

07-1799-CD
State Farm Fire al vs J. Duprez al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

State Farm Fire & Casualty/Mary Southard
(Plaintiff)
204 E. Market Street
(Street Address)
Louisville, KY 40202
(City, State ZIP)

vs

John Duprez and John Duprez t/a Duprez Construction
(Defendant)
148 Wildwood Lane
(Street Address)
Morrisdale, PA 16858
(City, State ZIP)

CIVIL ACTION

No. 07-1799-CD

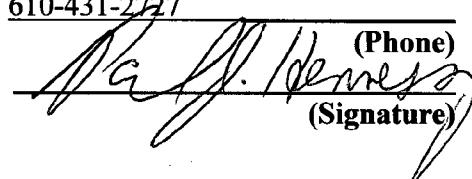
Type of Case: _____

Type of Pleading: _____

Filed on Behalf of:

State Farm Fire & Casualty/Mary Southard
(Plaintiff/Defendant)

Paul J. Hennessy, Esq.
(Filed by)
142 W. Market St., Ste 2
West Chester, PA 19380
(Address)
610-431-2727


(Phone)
(Signature)

FILED Atty pd. 85.00
NOV 05 2001 2cc Sheriff
15

William A. Shaw
Prothonotary/Clerk of Courts

Paul J. Hennessy, Esquire
Hennessy & Walker Group, P.C.
142 W. Market Street
West Chester, PA 19382
610-431-2727
Attorney I.D.65396

Attorney for Plaintiffs

State Farm Fire and Casualty Company
As subrogee of Mary Southard
204 E. Market Street
Louisville, KY 40202

: In The Court Of Commons Pleas

: Clearfield County, Pennsylvania

: Civil Action Law

VS

: No.

John Duprez
148 Wildwood Lane
Morrisdale, PA 16858
And
John Duprez t/a Duprez Construction
148 Wildwood Lane
Morrisdale, PA 16858

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.

David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
814-465-2641 ext. 5982

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleva esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra escrita abajo para averiguar dónde se puede conseguir asistencia legal.

David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
814-465-2641 ext. 5982

Paul J. Hennessy, Esquire
Hennessy & Walker Group, P.C.
142 W. Market Street
West Chester, PA 19382
610-431-2727
Attorney I.D.65396

Attorney for Plaintiffs

State Farm Fire and Casualty Company : In The Court Of Commons Pleas
As subrogee of Mary Southard : Clearfield County, Pennsylvania
204 E. Market Street : Civil Action Law
Louisville, KY 40202

VS

: No.

John Duprez
148 Wildwood Lane
Morrisdale, PA 16858
And
John Duprez t/a Duprez Construction
148 Wildwood Lane
Morrisdale, PA 16858

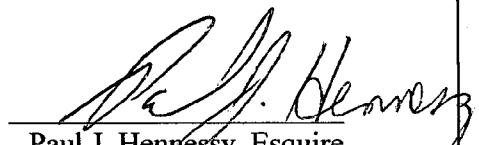
COMPLAINT

1. Plaintiff State Farm Fire and Casualty Company is an insurance company licensed and authorized to conduct business in the Commonwealth of Pennsylvania and having as one of its principal places of business the above captioned address.
2. Mary Southard is an adult individual residing at 112 E. Maple Street in Philipsburg, Pennsylvania.
3. Defendant John Duprez is an adult individual residing at the above captioned address.
4. Defendant John Duprez t/a Duprez Construction is a business entity located at the above captioned address.
5. On or about November 30, 2005 the Defendant contractor was replacing a roof at the Plaintiff's home located at 112 E. Maple Street in Phillipsburg, PA.
6. On or about November 30, 2005, Mary Southland maintained a homeowners policy of insurance with the Plaintiff State Farm Insurance Company under policy # 38-LZ-8955-5.
7. On or about November 30, 2005, The Plaintiff Liberty Mutual Insurance Company insured Plaintiffs with the above referenced homeowners policy,

said policy carrying with same, structure and contents coverages.

