

08-275-CD
McLean Pub. vs Gateway Café

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
CLEARFIELD
JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS NO. 2008-275-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT

Gateway Cafe

ADDRESS OF APPELLANT

212 Hand Street, DuBois, PA 15801

CITY

MAG. DIST. NO. OR NAME OF D.J.

46-3-01

STATE

ZIP CODE

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

1/22/08

MClean Publishing Company

(Defendant)

CLAIM NO.

vs Estate of Jerry Gavazzi, et al.

CV 10x 0000671-07

LT 19

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

D

D

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon MClean Publishing Company, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. 2008-275-CD) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

D *D* *D*
Signature of appellant or his attorney or agent

RULE: To MClean Publishing Company, appellee(s).

Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: FEB. 19, 10x 2008

Wolfe

Signature of Prothonotary or Deputy

FILED *FEB* *19* *2008*

01/10/30/08
William A. Shaw

Prothonotary/Clerk of Courts

MAIL BY CERT. COPIER
OR TO MDJ. FORO

MCLEAN PUBLISHING COMPANY

COURT FILE TO BE FILED WITH PROTHONOTARY

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____ ; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, 19____ by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, 19____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, 19_____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____, 19_____

William A. Shaw
Prothonotary/Clerk of Courts
FEB 19 2009
FILED

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321**

15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

MCLEAN PUBLISHING COMPANY
PO BOX 407
500 JEFFERS STREET
DUBOIS, PA 15801

NAME and ADDRESS

VS.

DEFENDANT:

ESTATE OF JERRY GAVAZZI, ET AL.
212 HAND STREET
DUBOIS, PA 15801

NAME and ADDRESS

GATEWAY CAFE
212 HAND STREET
DUBOIS, PA 15801

Docket No.: **CV-0000671-07**
Date Filed: **12/05/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **1/22/08**

<input checked="" type="checkbox"/> Judgment was entered for: MCLEAN PUBLISHING COMPANY	<table border="1"><tr><td>Amount of Judgment</td><td>\$ 689.64</td></tr><tr><td>Judgment Costs</td><td>\$ 87.50</td></tr><tr><td>Interest on Judgment</td><td>\$.00</td></tr><tr><td>Attorney Fees</td><td>\$.00</td></tr><tr><td>Total</td><td>\$ 777.14</td></tr><tr><td>Post Judgment Credits</td><td>\$ _____</td></tr><tr><td>Post Judgment Costs</td><td>\$ _____</td></tr><tr><td colspan="2">Certified Judgment Total \$ _____</td></tr><tr><td colspan="2">-----</td></tr></table>	Amount of Judgment	\$ 689.64	Judgment Costs	\$ 87.50	Interest on Judgment	\$.00	Attorney Fees	\$.00	Total	\$ 777.14	Post Judgment Credits	\$ _____	Post Judgment Costs	\$ _____	Certified Judgment Total \$ _____		-----	
Amount of Judgment		\$ 689.64																	
Judgment Costs		\$ 87.50																	
Interest on Judgment		\$.00																	
Attorney Fees		\$.00																	
Total		\$ 777.14																	
Post Judgment Credits		\$ _____																	
Post Judgment Costs		\$ _____																	
Certified Judgment Total \$ _____																			

<input type="checkbox"/> Defendants are jointly and severally liable.																			
<input type="checkbox"/> Damages will be assessed on Date & Time _____																			
<input type="checkbox"/> This case dismissed without prejudice.																			
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____																			
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____																			

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 JUDGMENT 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.

1-22-08 Date Patrick N. Ford - PNF, Magisterial District Judge

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

Date _____, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **1/22/08** **8:11:00 AM**

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA

Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

(Date of Judgment) **1/22/08**

Docket No.: **CV-0000671-07**
Date Filed: **12/05/07**



<input checked="" type="checkbox"/> Judgment was entered for: (Name) MCLEAN PUBLISHING COMPANY	<input checked="" type="checkbox"/> Judgment was entered against: (Name) GATEWAY CAFE in the amount of \$ 777.14																
<input type="checkbox"/> Defendants are jointly and severally liable.																	
<input type="checkbox"/> Damages will be assessed on Date & Time _____	<input type="checkbox"/> This case dismissed without prejudice.																
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____																
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FILED
M 12/5/2007
FEB 25 2008
(b)
William A. Shaw
Prothonotary/Clerk of Courts

1-22-08 Date Patrick N. Ford - PWF, Magisterial District Judge

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

Date _____, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **1/22/08** 8:11:00 AM

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA

Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

MCLEAN PUBLISHING COMPANY
PO BOX 407
500 JEFFERS STREET
DUBOIS, PA 15801

NAME and ADDRESS

VS.

