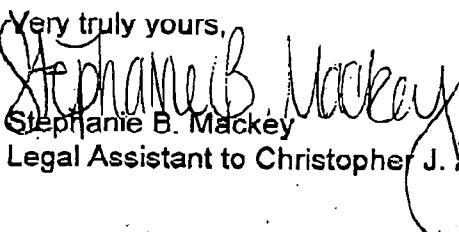
Strassburger McKenna
Gutnick & Gefsky
Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
412-281-5423 phone
412-281-8264 fax
www.smgqlaw.com

**Re: The Sherwin-Williams Co. vs. Joyce A. Wisor and Kevin Wisor
Civil Action No.: 06-2132-CD
Our File No.: 11091-29**

Dear Cindy:

As a follow up to our telephone conversation this afternoon, please let this letter serve as formal confirmation that our office would like to cancel the Sheriff's Sale scheduled for May 23, 2008 in connection with the above-referenced matter.

If you should have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

Stephanie B. Mackey
Legal Assistant to Christopher J. Azzara, Esq.

/sbm

P I T T S B U R G H • G R E E N S B U R G • N E W B R I G H T O N

** TOTAL PAGE.02 **