

08-531-CD
Beckwith Mach. Vs Madera Entp.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,

Plaintiff,

vs.

MADERA ENTERPRISES, INC.,

Defendant.

CIVIL DIVISION

NO: 08-531-CD

TYPE OF PLEADING:

**PRAECIPE FOR THE ENTRY
OF JUDGMENT PURSUANT TO
CERTIFICATION OF DOCKET
ENTRIES**

FILED ON BEHALF OF:

Beckwith Machinery

COUNSEL OF RECORD FOR
THIS PARTY:

Donald L. Phillips, Esquire
PA I.D. #01339
Phillips and Boring, P.C.
Suite 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977
Attorney's firm ID #0327

FILED Any pd. 20.00
MAR 2 11:44 AM Notice to Def.
Statement to
William A. Shaw
Prothonotary/Clerk of Courts Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

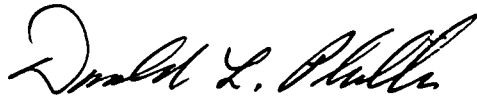
BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
Plaintiff,	)	NO:
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	

**PRAECIPE FOR THE ENTRY OF JUDGMENT
PURSUANT TO CERTIFICATION OF DOCKET ENTRIES**

TO: PROTHONOTARY, CLEARFIELD COUNTY

Please enter judgment in favor of the Plaintiff and against the above named
Defendant, **MADERA ENTERPRISES, INC.** in the amount of **\$56,411.10**, pursuant to
the Certification of Docket Entries attached hereto, plus costs.

PHILLIPS AND BORING, P. C.



Donald L. Phillips, Esquire
Attorney for Plaintiff

COPY OF DOCKET ENTRIES

COMMONWEALTH OF PENNSYLVANIA

} SS.

ALLEGHENY COUNTY

Among the Records and Proceedings of the Court of Common Pleas in
And for the County of Allegheny, and State of Pennsylvania, the following is a true and correct
copy of the Docket Entries at No. GD-06-26339

DOCKET ENTRY

BECKWITH MACHINERY
COMPANY

VS.

MADERA ENTERPRISES, INC.

I, KATE BARKMAN , Director of Court Records
of the Court of Common Pleas in and for said County, Certify that the foregoing is a full and
correct copy of the Docket Entries wherein **BECKWITH MACHINERY**

COMPANY

Plaintiff and

MADERA ENTERPRISES

Defendant; as the remains of record

Before the said Court, at No. GD-06-26339

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said
Court, the 5TH day of MARCH 20 08

Kate Barkman
DIRECTOR OF COURT RECORDS

[Signature]
DEPUTY CLERK

No. GD-06-26339
BECKWITH MACHINERY COMPANY

vs.
MADERA ENTERPRISES, INC.

DOCKET ENTRIES

At No. GD-06-26339

FROM THE COURT OF COMMON PLEAS
IN AND FOR THE COUNTY OF
ALLEGHENY, PENNSYLVANIA.

DEBT, --	\$ 56,411.10
INTEREST FROM	- \$
ALLEGHENY CO. COSTS	\$ 461.00
THIS RECORD,	- \$ 20.00

DONALD L. PHILLIPS, ESQUIRE
ATTORNEY FOR PLAINTIFF

[\[Home\]](#)**Allegheny County Prothonotary Civil Docket Report**

GD-06-026339

Beckwith Machinery Company vs Madera Enterprises I

Run Date: 03/05/2008

Run Time: 09:44:50 AM

Court Type:

General Docket

Case Type:

Multiple Civil Action

Related Cases:

Judge:

No Judge

Jury Requested:

No

Current Status:

Bill of Costs

Amount In Dispute:

\$.00

Parties							
-- Litigants --							
ID	LName	FName	MI	Type	Address	Phone	Attorney
@532	Beckwith Machinery Company	---	-- -	Plaintiff	4565 William Penn Highway Murrysville PA 15668-2016	--	Phillips Donald L,
@1343308	First Commonwealth Bank	---	-- -	Garnishee	No Default Address Available	--	--
@1432959	Madera Enterprises Inc.	---	-- -	Defendant	P.O. Box 494 Madera PA 16661	--	--
-- Attorney --							
ID	LName	FName	MI	Type	Address	Phone	
01339	Phillips	Donald	L	Plaintiff's Attorney	Phillips and Boring P.C. Suite 800 Lawyers Building 428 Forbes Avenue Pittsburgh PA 15219	(412) 2811977	
-- Non Litigants --							
No Listing							