8. On or about November 30, 2005, The Defendant was acting individually and or by and through his agents, servants, workmen, sub-agents and/or employees to service, repair, maintain and/or re roof plaintiffs house located at the above captioned address.
9. On or about November 30, 2005 as a result of the negligent and or careless inspection, service, maintenance and or repair of the roof the defendant allowed/caused water to infiltrate the home resulting in extensive water damages to the structure and contents of Plaintiffs property.
10. The negligence of the Defendant consisted of:
 - a. Improper inspection of the roof system;
 - b. Failing to properly prepare and protect the roof during construction,
 - c. Hiring and using unskilled and/or unlicensed contractors,
 - d. Failing to warn plaintiff of the hazards associated with improperly repaired/maintained roof systems;
 - e. Failing to properly tarp the Plaintiffs home;
 - f. Failing to properly secure the roof while performing work at the residence;
 - g. Other such negligence that may be developed through continuing discovery and trial of this matter.
11. The aforesaid water damages resulted solely from the negligent acts and/or omissions on part of Defendant named herein and were due in no manner whatsoever to any act and/or failure to act on part of Plaintiffs.
12. As a result of the aforesaid water infiltration, Plaintiff State Farm Fire and Casualty Company settled the claim of Mary Southard in the amount of \$21,910.39 (said figure includes Plaintiff's first party deductible) representing fair and reasonable reimbursement for the damages sustained.
13. Pursuant to the aforesaid policy of insurance, Plaintiff State Farm Fire and Casualty Company is subrogated to Mary Southard for this loss.

WHEREFORE, Plaintiffs demand judgment against the Defendant in the amount of \$ 21,910.39 plus costs, interest and such other relief this Court finds equitable and just.



Paul J. Hennessy, Esquire
Hennessy & Walker

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103400
NO: 07-1799-CD
SERVICE # 1 OF 2
COMPLAINT

PLAINTIFF: STATE FARM FIRE & CASUALTY/MARY SOUTHARD
VS.
DEFENDANT: JOHN DUPREZ and JOHN DUPREZ t/a DUPREZ CONSTRUCTION

SHERIFF RETURN

NOW, November 20, 2007 AT 9:17 AM SERVED THE WITHIN COMPLAINT ON JOHN DUPREZ DEFENDANT AT 148 WILDWOOD LANE, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOHN DUPREZ, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
0/3:00 cm
FEB 15 2008
LM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103400
NO: 07-1799-CD
SERVICE # 2 OF 2
COMPLAINT

PLAINTIFF: STATE FARM FIRE & CASUALTY/MARY SOUTHARD
VS.
DEFENDANT: JOHN DUPREZ and JOHN DUPREZ t/a DUPREZ CONSTRUCTION

SHERIFF RETURN

NOW, November 20, 2007 AT 9:17 AM SERVED THE WITHIN COMPLAINT ON JOHN DUPREZ t/a DUPREZ CONSTRUCTION DEFENDANT AT 148 WILDWOOD LANE, MORRISDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOHN DUPREZ, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103400
NO: 07-1799-CD
SERVICES 2
COMPLAINT

PLAINTIFF: STATE FARM FIRE & CASUALTY/MARY SOUTHARD
VS.
DEFENDANT: JOHN DUPREZ and JOHN DUPREZ t/a DUPREZ CONSTRUCTION

SHERIFF RETURN

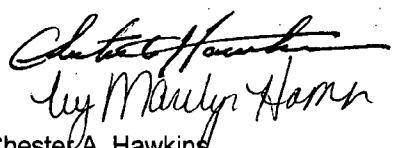
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	HENNESSY	2568	20.00
SHERIFF HAWKINS	HENNESSY	2568	49.22

Sworn to Before Me This

So Answers,

____ Day of _____ 2008


Chester A. Hawkins
Sheriff

Paul J. Hennessy, Esquire
Hennessy & Walker Group, P.C.
142 W. Market Street
West Chester, PA 19382
610-431-2727
Attorney I.D. 65396

Attorney for Plaintiffs

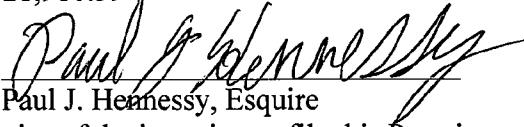
State Farm Fire and Casualty Company	: In The Court of Common Pleas
A/S/O Mary Southard	:
204 E. Market Street	: Clearfield County, Pennsylvania
Louisville, KY 40202	:
VS	: Civil Action Law
John Duprez 148 Wildwood Lane Morrisdale, PA 16858	:
And	:
John Duprez t/a Duprez Construction 148 Wildwood Lane Morrisdale, PA 16858	: No. 07-1799-CD

