



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

J.J. POWELL, Inc., a  
corporation,  
Plaintiff,

v.

Kenneth K. Rishel, t/d/b/a  
Ken Rishel Construction,  
Defendant.

No. 07 -1430-CD

Type of Pleading:

**COMPLAINT**

Filed on behalf of:  
Plaintiff

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820

&

Trudy G. Lumadue, Esq.  
Pa I.D. 202049

NADDEO & LEWIS, LLC.  
207 E. Market Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

Dated: September 4, 2007

**FILED** *icc*  
*013.45.01*  
SEP 04 2007  
William A. Shaw  
Prothonotary/Clerk of Courts  
*Any Naddeo*  
*Any pd. 85.00*

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

J.J. POWELL, Inc., a  
corporation,  
Plaintiff,

v.

Kenneth K. Rishel, t/d/b/a  
Ken Rishel Construction,  
Defendant.

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No. 07 - - CD

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  
Clearfield County Courthouse  
Market and Second Streets  
Clearfield, PA 16830

(814) 765-2641, ext. 5982

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
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J.J. POWELL, Inc., a  
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Defendant.

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No. 07 - - CD

COMPLAINT

NOW COMES the Plaintiff, J.J. Powell, Inc., and by its attorney, James A. Naddeo, Esquire, sets forth the following:

1. That the Plaintiff is J.J. Powell, Inc., a corporation, having its principal place of business located at 109 W. Presqueisle Street, Philipsburg, Pennsylvania 16866.

2. That the Defendant is Kenneth K. Rishel, t/d/b/a Ken Rishel Constructions, whose principal place of business is located at 1219 Turnpike Avenue, Clearfield, Pennsylvania 16830.

3. That plaintiff is engaged in the business of providing and selling heating and cooling products and services.

4. At the Defendant's special instance and request, Plaintiff sold and delivered to Defendant goods and merchandise at the dates and of the kinds and descriptions and for the prices set forth in the books of original entry of Plaintiff, a

✓  
true and correct copy of the relevant Transaction Report is attached hereto, made a part hereof, and marked as Exhibit "A."

5. Defendant received and accepted the goods and services as referenced in Exhibit A.

6. That the credits, if any, to which Defendant is entitled are also set forth in Exhibit A.

7. After allowance of all proper credits, the total amount due and owing by Defendant by reason of the sale, delivery of merchandise and finance charges is indicated on Plaintiff's records as \$25,603.72, a true and correct copy of said account log and calculations is attached hereto as Exhibit "B."

8. Although Plaintiff has made frequent demand on Defendant for the payment of the above-listed sum, Defendant has failed and refused to pay the same.

WHEREFORE, Plaintiff, J.J. Powell, Inc., demands judgment be entered in its favor and against Defendant in the sum of \$25,603.72, with interest thereon and costs.

NADDEO & LEWIS, LLC

By James A. Naddeo  
James A. Naddeo  
Attorney for Plaintiff

V E R I F I C A T I O N

I, Jeffrey S. Powell, verify that I am President of J.J. Powell, Inc., and that I am authorized to execute this verification and further that the statements made in the foregoing Complaint are true and correct upon my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

J.J. Powell, Inc.

By: 

Jeffrey S. Powell, President  
Plaintiff

Dated: 8/31/2007

## Transaction Report

08-Aug-2007

11:12 AM

Cust# 14162M

KEN RISHEL CONSTRUCTION<C>  
1219 TURNPIKE AVENUE

Transactions from 01/01/2007 thru 08/07/2007

CLEARFIELD, PA 16830-0000

Current Balance: 20,470.25

## Posting

Event Date	Code	Description	Reference#	TLS	Units	Ppu	Amount	*Balance
07/31/2007	78	FINANCE CHARGE	4355358				229.41	20,470.25
07/17/2007	80	PAYMENT	3106				250.00	20,240.84
06/30/2007	78	FINANCE CHARGE	4347422				233.16	20,490.84
06/22/2007	80	PAYMENT	3085				500.00	20,257.68
05/31/2007	78	FINANCE CHARGE	4339742	T3			240.66	20,757.68
05/07/2007	80	PAYMENT	3027				2,000.00	20,517.02
04/30/2007	78	FINANCE CHARGE	4331806	T3			270.66	22,517.02
03/31/2007	78	FINANCE CHARGE	4324126	T3			270.66	22,246.36
03/24/2007	80	PAYMENT	2974	T4			1,000.00	21,975.70
02/28/2007	78	FINANCE CHARGE	4316190	T2			285.66	22,975.70
01/31/2007	78	FINANCE CHARGE	4309022	T2			285.66	22,690.04
01/20/2007	80	PAYMENT	2885	T2			1,000.00	22,404.38