Docket Entries			
Filing Date	Docket Type	Docket Text	Filing Party
11/02/2006	Complaint	Returnable 12/02/06.	Beckwith Machinery Company
02/09/2007	Sheriff Return	Madera Enterprises Inc. was served by Served - Agent or person in charge of Defendant(s) office or usual place of business Service Upon LINDSEY ROBINSON with Complaint on 11/20/2006. WIFE OF OWNER	Beckwith Machinery Company
01/23/2008	Bill of Costs		Beckwith Machinery Company
01/23/2008	Default Judgment	In default of an answer in the amount of \$56411.10. Certification of mailing of 10 day notice on 01/03/08 upon (deft). Notice of judgment sent.	Beckwith Machinery Company
01/24/2008	Letter	Exemplification ordered on 01/22/2008. Exemplification completed and called on 01/24/2008.	Phillips Donald L

02/27/2008	Bill of Costs		Beckwith Machinery Company
02/27/2008	Praecipe for Writ of Execution	\$5641.10 plus attorney costs \$311.00.	Beckwith Machinery Company
03/03/2008	Sheriff Return	First Commonwealth Bank was served by Served - Adult Agent or person in charge of Defendant(s) office or usual place of business Service Upon TRAVIS with Writ of Execution on 3/3/2008.	Beckwith Machinery Company

Judgment Against						
ID	Type	Name	Amount	Satisfied	Docket	Filing Date
@1432959	Defendant	Madera Enterprises Inc.	56411.10	N	Default Judgment	01/23/2008

Judgment For						
ID	Type	Name	Amount	Docket	Filing Date	
@532	Plaintiff	Beckwith Machinery Company	56411.10	Default Judgment	01/23/2008	

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,

Plaintiff

vs.

MADERA ENTERPRISES, INC.

Defendant.

CIVIL DIVISION

CASE NO: GD06 - 26339

TYPE OF PLEADING:

**PRAECIPE FOR DEFAULT
JUDGMENT**

FILED ON BEHALF OF:
Beckwith Machinery

COUNSEL OF RECORD FOR
THIS PARTY:

Donald L. Phillips, Esquire
PA I.D. #01339
Phillips and Boring, P.C.
Suite 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977
Attorney's firm ID #0327

ALLEGHENY COUNTY
FROM COMPANY

CO-RECORDED 11/3/07

FILED



NS
1-24-08

4 0P54REF681

01-23-2008 03:35:38

60-06-026339

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
	)	No: GD06 - 26339
Plaintiff)	
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	

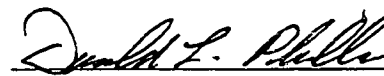
PRAECIPE FOR DEFAULT JUDGMENT

TO: ALLEGHENY COUNTY COURT RECORDS CIVIL DIVISION:

Enter judgment against the above named Defendant, MADERA ENTERPRISES, INC., in the amount of \$56,411.10 plus court costs, liquidated as follows:

Balance due on amount claimed in complaint:	\$30,822.96
Accrued interest from 11/2/2006	<u>2,771.45</u>
Sub-total	\$33,594.41
Plus 20% as reasonable attorney's fees on original amount of suit (\$114,083.49)	<u>22,816.69</u>
TOTAL	\$ \$56,411.10

PHILLIPS & BORING, P.C.



Donald L. Phillips
Attorney for Plaintiff

I certify that the address of the plaintiff-creditor is as follows:


BECKWITH MACHINERY COMPANY
c/o PHILLIPS AND BORING, P.C
Suite 800, Lawyers Building
Pittsburgh, PA 15219

and that the name(s) and address(es) of all parties entitled to notice of entry of judgment is/are as follows:

Madera Enterprises, Inc.
2072 Banian Road
P.O. Box 494
Madera, PA 16661

and that on January 3, 2008, notice of intention to file the within Praeipce for Default Judgment in the form required by Pa. R.C.P. 237.1(c) was mailed to the defendant(s) against whom the judgment is to be entered, and to their attorney of record, if any, this notice being sent after the default occurred and at least 10 days prior to date of the filing of this Praeipce for Default Judgment. A copy of the said notice, as mailed, is being filed along with this certification and Praeipce for Default Judgment.

PHILLIPS AND BORING, P.C.

A handwritten signature in cursive script, appearing to read "Donald L. Phillips", is written over a horizontal line.