DEFENDANT:

ESTATE OF JERRY GAVAZZI, ET AL.
212 HAND STREET
DUBOIS, PA 15801

NAME and ADDRESS

Docket No.: **CV-0000671-07**
Date Filed: **12/05/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **1/22/08**

Judgment was entered for: (Name) **MCLEAN PUBLISHING COMPANY**

Judgment was entered against: (Name) **ESTATE OF JERRY GAVAZZI**
in the amount of \$ **777.14**

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	\$ 689.64
Judgment Costs	\$ 87.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 777.14
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

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1-22-08 Date Patrick N. Ford, Esq., Magisterial District Judge

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

Date _____, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: **1/22/08** **8:11:00 AM**

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
DJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
P.O. BOX 452
DUBOIS, PA **15801**
Telephone: **(814) 371-5321**

CIVIL COMPLAINT

PLAINTIFF:

NAME and ADDRESS

McLean Publishing Company
500 Jeffers St.
P.O. Box 407
 DuBois, PA 15801

VS.

DEFENDANT:

NAME and ADDRESS

Estate of Jerry Gavazzi
Gateway Café
212 Hand St.
 DuBois, PA 15801

Docket No.: **Cv 671-07**
Date Filed:



	AMOUNT	DATE PAID
FILING COSTS	\$ <u>87.50</u>	<u>12/04/07</u>
SERVING COSTS	\$ _____	/ /
TOTAL	\$ _____	/ /

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 689.84 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

The amount above is a balance due for advertisements that were placed by the Defendant.
These ads ran in McLean Publishing publications but were never paid for.

I, Robin M. Duttry verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

Robin M. Duttry
(Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____ Address: _____

Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT WILL BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing. If you have a claim against the plaintiff which is not within district justice jurisdiction, you may request information from this office as to the procedures you may follow. If you are disabled and require assistance, please contact the Magisterial District office at the address above.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

McLEAN PUBLISHING COMPANY, : CIVIL DIVISION
Plaintiff :
vs. : No. 2008-275-CD
ESTATE OF JERRY GAVAZZI/ : Type of Pleading:
GATEWAY CAFÉ, : **COMPLAINT**
Defendant : Filed on Behalf of:
: Plaintiff
: Counsel of Record for This
Party: :
: Matthew B. Taladay, Esq.
: Supreme Court No. 49663
: Hanak, Guido and Taladay
: 528 Liberty Boulevard
: P. O. Box 487
: DuBois, PA 15801
: 814-371-7768

Dated: March 5, 2008

FILED
MAR 11 2008 NO
06 2008
(GR)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

McLEAN PUBLISHING COMPANY,	:	
Plaintiff	:	
	:	
vs.	:	No. 2008-275-CD
	:	
ESTATE OF JERRY GAVAZZI/	:	
GATEWAY CAFÉ,	:	
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 defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed 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
230 E. Market Street
Clearfield, PA 16830

(814) 765-2641, Ext. 1303

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

McLEAN PUBLISHING COMPANY, :
Plaintiff :
:
vs. : No. 2008-275-CD
:
ESTATE OF JERRY GAVAZZI/ :
GATEWAY CAFÉ, :
Defendant :
:

COMPLAINT

AND NOW, comes the Plaintiff McLean Publishing Company by its attorneys, Hanak, Guido and Taladay, and hereby brings the within Complaint averring as follows:

1. Plaintiff is McLean Publishing Company who maintains offices and place of business at P.O. Box 407, 500 Jeffers Street, DuBois, Clearfield County, Pennsylvania 15801.
2. Defendant is Estate of Jerry Gavazzi, d/b/a Gateway Café, by its administrator, believed and therefore averred to be Marian Gavazzi with an address of 212 Hand Street, DuBois, Clearfield County, Pennsylvania.
3. Plaintiff in the regular course of business is engaged in the publication of various newspapers, including the DuBois Courier Express, Tri-County Sunday and Jeffersonian Democrat, which are newspapers of general circulation in the Clearfield, Jefferson and Elk County areas.