## TOTALS:

Units:	0.00	Debits:	1,815.87
		Credits:	-4,750.00
		Net:	-2,934.13

Exhibit "A"

\* The Balance column reflects a running balance based on the transactions selected and order in which they were posted. Whenever the selection criteria include a date range, and the transactions involved have not been posted in event date order, the running balance shown here may differ from other transaction history screens and documents.

Attn: Jennifer

Jg Powell Inc.  
Po Box 30  
Philipsburg PA

(A008E2-021211) DISPLAY  
14162M 06-Dec-06 03:44 PM  
KEN RISHEL CONSTRUCTION<C>  
1219 TURNPIKE AVENUE  
CLEARFIELD, PA 16830

TEL: 765-4732 AOD: 6/18/99 SAL: SH DIV: 1  
#TNKS 3 #SVCE 1 #LOCS 1 SOR: RISHK RELAT A/C#

DEL-HLD BALANCE: 25603.72 ON-INSTALLMENT: 0.00  
SECURITY DEPOSIT DATE: --/--/-- SECURITY DEPOSIT AMOUNT: 0.00

ACY: 1 AT1: N AT2: N AT3: N AT4: N AT5: N AT7: N AT8: N

Additional Text is available - use ' TD ' Command

WHAT ELSE? A

14162M KEN RISHEL CONSTRUCTION<C>

\* STATUS \* TERMINATED: N DLY HOLD: Y SRV HOLD: N CLN: 500

\* TERMS \* PREM CODE: 0 PREM BASE: 0 PREM TERMS 0.00 NDN: N ADP: 0

CUST DOLLAR	TIME	ACTION	ACTION	PROMISE	REMIN	ON	INSTALLMENT
TYPE CODE	CODE	CODE	TAKEN	AMOUNT	ON	INSTALLMENT	START DATE
2 3	4	0	--/--/--	0.00	12/26/06	0.00	--/--/--

* PAYMENT *	* BUDGET *
LAST AMOUNT	START # PAYMNT AMOUNT CUM PAYMNT IN CONTRACT
9/19/06 1000.00	0 0 0.00 0.00 N

<----- STATEMENT -----> <--- INVOICE ---> <--- FINANCE CHARGE --->  
LAST OSD INS ZBS AGE NST ISH NIN INV IVO KOA FCG FGR FCD CFC  
11/30/06 30 N N Y 0 N 0 N N N Y 0 30 33815.67

BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	OVER 120
25603.72	338.16	338.16	338.16	353.16	24236.08

JFMAMJJASOND BALANCE PAST CRT DAYS ( 45 ) : 24927.40  
000000000000

WHAT ELSE?

Exhibit "B"



**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 1 Services

Sheriff Docket # **103158**

J.J. POWELL, INC.

Case # 07-1436-CD

vs.

KENNETH K. RISHEL t/d/b/a KEN RISHEL CONSTRUCTION

TYPE OF SERVICE COMPLAINT

**SHERIFF RETURNS**

NOW January 25, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO KENNETH K. RISHEL T/D/B/A KEN RISHEL CONSTRUCTION, DEFENDANT. ACCORDING TO NEIGHBOR DEFENDANT IS DECEASED.

SERVED BY: /

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NADDEO	668	10.00
SHERIFF HAWKINS	NADDEO	668	16.41

**FILED**  
03:15 PM  
JAN 28 2008  
LM

Sworn to Before me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

So Answers,

William A. Shaw  
Prothonotary/Clerk of Courts

*Chester A. Hawkins*  
*by Maury Harris*  
Chester A. Hawkins  
Sheriff

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

J.J. POWELL, Inc., a  
corporation,  
Plaintiff,

v.

