

07-1436-CD
JJ Powell vs Kenneth K. Rishel al

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 100
09/04/07 SEP 04 2007
Atty. Naddeo
Atty pd. \$5.00
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.

v.

No. 07 - - CD

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

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
CIVIL DIVISION

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

v.

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

* * * * *
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.

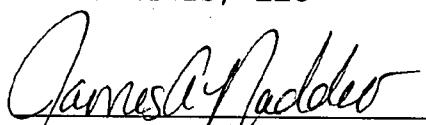
6. That the credits, if any, to which Defendant is entitled are also set forth in Exhibit A.

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

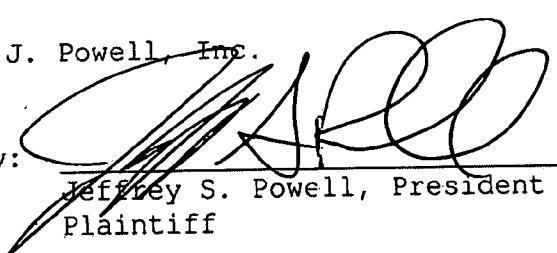
By 
James A. Naddeo
Attorney for Plaintiff

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

CLEARFIELD, PA 16830-0000

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

Current Balance: 20,470.25

<u>Event Date</u>	<u>Code</u>	<u>Description</u>	<u>Reference#</u>	<u>TLS</u>	<u>Units</u>	<u>PPU</u>	<u>Amount</u>	<u>*Balance</u>
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	433942	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:								
							1,815.87	
							Debits: -4,750.00	
							Credits: -2,934.13	
							Net: -2,934.13	
					Units:	0.00		

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

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 AQD: 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 TYPE	DOLLAR CODE	TIME CODE	ACTION	ACTION TAKEN	PROMISE AMOUNT	REMIND ON	INSTALLMENT START DATE
2	3	4	0	--/--/--	0.00	12/26/06	0.00 --/--/--
* PAYMENT *		* BUDGET *					
LAST 9/19/06	AMOUNT 1000.00	START 0	# PAYMNT 0	AMOUNT 0.00	CUM PAYMNT 0.00	IN CONTRACT 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 25603.72	CURRENT 338.16	OVER 30 338.16	OVER 60 338.16	OVER 90 353.16	OVER 120 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
0/3:15 cm
JAN 28 2008
LSI

Sworn to Before me This

____ Day of _____ 2008

So Answers,

William A. Shaw
Prothonotary/Clerk of Courts

Chester A. Hawkins
by Marilyn 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

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

Dated: September 4, 2007

SEP 04 2007

Attest.

William L. Bissell
Prothonotary/
Clerk of Courts

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

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

Plaintiff,

v.

* No. 07 - - - CD

Kenneth K. Rishel, t/d/b/a
Ken Rishel Construction,
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Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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CIVIL DIVISION

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Plaintiff,

v.

No. 07 - - CD

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

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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.

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NADDEO & LEWIS, LLC

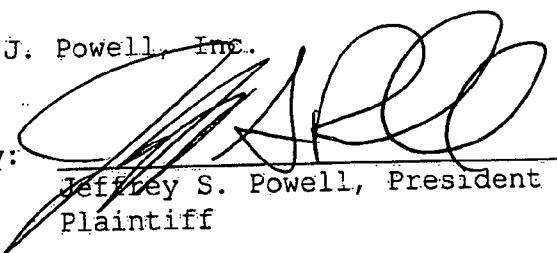
By James A. Naddeo
James A. Naddeo
Attorney for Plaintiff

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

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 AQD: 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

* NO. 2007-1436-CD

vs.

KENNETH K. RISHEL and KEN RISHEL
CONSTRUCTION,
Defendants

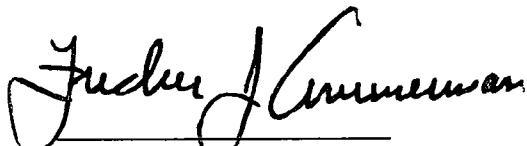
*
*
*
*

ORDER

NOW, this 24th 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 Praeclipe with the Prothonotary of Clearfield County to finalize that status of the case.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED
O/8/30/13
S JUN 25 2013
William A. Shaw
Prothonotary/Clerk of C.c. 66
1CC Atty Naddoo
1CC deft

FILED

JUN 25 2013

William A. Shaw
Prothonotary/Clerk of Courts

Jeffs

1219 Turnpike Ave
Clearfield 16830

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:

* **PRAECIPE TO SETTLE
AND DISCONTINUE**

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
this party:

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

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

FILED NOCL.
O/244cm
JUN 28 2013
4
William A. Shaw
Prothonotary/Clerk of Courts
62

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

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
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

* NO. 2007-1436-CD

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

*
*
*
*
*

ORDER

NOW, this 1st day of July, 2013, the Court notes that a Praeclipe 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
O 8:55AM JUL 02 2013
S
1CC AHA, Naddeo
1CC doff
6K
William A. Shaw
Prothonotary/Clerk of Courts

DATE: 7-213

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

Deft
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
james.bergreen@yahoo.com

FILED
M (MS)
S FEB 27 2017
11:45
BRIAN C. :
PROTHONOTARY :
NO CC