4. Between December 15, 2006 and February 9, 2007

Defendant Jerry Gavazzi, d/b/a Gateway Café, contracted with Plaintiff to publish various advertisements in the DuBois Courier Express.

5. Plaintiff published Defendant's advertisements as requested.

6. Plaintiff regularly and routinely submitted to Defendant an invoice statement for balances due and owing which invoice statement included provisions for a finance charge of 1½% per month on all past due balances. A copy of Plaintiff's final invoice to Defendant is attached as Exhibit "A".

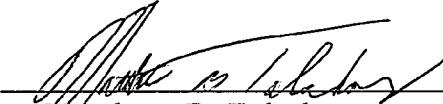
7. Defendant has failed or refused to pay for publication services in the amount of \$689.64.

8. In addition, Plaintiff has incurred filing fees with the Office of District Magistrate in the amount of \$87.50.

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$777.14, plus interest and such other costs as the Court may allow.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By 
Matthew B. Taladay
Attorney for Plaintiff

VERIFICATION

I, Robin M. Duttry, Collections Officer of
McLEAN PUBLICATION COMPANY, do hereby verify that I have read the
foregoing Complaint. The statements therein are correct to the best of
my personal knowledge or information and belief.

This statement and verification are made subject to the
penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to
authorities, which provides that if I make knowingly false averments
I may be subject to criminal penalties.

Date: 2/27/08

Robin M. Duttry

McLEAN PUBLISHING COMPANY

INVOICE / STATEMENT

Publication Codes

01 Courier-Express	05 Leader-Vindicator
02 C E Value Guide	06 Internet
03 Tri-County Sunday	07 Commercial Printing
04 Jeffersonian Democrat	08 I-80 Maps
09 Inserts	

Account	Date	Date Range
00001243	02/06/2008	12/31/2007 - 02/03/2008

Due Date : DUE UPON RECEIPT

*PLEASE NOTE THAT ANY PAYMENTS RECEIVED AFTER THE DATE RANGE ABOVE WILL NOT BE REFLECTED ON THIS STATEMENT.

GATEWAY CAFE
212 HAND ST.
DUBOIS, PA 15801

Our Federal Tax ID # is 25-0970823

Transaction Date	PUB	Trans Code	Ad Nbr	Doc Type	Transaction Description	Length	Rate	Charges
12/15/2006	01	D011	00107742	Invoice	FOOD	9.00 In	11.60	33.86
12/22/2006	01	D011	00108273	Invoice	FOOD	9.00 In	11.60	83.70
12/29/2006	01	D011	00108273	Invoice	FOOD	9.00 In	11.60	83.70
01/05/2007	01	D011	00109434	Invoice	FOOD	9.00 In	11.95	86.22
01/12/2007	01	D011	00109791	Invoice	FOOD	8.00 In	11.95	76.64
01/19/2007	01	D011	00110453	Invoice	FOOD	8.00 In	11.95	76.64
01/26/2007	01	D011	00110453	Invoice	FOOD	8.00 In	11.95	76.64
02/02/2007	01	D011	00111462	Invoice	FOOD	8.00 In	11.95	76.64
02/09/2007	01	D011	00111934	Invoice	FOOD	8.00 In	11.95	95.60
11/30/2007		DM		Magistrate Fee				87.50

REVIEW INVOICE UPON RECEIPT. REPORT

DISPUTED ITEMS OR DISCREPANCIES IMMEDIATELY.

Previous Balance	Payments / Credits	Unpaid Balance	Service Charge	New Charges
777.14	0.00	777.14	0.00	0.00

Account Status			
Under 30 days	36 to 63	64 to 91	Over 91
0.00	0.00	87.50	689.64

TERMS:

ALL INVOICES ARE DUE UPON RECEIPT

A FINANCE CHARGE OF 1 1/2 % PER MONTH WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% WILL BE CHARGED ON ALL PAST DUE BALANCES.