Kenneth K. Rishel, t/d/b/a  
Ken Rishel Construction,  
Defendant.

No. 07 -1436 CD

Type of Pleading:

**COMPLAINT**

Filed on behalf of:  
Plaintiff

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820

&  
Trudy G. Lumadue, Esq.  
Pa I.D. 202049

NADDEO & LEWIS, LLC.  
207 E. Market Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

Dated: September 4, 2007

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

SEP 04 2007

Attest.

*William A. Brown*  
Prothonotary/  
Clerk of Courts

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

J.J. POWELL, Inc., a  
corporation,  
Plaintiff,

v.

Kenneth K. Rishel, t/d/b/a  
Ken Rishel Construction,  
Defendant.

No. 07 - - CD

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true and correct copy of the relevant Transaction Report is attached hereto, made a part hereof, and marked as Exhibit "A."

5. Defendant received and accepted the goods and services as referenced in Exhibit A.

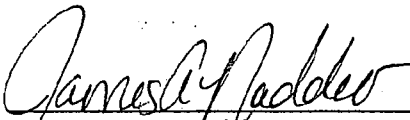
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NADDEO & LEWIS, LLC

By   
James A. Naddeo  
Attorney for Plaintiff

V E R I F I C A T I O N

I, Jeffrey S. Powell, verify that I am President of J.J. Powell, Inc., and that I am authorized to execute this verification and further that the statements made in the foregoing Complaint are true and correct upon my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

J.J. Powell, Inc.

By: 

Jeffrey S. Powell, President  
Plaintiff

Dated: 8/31/2007

## Transaction Report

08-Aug-2007

11:12 AM

Cust# 14162M

KEN RISHEL CONSTRUCTION<C>  
1219 TURNPIKE AVENUE

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Attn: Jennifer

JJ Powell Inc.  
Po Box 30  
Philipsburg Pa

(A008E2-021211) DISPLAY  
14162M 06-Dec-06 03:44 PM  
KEN RISHEL CONSTRUCTION<C>  
1219 TURNPIKE AVENUE  
CLEARFIELD, PA 16830

TEL: 765-4732 AOD: 6/18/99 SAL: SH DIV: 1  
#TNKS 3 #SVCE 1 #LOCS 1 SOR: RISHK RELAT A/C#

DEL-HLD BALANCE: 25603.72 ON-INSTALLMENT: 0.00  
SECURITY DEPOSIT DATE: --/--/-- SECURITY DEPOSIT AMOUNT: 0.00

ACY: 1 AT1: N AT2: N AT3: N AT4: N AT5: N AT7: N AT8: N

Additional Text is available - use ' TD ' Command

WHAT ELSE? A

14162M KEN RISHEL CONSTRUCTION<C>  
\* STATUS \* TERMINATED: N DLY HOLD: Y SRV HOLD: N CLN: 500  
\* TERMS \* PREM CODE: 0 PREM BASE: 0 PREM TERMS 0.00 NDN: N ADP: 0  
CUST DOLLAR TIME ACTION ACTION PROMISE REMIND ON INSTALLMENT  
TYPE CODE CODE CODE TAKEN AMOUNT ON INSTALLMENT START DATE  
2 3 4 0 --/--/-- 0.00 12/26/06 0.00 --/--/--  
\* PAYMENT \* \* BUDGET \*  
LAST AMOUNT START # PAYMNT AMOUNT CUM PAYMNT IN CONTRACT  
9/19/06 1000.00 0 0 0.00 0.00 N

<----- STATEMENT -----> <-- INVOICE --> <-- FINANCE CHARGE -->  
LAST OSD INS ZBS AGE NST ISH NIN INV IVO KOA FCG FGR FCD CFC  
11/30/06 30 N N Y 0 N 0 N N N Y 0 30 33815.67

BALANCE	CURRENT	OVER 30	OVER 60	OVER 90	OVER 120
25603.72	338.16	338.16	338.16	353.16	24236.08

JFMAMJJASOND BALANCE PAST CRT DAYS ( 45 ) : 24927.40  
000000000000

WHAT ELSE?