Donald L. Phillips, Esquire
Attorney for Plaintiff/Creditor

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

BECKWITH MACHINERY COMPANY,	)	CASE NO: GD 06-26339
)	
Plaintiff,)	
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	


TO: Madera Enterprises, Inc.
2072 Banian Road
P.O. Box 494
Madera, PA 16661

DATE OF NOTICE: January 3 2008

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 OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Lawyer Referral Service
Allegheny County Bar Association
920 City-County Building
414 Grant Street
Pittsburgh, PA 15219
(412) 261-5555

 Donald L. Phillips
PHILLIPS AND BORING, P.C.
Lawyers Building, Suite 800
428 Forbes Avenue
Pittsburgh, PA 15219
(412) 281-1977

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE:

DIRECTOR OF COURT RECORDS

Dept. of Court Records –
Civil Division
Administrative Docket
No. .../... of 2008

ORDER OF COURT


AND NOW, this 7th day of January, 2008, this Court recognizes that: (a) on December 6, 2004, the Allegheny County Council duly passed Ordinance No. 38-04-OR; (b) on December 15, 2004, the Allegheny County Chief Executive signed Ordinance No. 38-04-OR into law; (c) Ordinance No. 38-04-OR authorized the placement of a ballot question on the May 17, 2005, municipal primary ballot, which, if passed by the electorate of Allegheny County, would amend and modify the Allegheny County Home Rule Charter by, *inter alia*, abolishing the elected Row Offices of Prothonotary, Clerk of Courts and Register of Wills and replacing them with a single appointed office of Director of Court Records, which would be vested with all the power and authority that all applicable law, including without limitation, 16 P.S. § 4301, *et seq.*, 20 Pa.C.S.A. § 901, *et seq.*, 42 Pa.C.S.A. § 2731, *et seq.*, and 42 Pa.C.S.A. § 2751, *et seq.*, had vested in the elected Row Offices of Prothonotary, Clerk of Courts and Register of Wills; (d) the ballot question authorized by Ordinance No. 38-04-OR was approved by the electorate of Allegheny County in the May 17, 2005, municipal primary election and the Allegheny County Home Rule Charter was amended in accordance with Ordinance No. 38-04-OR; and (e) the amendment;

to the Allegheny County Home Rule Charter with respect to the abolition of the elected Row Offices of Prothonotary, Clerk of Courts and Register of Wills becomes effective on January 7, 2008.

FURTHER, in order to provide for the orderly transition from the abolished elected Row Offices of Prothonotary, Clerk of Courts and Register of Wills to the newly created appointed office of Director of Court Records, it is hereby ORDERED, ADJUDGED and DECREED that: (a) effective January 7, 2008, all power and authority previously vested in the elected Row Offices of Prothonotary, Clerk of Courts and Register of Wills under all applicable law, including without limitation, 16 P.S. § 4301, *et seq.*, 20 Pa.C.S.A. § 901, *et seq.*, 42 Pa.C.S.A. § 2731, *et seq.*, and 42 Pa.C.S.A. § 2751, *et seq.*, is now vested in the appointed office of Director of Court Records, pursuant to the Allegheny County Home Rule Charter, as amended; and (b) all documents, orders, instruments, and other papers issued by the Director of the Allegheny County Department of Court Records on or after January 7, 2008, that are printed on forms of the abolished elected offices of Prothonotary, Clerk of Courts and/or Register of Wills, or that bear the signature and/or seal of the individuals who held the offices of Prothonotary, Clerk of Courts and/or Register of Wills immediately prior to the abolition of those offices, shall have the same legal effect as if such documents, orders, instruments and other papers were printed on forms of the Department of Court Records and/or bear the signature and/or seal of the Director of Court Records, until such time as the Director of Court Records provides this Court with written notice that all forms, signatures and seals of the

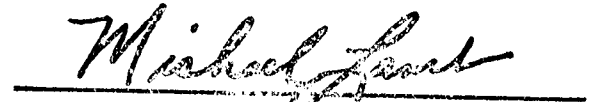
abolished elected offices of Prothonotary, Clerk of Courts and Register of Wills
have been fully and completely transitioned to the newly created appointed office
of Director of Court Records. Said written notice to the Court shall be filed in the
Office of Court Records.

