

07-1366-CD
D.C. Guelich vs Madera Enterprises

FILED ^{ED}

AUG 24 2007

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

William A. Shaw
Prothonotary/Clerk of Courts

NO RETURN TO
DEPT.

COPY TO
ATTY

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff

No. 2007-1366-CD

vs.

TRANSCRIPT OF JUDGMENT

MADERA ENTERPRISES, INC.,

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

NICHOLAS D. KRAWEC, ESQUIRE
PA ID #38527
DEBORAH R. ERBSTEIN, ESQUIRE
PA ID#86470
CHRISTOPHER M. BOBACK, ESQUIRE
PA ID #91730

Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8103

BERNSTEIN FILE NO. C0066970

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

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff

vs.

Civil Action No.

MADERA ENTERPRISES, INC.,

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: ☐ Plaintiff
 ☒ Defendant
 ☐ Garnishee

Your are hereby notified that the
following Order or Judgment was
entered against you on Aug. 24, 2008

(xx) Assumpsit Judgment in the amount
 of \$8,127.50 plus costs.

() Trespass Judgment in the amount
 of \$_____ plus costs.

() If not satisfied within sixty (60)
 days, your motor vehicle operator's
 license and/or registration will
 be suspended by the Department of
 Transportation, Bureau of Traffic
 Safety, Harrisburg, PA.

(xx) Entry of Judgment of
 (xx) Court Order
 () Non-Pros
 () Confession
 () Default
 () Verdict
 () Arbitration Award

Madera Enterprises, Inc.
P.O. Box 494, Banion Road
Madera, PA 16661

Prothonotary

By: 

PROTHONOTARY (OR DEPUTY)

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

Mag. Dist. No.: **46-3-02**
MDJ Name: Hon.
RICHARD A. IRELAND
Address: **650 LEONARD ST
STE 113
CLEARFIELD, PA**
Telephone: **(814) 765-5335 16830**

PLAINTIFF: NAME and ADDRESS
**D.C. GUELICH EXPLOSIVE CO.
1442 - 18 HOLLOW ROAD
CLEARFIELD, PA 16830**

VS.
DEFENDANT: NAME and ADDRESS
**MADERA ENTERPRISES, INC.
PO BOX 494
BANION RD.
MADERA, PA 16661**

**RICHARD A. IRELAND
650 LEONARD ST
STE 113
CLEARFIELD, PA 16830**

Docket No.: **CV-0000228-07**
Date Filed: **6/18/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **7/16/07**

☒ Judgment was entered for: (Name) **D.C. GUELICH EXPLOSI, VE CO.**

☒ Judgment was entered against: (Name) **MADERA ENTERPRISES, INC.**
in the amount of \$ **8,127.50**

☐ 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	\$ 8,000.00
Judgment Costs	\$ 127.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 8,127.50
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

JUL 16 2007 Date *Richard Ireland*, Magisterial District Judge

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

AUG 17 2007 Date *Richard Ireland*, Magisterial District Judge

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

SEAL

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

D. C. Guelich Explosive Co.
Plaintiff(s)

No.: 2007-01366-CD

Real Debt: \$8,127.50

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Madera Enterprises, Inc.
Defendant(s)

Entry: \$20.00

Instrument: District Justice

Date of Entry: August 24, 2007

Expires: August 27, 2012

Certified from the record this August 12, 2007

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

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

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,

vs.

MADERA ENTERPRISES, INC.,

Defendant.

No. **2007-1366**

PRAECIPE FOR WRIT OF EXECUTION

FILED ON BEHALF OF
Plaintiff(s)

COUNSEL OF RECORD OF
THIS PARTY:

NICHOLAS D. KRAWEC, ESQUIRE
PA ID #38527
DEBORAH R. ERBSTEIN, ESQUIRE
PA ID#86470
CHRISTOPHER M. BOBACK, ESQUIRE
PA ID #91730

Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8114

BERNSTEIN FILE NO. C0066970

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

D.C. GUELICH EXPLOSIVE CO.,

Plaintiff,
vs.

Civil Action No. 2007-1356

MADERA ENTERPRISES, INC.,

Defendant,

PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County: LEVY AND SET SALE

2. against Defendant: MADERA ENTERPRISES, INC.
P.O. Box 494, Banion Road
Madera, PA 16661

3. against Garnishee:

4. JUDGMENT	\$8,127.50
Interest from : 6/18/07 – 9/5/07	\$ 106.88
Poundage	\$ 164.69

SUBTOTAL:	\$8,399.07
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Costs (to be added by Prothonotary):	\$
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TOTAL	\$
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Prothonotary costs \$40.00

BERNSTEIN LAW FIRM, P.C.