Exhibit "B"



CA

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

J.J. POWELL, INC.,  
Plaintiff

vs.

KENNETH K. RISHEL and KEN RISHEL  
CONSTRUCTION,  
Defendants

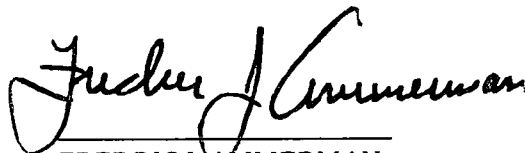
\* NO. 2007-1436-CD  
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**ORDER**

NOW, this 24<sup>th</sup> day of June, 2013, it is the ORDER of this Court that a **status conference** be and is hereby scheduled for the **29th day of August, 2013 at 1:30 p.m.** in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

If this case has been concluded, the moving party is directed to file the appropriate Praecipe with the Prothonotary of Clearfield County to finalize that status of the case.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

FILED 1cc Att'y Nadddeo  
8/8:30am  
JUN 25 2013 1cc deH  
William A. Shaw  
Prothonotary/Clerk of Co. 66

Letts  
1219 Turnpike Ave  
Clearfield 16830

**FILED**

JUN 25 2013

William A. Shaw  
Prothonotary/Clerk of Courts

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

J.J. POWELL, Inc., a  
corporation,  
Plaintiff,

v.

Kenneth K. Rishel, t/d/b/a  
Ken Rishel Construction,  
Defendant.

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No. 07-1436-`CD

**PRAECIPE TO SETTLE AND DISCONTINUE**

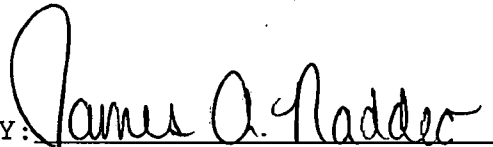
TO THE PROTHONOTARY:

Dear Sir:

Please mark the above-captioned case settled and  
discontinued.

NADDEO & LEWIS, LLC

BY:



James A. Naddeo, Esquire  
Attorney for Plaintiff

**FILED**

**JUN 28 2013**

William A. Shaw  
Prothonotary/Clerk of Courts

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

J.J. POWELL, INC., a corporation  
Plaintiff

vs.

KENNETH K. RISHEL, t/d/b/a Ken Rishel Construction  
Defendant

\* NO. 2007-1436-CD  
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**ORDER**

NOW, this 1<sup>st</sup> day of July, 2013, the Court notes that a Praecept to Settle and Discontinue the above-captioned case was filed on June 28, 2013 by James A. Naddeo, Esquire. Therefore, it is the ORDER of this Court that the **status conference** in the above-captioned case scheduled for the 29th day of August, 2013 is **canceled**.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

**FILED**

01 8:55 AM  
JUL 02 2013

William A. Shaw  
Prothonotary/Clerk of Courts

ICC AA, Naddeo  
ICC doft

62

DATE: 7-2-13

☐ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☒ Plaintiff(s) Attorney ☐ Other

☒ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

**FILED**

**JUL 02 2013**

**William A. Shaw  
Prothonotary/Clerk of Courts**

Left  
1219 Turnpike Ave  
Clearfield 16830

22 February 2017

To the Honorable Judge Cherry,

Sir, I am respectfully requesting a cancellation of the custody modification conference you granted recently that is scheduled for 9 March at 11:00 AM for case No. 2007-1462-CD. My reasons for cancellation are based on the advice of a Clearfield County attorney who recommended that I obtain the services of a Maryland attorney and request transfer of jurisdiction to Howard County, Maryland. My ex-wife, children, and I have lived in Howard County, Maryland since October 2008.

I thank you for your time and understanding. If you have any questions or comments, please feel free to contact me at your convenience.

Very Respectfully,



James Bergreen

10114 Hyla Brook Rd

Columbia, MD 21044

814-952-8413

[jbergreen@warcomdet.us](mailto:jbergreen@warcomdet.us)

[james.bergreen@yahoo.com](mailto:james.bergreen@yahoo.com)

FILED  
S M NS  
FEB 27 2017  
11:45  
BRIAN C  
PROTHONOTARY  
NO CC