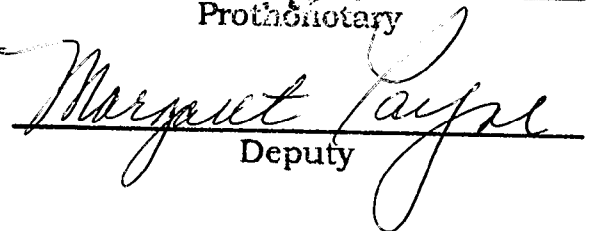
BY THE COURT:



JOSEPH M. JAMES
PRESIDENT JUDGE

CERTIFIED FROM THE RECORD



Prothonotary


Deputy

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
)	
Plaintiff)	
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	

CERTIFICATION OF ADDRESSES

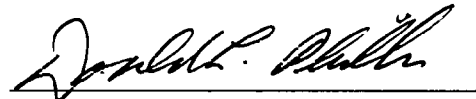
I certify that the address of the plaintiff-creditor is as follows:

BECKWITH MACHINERY COMPANY
c/o PHILLIPS AND BORING, P.C
Suite 800, Lawyers Building
Pittsburgh, PA 15219

and that the name(s) and address(es) of all parties entitled to notice of entry of judgment
is/are as follows:

Madera Enterprises
2072 Banian Road
P.O. Box 494
Madera, PA 16661

PHILLIPS AND BORING, P.C.



Donald L. Phillips, Esquire
Attorney for Plaintiff/Creditor

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

COPY

BECKWITH MACHINERY COMPANY,

Plaintiff

vs.

MADERA ENTERPRISES, INC.,

Defendant.

CIVIL DIVISION

No: 08-531-CD

NOTICE OF ORDER, DECREE OR JUDGMENT

☐ Plaintiff

☒ Defendant – MADERA ENTERPRISES,
INC..

You are hereby notified that in the above case, the following Order, Decree or Judgment has been entered against you on the 24th day of March, 2007. ²⁰⁰⁸

☒ Assumpsit Judgment in the amount of \$56,411.10, plus costs in the amount of \$_____.

☐ Trespass Judgment for Liability

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

☐ If a motor vehicle trespass judgment is not satisfied within sixty (60) days, your motor vehicle operator's license will be suspended by the Department of Transportation, Bureau of Traffic Safety, Harrisburg, Pennsylvania.

☒ Entry of Judgment of

☐ Court Order ☐ Non-Pros
☐ Default ☐ Default
Liability
☐ Verdict ☐ Arbitration
Award
☐ Transcript of Magistrate Judgment
☒ Other: **DOCKET ENTRIES**

PROTHONOTARY CLEARFIELD
COUNTY

William L. Hargis
Deputy

Applicable brackets have been checked

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

COPY

Beckwith Machinery Company
Plaintiff(s)

No.: 2008-00531-CD

Real Debt: \$56,411.10

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Madera Enterprises, Inc.
Defendant(s)

Entry: \$20.00

Instrument: Transfer Judgment

Date of Entry: March 24, 2008

Expires: March 24, 2013

Certified from the record this 24th day of March, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,

Plaintiff

vs.

MADERA ENTERPRISES, INC.

Defendant.

CIVIL DIVISION

CASE NO: 08-531-CD

TYPE OF PLEADING:

PLAINTIFF'S BILL OF COSTS

FILED ON BEHALF OF:
Beckwith Machinery

COUNSEL OF RECORD FOR
THIS PARTY:

Donald L. Phillips, Esquire
PA I.D. #01339
Phillips and Boring, P.C.
Suite 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977
Attorney's firm ID #0327

FILED No CC
311:443
MAR 24 2009
William A. Shaw
Prothonotary/Clerk of Courts

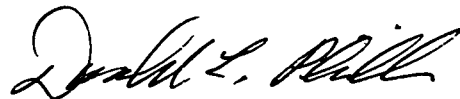
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
Plaintiff	)	No:
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	

PLAINTIFF'S BILL OF COSTS

Notice prior to entry of judgment required by Pa. R.C.P. 237.1, and certification of compliance with Rule 237.	\$20.00
Notice of entry of judgment required by Pa. R.C.P. 236 and/or local rule of Court	<u>\$20.00</u>
TOTAL	\$40.00

PHILLIPS AND BORING, P.C.



Donald L. Phillips, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,

Plaintiff

vs.

MADERA ENTERPRISES, INC.

Defendant.

CIVIL DIVISION

CASE NO: 08-531-CD

TYPE OF PLEADING:

PLAINTIFF'S BILL OF COSTS

FILED ON BEHALF OF:
Beckwith Machinery

COUNSEL OF RECORD FOR
THIS PARTY:

Donald L. Phillips, Esquire
PA I.D. #01339
Phillips and Boring, P.C.
Suite 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977
Attorney's firm ID #0327

FILED *no cc*
m/1144301
MAR 24 2009
William A. Shaw
Prothonotary/Clerk of Courts

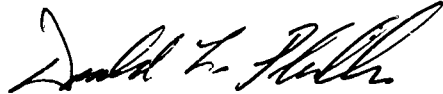
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
Plaintiff	)	No:
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	
)	

PLAINTIFF'S BILL OF COSTS

Notice, summary of Major Exemptions, and Claim for Exemptions as required by Rule 3252(a); photocopy of Writ of Execution for each Defendant and providing of addressed stamped envelope with \$.57 postage for each Defendant	<u>\$50.00</u>
TOTAL	\$50.00

PHILLIPS AND BORING, P.C.