RETAIN THIS PORTION FOR YOUR RECORDS

PLEASE RETURN THIS PORTION WITH YOUR REMITTANCE TO :

McLEAN PUBLISHING CO.

P.O. BOX 407
DuBOIS, PA 15801-0407

PLEASE REMIT BOTTOM PORTION
OF INVOICE AND INCLUDE
ACCOUNT NUMBER ON CHECK.

Phone: (814) 371-4200 Fax: (814) 371-3241
Toll-free (800) 442-4217

Total Amount Due	Enter Amount Paid
\$777.14	

Account	Date	Date Range
00001243	02/06/2008	12/31/2007 - 02/03/2008

GATEWAY CAFE

EXHIBIT "A"

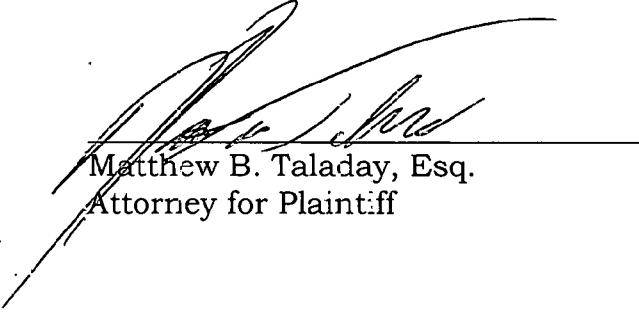
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

McLEAN PUBLISHING COMPANY, :
Plaintiff :
vs. : No. 2008-275-CD
ESTATE OF JERRY GAVAZZI/ :
GATEWAY CAFÉ, :
Defendant :
.

CERTIFICATE OF SERVICE

I certify that on the 5th day of March, 2008, a
true and correct copy of the Plaintiff's COMPLAINT was sent via first
class mail, postage prepaid, to the following:

Estate of Jerry Gavazzi
Gateway Café
212 Hand Street
DuBois, PA 15801


Matthew B. Taladay, Esq.
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
(CIVIL DIVISION)

McLEAN PUBLISHING COMPANY, Plaintiff : No. 2008-275 C.D.
vs.
ESTATE OF JERRY GAVAZZI/
GATEWAY CAFÉ, Defendant :
Type of Pleading: Answer to Complaint
Filed on behalf of: Gateway Café,
Defendant
Counsel of Record for this party:
HOPKINS HELTZEL LLP
DAVID J. HOPKINS, ESQUIRE
Attorney at Law
Supreme Court No. 42519
LEA ANN HELTZEL, ESQUIRE
Attorney at Law
Supreme Court No. 83998
100 Meadow Lane, Suite 5
DuBois, Pennsylvania 15801
(814) 375-0300

FILED
M 12:50 PM
MAR 27 2008
6K
NOCC

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
(CIVIL DIVISION)

McLEAN PUBLISHING COMPANY, :
Plaintiff : No. 2008-275 C.D.
:
vs. :
:
ESTATE OF JERRY GAVAZZI/ :
GATEWAY CAFÉ, :
Defendant :
:

ANSWER TO COMPLAINT

AND NOW, comes Defendant, Gateway Café, by and through its attorneys, Hopkins Heltzel LLP, and files answer the Complaint as follows:

1. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.
2. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.
3. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.
4. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.
5. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.
6. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.

7. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.

8. Neither admitted nor denied. Defendant neither admits nor denies the allegations and strict proof is demanded at trial.

Respectfully submitted,

HOPKINS HELTZEL LLP



David J. Hopkins, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
(CIVIL DIVISION)

McLEAN PUBLISHING COMPANY, :
Plaintiff : No. 2008-275 C.D.
:
vs.
:
ESTATE OF JERRY GAVAZZI/ :
GATEWAY CAFÉ, :
Defendant :

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Answer to Complaint, filed on behalf of Defendant, Gateway Cafe, and was served on the 26th day of March, 2008, on all counsel of record by first-class mail, postage prepaid, addressed as follows:

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