PRAECIPE FOR JUDGMENT

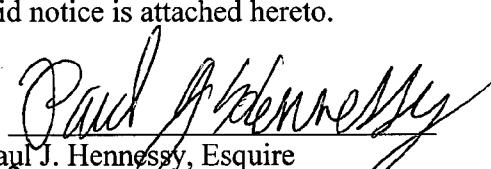
TO THE PROTHONOTARY:

Enter Judgment in the above case by default for want of response to the Complaint filed against the Defendant John Duprez t/a Duprez Construction , and assess the damages as per the statement below:

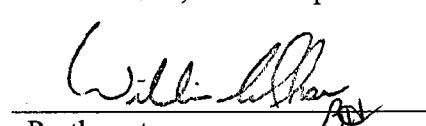
Real Debt: \$21,910.39


Paul J. Hennessy, Esquire

I hereby certify that written notice of the intention to file this Praecipe was mailed to the party against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten days prior to the date of the filing of this Praecipe. A copy of said notice is attached hereto.


Paul J. Hennessy, Esquire

And now, May 2, 2008 Judgment entered in favor of the Plaintiff and against the Defendant by default for want of response to the Complaint and damages assessed at the sum of :\$21,910.39 as per above statement.


Will A. Shaw
Prothonotary

6P
FILED Atty pd.
MAY 11 2008 \$20.00
MAY 02 2008 ICC Notice
to Defs.
William A. Shaw
Prothonotary/Clerk of Courts
Statement to Atty



**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS**

2/26/08

John Duprez
To: 148 Wildwood Lane
Morrisdale, Pennsylvania 16858

State Farm Fire and Casualty Company : In The Court Of Commons Pleas
As subrogee of Mary Southard
204 E. Market Street : Clearfield County, Pennsylvania
Louisville, KY 40202 : Civil Action Law

VS : No. 07-1799-CD

John Duprez
148 Wildwood Lane
Morrisdale, PA 16858
And

John Duprez t/a Duprez Construction
148 Wildwood Lane
Morrisdale, PA 16858

**Notice, Rule 237.5
Notice of Praeclipe to Enter Judgment by Default**

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the Court your defenses or objections to the claims set forth against you. Unless you act within ten 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 following office to find out where you can get legal help.

David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
814-465-2641 ext. 5982

NOTIFICACION IMPORTANTE

Usted se encuentra en estado de rebeldia por no haber presentado una comparecencia escrita, ya sepersonalmente o por abogado y por no haber radicado por escrito con este Tribunal sus defensas u objeciones a los reclamos formulados en contra suyo. Al no tomar laaccion debida dentro de *diez (10) dias* de la fecha de esta notificacion, el Tribunal podra, sin necesidad de comparecer usted en corte u oir preuba alguna, dictar sentencia en su contra y usted podria perder bienes u otros derechos importantes. Debe llevar esta notifiacion a unabogado inmediatamente. Si usted no tiene abogado, o si no tiene dinero suficiente para tal sericio, vaya en persona o llame por telefono a la oficina, nombrada para averiguar si puede conseguir asistencia legal.

David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
814-465-2641 ext. 5982

If you have any question concerning this notice, please call:

Paul J. Hennessy, Esquire

(Name of Attorney or Plaintiff)
142 West Market Street, West Chester, PA 19382

(Attorney's or Plaintiff's Address)

at this telephone number:

610-431-2727



**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS**

2/26/08

John Duprez t/a Duprez Construction
To: 148 Wildwood Lane
Morrisdale, Pennsylvania 16858

State Farm Fire and Casualty Company : In The Court Of Commons Pleas
As subrogee of Mary Southard
204 E. Market Street : Clearfield County, Pennsylvania
Louisville, KY 40202 : Civil Action Law

VS : No. 07-1799-CD

John Duprez
148 Wildwood Lane
Morrisdale, PA 16858

And

John Duprez t/a Duprez Construction
148 Wildwood Lane
Morrisdale, PA 16858

**Notice, Rule 237.5
Notice of Praeclipe to Enter Judgment by Default**

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the Court your defenses or objections to the claims set forth against you. Unless you act within ten 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 following office to find out where you can get legal help.