Donald L. Phillips
Attorney for Plaintiff

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or in part by the defendant or in which defendant held or claimed any interest?

ANSWER:

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

ANSWER:

5. At any time before or after you were served did the defendant transfer or deliver any property to you or to any person or place pursuant to your direction or consent and if so what was the consideration therefor?

ANSWER:

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

ANSWER:

7. At any time before or after you were served did you have a security interest in any property of the defendant or were you holding any document of title or other collateral of any kind as security for any loan or time purchase transaction between yourself and the defendant?

ANSWER:

8. The following Interrogatory is only to be answered in the event all of your answers to the preceding Interrogatories are in the negative: At any time before you were served, did you have an account with the defendant that was still active within 6 months prior to the time you were served. If your answer is affirmative, state with particularity the last date that the account had \$100.00 or more on deposit and the date that the account was closed as well as indicating whether the account was closed by the defendant drawing the deposit out or whether the account was closed by you for some reason having to do with the defendant not complying with all of your rules and regulations pertaining to the maintenance of an account.

ANSWER:

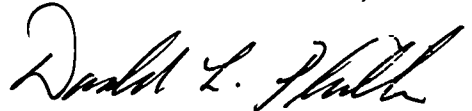
9. Does any individual defendant(s) maintain an I.R.A. or Individual Retirement Account? Please be on notice that in the opinion of counsel for the plaintiff, I.R.A.s in the name of the defendant or defendants may be subject to attachment in whole or in part and may not be immune from same under the operative laws of Pennsylvania or under any operative Federal laws. You are, therefore, specifically instructed to disclose the existence and particulars of any I.R.A. account in accordance with the above Interrogatories and you are on notice that any such account is subject to the injunctive power of this attachment until such time as determined by an Order of Court as to whether all or part of the account is subject to attachment.

ANSWER:

10. If your answer to any of the above is in the affirmative, state the amount on deposit or owed or describe the property in detail and provide any other particulars of the transaction as may be relevant to this attachment.

ANSWER:

PHILLIPS AND BORING, P. C.

A handwritten signature in black ink, appearing to read "Donald L. Phillips", is written over a horizontal line.

Donald L. Phillips
Attorney for Plaintiff

SEE ADDITIONAL NOTICE WHICH FOLLOWS.

VERIFICATION IN LIEU OF AFFIDAVIT

_____ says that he/she is _____ of

CNB BANK, Garnishee, that he/she is authorized to make this statement and that the facts contained in the foregoing **INTERROGATORIES TO GARNISHEE** are true and correct to the best of her/his knowledge, information and belief.

This statement is subject to the penalties of 18 C.S.A. Section 4904 relating to unsworn falsifications to authorities.

CNB BANK

By: _____

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
	)	No:
Plaintiff)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	
)	
CNB BANK,)	
)	
Garnishee.)	

NOTICE OF INTENTION TO FILE BILL OF COSTS
PURSUANT TO Pa. R.C.P. 3117(b)

Please take notice that Pa. R.C.P. 3117(b) provides that "all reasonable expenses in connection with the discovery (provided by Pa. R.C.P. 3117(a)) may be taxed against the defendant as costs if it is ascertained by the discovery proceedings that he has property liable to execution.

Pa. R.C.P. 3117(a) provides that the plaintiff before or after issuance of a writ of execution may take the testimony of any person including a garnishee on written interrogatories for the purpose of discovery of assets of the defendant.

Until the garnishee answers or acknowledges that it has property liable to execution, the plaintiff is unable to determine whether the reasonable expenses in connection with the discovery may be taxed as costs or not.

In the event the garnishee has property liable to the execution, the prothonotary, sheriff, defendant, and garnishee are requested and placed on this notice not to calculate a total amount of debt and costs of record until the plaintiff has filed its bill of costs pursuant to Pa. R.C.P. 3117(b).

PHILLIPS AND BORING, P. C.
Attorneys at Law
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219
(412) 281-1977

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,

CIVIL DIVISION

Plaintiff

No: 08-531CD

vs.

MADERA ENTERPRISES, INC.,

Defendant.

CLEARFIELD BANK & TRUST COMPANY,

Garnishee.