Date: 9/5/2007

By: 

Attorney for Plaintiff
Suite 2200 Gulf Tower
Pittsburgh, PA 15219

BERNSTEIN FILE NO. C0066970

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

D. C. Guelich Explosive Co.,

Vs.

NO.: 2007-01366-CD

Madera Enterprises, Inc.,

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against D. C. GUELICH EXPLOSIVE CO., Plaintiff(s) from MADERA ENTERPRISES, INC., Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Madera Enterprises, Inc., P.O. Box 494, Banion Road, Madera, PA 16661

(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: \$8,127.50
INTEREST FROM: 6/18/07 - 9/5/07 \$106.88
ATTY'S COMM: \$
DATE: 9/21/2007

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
OTHER COSTS: Poundage \$164.69

William A. Shaw
Prothonotary/Clerk Civil Division

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

Requesting Party: Nicholas D. Krawec, Esq.
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8114

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20673
NO: 07-1366-CD

PLAINTIFF: D. C. GUELICH EXPLOSIVE CO.
vs.
DEFENDANT: MADERA ENTERPRISES, INC.

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 9/21/2007

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/25/2008

DETAILS

@ SERVED MADERA ENTERPRISES, INC.

NOW, NOVEMBER 16, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE WRIT OF EXECUTION, THE DEFENDANT PAID IN FULL.

FILED
0184561
FEB 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20673
NO: 07-1366-CD

PLAINTIFF: D. C. GUELICH EXPLOSIVE CO.
vs.
DEFENDANT: MADERA ENTERPRISES, INC.

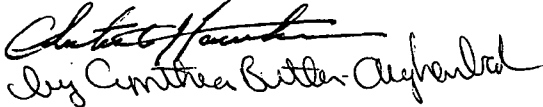
Execution PERSONAL PROPERTY

SHERIFF RETURN

SHERIFF HAWKINS \$24.00

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

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

D. C. Guelich Explosive Co.,

Vs.

NO.: 2007-01366-CD

Madera Enterprises, Inc.,

TO THE SHERIFF OF CLEARFIELD COUNTY:

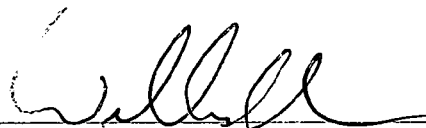
To satisfy the judgment, interest and costs against D. C. GUELICH EXPLOSIVE CO.. Plaintiff(s) from MADERA ENTERPRISES, INC., Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Madera Enterprises, Inc., P.O. Box 494, Banion Road, Madera, PA 16661
- (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: \$8,127.50
INTEREST FROM: 6/18/07 - 9/5/07 \$106.88
ATTY'S COMM: \$
DATE: 9/21/2007

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
OTHER COSTS: Poundage \$164.69



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 21st day
of September A.D. 2007
At 1:00 A.M./P.M.

Charles G. Hawkeris
Sheriff Dy. Antonio Bitter-Cupf

Requesting Party: Nicholas D. Krawec, Esq.
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8114

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME MADERA ENTERPRISES, INC.

NO. 07-1366-CD

NOW, February 25, 2008, 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 Madera Enterprises, Inc. 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	
MILEAGE	
LEVY	
MILEAGE	
POSTING	
HANDBILLS	
COMMISSION	0.00
POSTAGE	
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	10.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$24.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	8,127.50
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	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	106.88
MISCELLANEOUS	164.69
TOTAL DEBT AND INTEREST	\$8,483.07
COSTS:	
ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	24.00
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	40.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$64.00
TOTAL COSTS	\$8,483.07

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

BERNSTEIN

A BUSINESS APPROACH
TO LEGAL SERVICESM

CREDITORS' RIGHTS AT BERNSTEIN LAW FIRM

WWW.BERNSTEINLAW.COM

CREDITORS' RIGHTS, BANKRUPTCY & RESTRUCTURING BUSINESS LAW

707 GRANT STREET * SUITE 2200 GULF TOWER * PITTSBURGH, PA 15219 * 412-456-8100 * FAX 412-456-8135

November 16, 2007

Clearfield County Sheriff
Market Street
Clearfield, PA 16830

Re: D.C. Guelich Explosive Co
Vs: Madera Enterprises, Inc.
DOCKET NO. CV-0000228-07
BERNSTEIN FILE NO. C0066970

Dear Sheriff:

We are asking if you would please stay the writ of execution, for defendant has paid in the amount of \$8312.50. If you have any questions please call our law firm.

\$8312.50

Thank you for your assistance

Please feel free to communicate with me the Attorney on this case, Nicholas D. Krawec

BERNSTEIN LAW FIRM, P.C.