David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
814-465-2641 ext. 5982

Usted se encuentra en estado de rebeldia por no haber presentado una comparecencia escrita, ya se personalmente o por abogado y por no haber radicado por escrito con este Tribunal sus defensas u objeciones a los reclamos formulados en contra suyo. Al no tomar laaccion debida dentro de *diez (10) dias* de la fecha de esta notificacion, el Tribunal podra, sin necesidad de comparecer usted en corte u oir preuba alguna, dictar sentencia en su contra y usted podria perder bienes u otros derechos importantes. Debe llevar esta notifiacion a unabogado inmediatamente. Si usted no tiene abogado, o si no tiene dinero suficiente para tal sericio, vaya en persona o llame por telefono a la oficina, nombrada para averiguar si puede conseguir asistencia legal.

David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
814-465-2641 ext. 5982

If you have any question concerning this notice, please call:

Paul J. Hennessy, Esquire

(Name of Attorney or Plaintiff)
142 West Market Street, West Chester, PA 19382

(Attorney's or Plaintiff's Address)

at this telephone number:

610-431-2727

State Farm Fire : In The Court of Common Pleas
and Casualty Company :
A/S/O Mary Southard : Clearfield County, Pennsylvania
204 E. Market Street :
Louisville, KY 40202 : Civil Action Law
VS :
John Duprez : No. 07-1799-CD
148 Wildwood Lane
Morrisdale, PA 16858
And
John Duprez t/a Duprez Construction
148 Wildwood Lane
Morrisdale, PA 16858

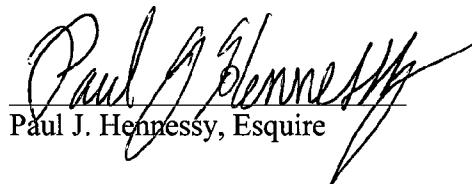
AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF PENNSYLVANIA:

: ss.

COUNTY OF CHESTER : :

Paul J. Hennessy, Esquire, being duly sworn according to law, deposes and says that he represents the Plaintiff(s) in the above entitled case; that he is authorized to make this affidavit on behalf of the Plaintiff(s); and that the above named Defendant(s) is(are) unknown years of age; the address of Defendant(s) John Duprez is 148 Wildwood Lane, Morrisdale, PA 16858, occupation of Defendant(s) is unknown; and Defendant is not in the Military Service of the United States nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.


Paul J. Hennessy, Esquire

Sworn to and subscribed
before me this 30th day
of April, 2008.


Theresa B. Chuplis
Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

THERESA B. CHUPLIS, Notary Public
West Chester Boro., Chester County
My Commission Expires November 4, 2010

State Farm Fire and Casualty Company
A/S/O Mary Southard
204 E. Market Street
Louisville, KY 40202

VS

: In The Court of Common Pleas
: Clearfield County, Pennsylvania
: Civil Action Law
: No.07-1799-CD

OPY

John Duprez
148 Wildwood Lane
Morrisdale, PA 16858
And
John Duprez t/a Duprez Construction
148 Wildwood Lane
Morrisdale, PA 16858

NOTICE IS GIVEN THAT A JUDGMENT IN THE ABOVE CAPTIONED MATTER HAS BEEN ENTERED AGAINST YOU.

John Southard 5/2/08
PROTHONOTARY

If you have any questions concerning the above, please contact:

Paul J. Hennessy, Esquire
Attorney or Party Filing

142 West Market Street, Suite 2
West Chester, PA 19382
610-431-2727

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

State Farm Fire & Casualty
Mary Southard
Plaintiff(s)

No.: 2007-01799-CD

Real Debt: \$21,910.39

Atty's Comm: \$

Vs.

Costs: \$

John Duprez
Duprez Construction
Defendant(s)

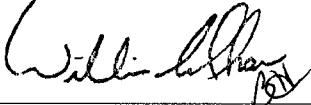
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 2, 2008

Expires: May 2, 2013

Certified from the record this 2nd day of May, 2008.



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