FILED
MAR 24 2009
William A. Shaw
Prothonotary/Clerk of Courts
icc
sheriff

INTERROGATORIES TO GARNISHEE

TO: CLEARFIELD BANK & TRUST COMPANY
11 North 2nd Street
Clearfield, PA 16830

SEARCH FOR ACCOUNTS IN THE NAME OF THE DEFENDANT AS SHOWN
ABOVE. ALSO, SEARCH FOR ACCOUNTS OWNED BY THE DEFENDANT, BUT
IN OTHER NAMES OR DESIGNATIONS.

Account #031306294
Taxpayer ID: No: xx-xxx-5548

YOU ARE REQUIRED TO FILE ANSWERS TO THE FOLLOWING
INTERROGATORIES WITHIN THIRTY (30) DAYS AFTER SERVICE UPON YOU.
FAILURE TO DO SO MAY RESULT IN JUDGMENT AGAINST YOU.

1. At the time you were served or at any subsequent time did you owe the
defendant any money or did he have any funds on deposit with you or were you liable to
him on any negotiable or other written instrument, or did he claim that you owed him any
money or were liable to him for any reason?

ANSWER:

2. At the time you were served or any subsequent time was there in your
possession, custody, or control or in the joint possession, custody, or control of yourself
and one or more other persons any property of any nature owed solely or in part by the
defendant?

ANSWER:

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or in part by the defendant or in which defendant held or claimed any interest?

ANSWER:

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

ANSWER:

5. At any time before or after you were served did the defendant transfer or deliver any property to you or to any person or place pursuant to your direction or consent and if so what was the consideration therefor?

ANSWER:

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

ANSWER:

7. At any time before or after you were served did you have a security interest in any property of the defendant or were you holding any document of title or other collateral of any kind as security for any loan or time purchase transaction between yourself and the defendant?

ANSWER:

8. The following Interrogatory is only to be answered in the event all of your answers to the preceding Interrogatories are in the negative: At any time before you were served, did you have an account with the defendant that was still active within 6 months prior to the time you were served. If your answer is affirmative, state with particularity the last date that the account had \$100.00 or more on deposit and the date that the account was closed as well as indicating whether the account was closed by the defendant drawing the deposit out or whether the account was closed by you for some reason having to do with the defendant not complying with all of your rules and regulations pertaining to the maintenance of an account.

ANSWER:

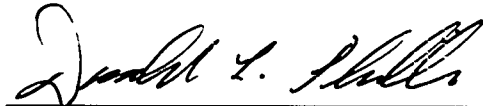
9. Does any individual defendant(s) maintain an I.R.A. or Individual Retirement Account? Please be on notice that in the opinion of counsel for the plaintiff, I.R.A.s in the name of the defendant or defendants may be subject to attachment in whole or in part and may not be immune from same under the operative laws of Pennsylvania or under any operative Federal laws. You are, therefore, specifically instructed to disclose the existence and particulars of any I.R.A. account in accordance with the above Interrogatories and you are on notice that any such account is subject to the injunctive power of this attachment until such time as determined by an Order of Court as to whether all or part of the account is subject to attachment.

ANSWER:

10. If your answer to any of the above is in the affirmative, state the amount on deposit or owed or describe the property in detail and provide any other particulars of the transaction as may be relevant to this attachment.

ANSWER:

PHILLIPS AND BORING, P. C.

A handwritten signature in cursive script, appearing to read "Donald L. Phillips", is written over a horizontal line.

Donald L. Phillips
Attorney for Plaintiff

SEE ADDITIONAL NOTICE WHICH FOLLOWS.

VERIFICATION IN LIEU OF AFFIDAVIT

_____ says that he/she is _____ of
CLEARFIELD BANK & TRUST COMPANY, Garnishee, that he/she is authorized to
make this statement and that the facts contained in the foregoing **INTERROGATORIES**
TO GARNISHEE are true and correct to the best of her/his knowledge, information and
belief.

This statement is subject to the penalties of 18 C.S.A. Section 4904 relating to
unsworn falsifications to authorities.

CLEARFIELD BANK & TRUST
COMPANY

By: _____

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
Plaintiff	)	No:
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	
)	
CLEARFIELD BANK & TRUST COMPANY,)	
)	
Garnishee.)	

NOTICE OF INTENTION TO FILE BILL OF COSTS
PURSUANT TO Pa. R.C.P. 3117(b)

Please take notice that Pa. R.C.P. 3117(b) provides that "all reasonable expenses in connection with the discovery (provided by Pa. R.C.P. 3117(a)) may be taxed against the defendant as costs if it is ascertained by the discovery proceedings that he has property liable to execution.

Pa. R.C.P. 3117(a) provides that the plaintiff before or after issuance of a writ of execution may take the testimony of any person including a garnishee on written interrogatories for the purpose of discovery of assets of the defendant.

Until the garnishee answers or acknowledges that it has property liable to execution, the plaintiff is unable to determine whether the reasonable expenses in connection with the discovery may be taxed as costs or not.

In the event the garnishee has property liable to the execution, the prothonotary, sheriff, defendant, and garnishee are requested and placed on this notice not to calculate a total amount of debt and costs of record until the plaintiff has filed its bill of costs pursuant to Pa. R.C.P. 3117(b).

PHILLIPS AND BORING, P. C.
Attorneys at Law
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219
(412) 281-1977

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,

Plaintiff

VS.

MADERA ENTERPRISES, INC.

Defendant.

CIVIL DIVISION

CASE NO: 08-531-CD

TYPE OF PLEADING:

**PRAECIPE FOR WRIT OF
EXECUTION**

FILED ON BEHALF OF:
Beckwith Machinery

COUNSEL OF RECORD FOR
THIS PARTY:

Donald L. Phillips, Esquire
PA I.D. #01339
Phillips and Boring, P.C.
Suite 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977
Attorney's firm ID #0327

FILED
m/jy/ky
MAR 24 2009
Att'y pd: 20.00
ICC & Writs
to Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
	)	No:
Plaintiff)	
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	

PRAECIPE TO ISSUE WRIT OF EXECUTION

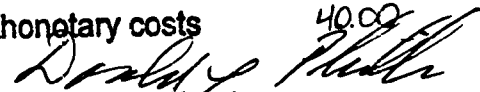
Issue writ of execution in the above matter,

- (1) Directed to the Sheriff of CLEARFIELD County
- (2) Against **MADERA ENTERPRISES, INC.,** defendant; and
- (3) Against **CNB BANK**, Garnishee;
AND
- (4) Against **CLEARFIELD BANK & TRUST COMPANY,** Garnishee
- (4) and index this writ
 - (a) against defendant and
 - (b) against _____ as a lis pendens against real property of the defendant in the name of garnishee as follows:

(5)	Judgment balance	\$56,411.10
	Interest from	
	Sub-Total	\$
	Costs per Prothonotary	
	TOTAL DUE	\$

Prothonotary costs

40.00


Donald L. Phillips
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
Plaintiff	)	No:
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	
Vs.)	
)	
CNB BANK,)	
)	
Garnishæe.)	
)	
CLEARFIELD BANK & TRUST COMPANY,)	
)	
Garnishee.)	

WRIT OF EXECUTION NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions, which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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
Clearfield, PA 16830
(814) 765-7891**

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. 300.00 statutory exemption
2. All wearing apparel used by you and all family members
3. Bibles, school books, sewing machines, uniforms and equipment
4. Tools of your trade, such as carpenter's tools
5. Lost wages and unemployment compensation
6. Social Security benefits, Certain retirement funds and accounts
7. Certain veteran and armed forces benefits
8. Certain insurance proceeds
9. Such other exemptions as may be provided by law

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BECKWITH MACHINERY COMPANY,	)	CIVIL DIVISION
)	
	)	No:
Plaintiff)	
)	
vs.)	
)	
MADERA ENTERPRISES, INC.,)	
)	
Defendant.)	
vs.)	
)	
CNB BANK,)	
)	
Garnishee.)	
vs.)	
)	
CLEARFIELD BANK & TRUST COMPANY,)	
Garnishee)	

CLAIM FOR EXEMPTIONS

To the Sheriff:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN
LEVIED UPON,

(a) I desire that my \$300 statutory exemption be

[] (i) set aside in kind (specify property to be set aside in
kind): _____,

[] (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):
_____.

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM
THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: [] in cash; [] in kind (specify property):
_____;

(b) Social Security benefits on deposit in the amount of
\$ _____.

(c) other (specify amount and basis of exemption):
_____.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given
to me at _____,

(Address)

(Telephone Number)

I verify that the statements made in this Claim for Exemptions are true and correct. I understand
that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to
unsworn falsification of authorities.

Date: _____

(Defendant)

**THIS CLAIM TO BE FILED WITH THE OFFICE
OF THE SHERIFF OF CLEARFIELD COUNTY:
Clearfield County Courthouse
Sheriff's Office**

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

Beckwith Machinery Company

Vs.

NO.: 2008-00531-CD

Madera Enterprises, Inc.

CNB Bank and Clearfield Bank & Trust Company
Garnishees

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against BECKWITH MACHINERY COMPANY, 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:
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: CNB Bank and Clearfield Bank & Trust Company 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.

- (2) 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.
- (3) **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: \$56,411.10
INTEREST FROM: \$
ATTY'S COMM: \$
DATE: 3/24/2008

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



William A. Shaw
Prothonotary/Clerk Civil Division

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

Sheriff

Requesting Party: Donald L. Phillips, Esq.
Ste. 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103935

NO: 08-531-CD

SERVICE # 1 OF 3

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

PLAINTIFF: BECKWITH MACHINERY COMPANY

vs.

DEFENDANT: MADERA ENTERPRISES, INC.

TO: CNB BANK and CLEARFIELD BANK & TRUST, Garnishees

SHERIFF RETURN

NOW, March 31, 2008 AT 2:20 PM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON CNB BANK, Garnishee DEFENDANT AT 1 SOUTH 2ND ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CINDY PEARCE, RECEPTIONIST A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

FILED
06/10/08
APR 03
William A. Sh...
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103935

NO: 08-531-CD

SERVICE # 2 OF 3

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

PLAINTIFF: BECKWITH MACHINERY COMPANY

vs.

DEFENDANT: MADERA ENTERPRISES, INC.

TO: CNB BANK and CLEARFIELD BANK & TRUST, Garnishees

SHERIFF RETURN

NOW, March 31, 2008 AT 2:25 PM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON CLEARFIELD BANK & TRUST COMPANY, Garnishee DEFENDANT AT 11 NORTH 2ND ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KATHY JACOBSON, MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DKT PG. 103935

service 3 of 3

BECKWITH MACHINERY COMPANY

NO . 08-531-CD

-VS-

MADERA ENTERPRISES, INC.

NOTICE, EXECUTION, CLAIM FOR EXEMPTION

SHERIFF'S RETURN

NOW APRIL 1, 2008 MAILED THE WITHIN NOTICE, WRIT OF EXECUTION, CLAIM FOR EXEMPTION TO MADERA ENTERPRISES, INC., DEFENDANT AT 2072 BANIAN ROAD, P.O. BOX 494, MADERA, PA. 16661 BY REGULAR MAIL.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103935
NO: 08-531-CD
SERVICES 3
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: BECKWITH MACHINERY COMPANY

vs.

DEFENDANT: MADERA ENTERPRISES, INC.

TO: CNB BANK and CLEARFIELD BANK & TRUST, Garnishees

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHILLIPS	2060	20.00
SHERIFF HAWKINS	PHILLIPS	2060	38.00

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

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

Beckwith Machinery Company

Vs.

NO.: 2008-00531-CD

Madera Enterprises, Inc.

CNB Bank and Clearfield Bank & Trust Company
Garnishees

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against BECKWITH MACHINERY COMPANY, 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:
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: CNB Bank and Clearfield Bank & Trust Company 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.

- (2) 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.
- (3) **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: \$56,411.10
INTEREST FROM: \$
ATTY'S COMM: \$
DATE: 3/24/2008

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



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 24 day
of March A.D. 2008
At J.W. A.M. P.M.

Curtis A. Havelius
Sheriff
by Mary H. Havelius

Requesting Party: Donald L. Phillips, Esq.
Ste. 800, Lawyers Building
Pittsburgh, PA 15219
(412) 281-1977

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

BECKWITH MACHINERY COMPANY,
Plaintiff

vs.

MADERA ENTERPRISES, INC.,
Defendant

vs.

CNB BANK and
CLEARFIELD BANK & TRUST
COMPANY,
Garnishees

No. 2008-00531-CD

FILED NO CC
9/10/21/08
APR 07 2008
William A. Shaw
Prothonotary/Clerk of Courts

CERTIFICATE OF SERVICE

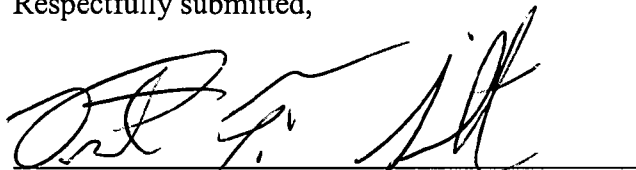
I, Peter F. Smith, attorney for CNB Bank, formerly County National Bank, in the above-captioned matter, hereby certify that I served the Answers to Interrogatories filed in this matter on the Attorney for the Plaintiff by U. S. First Class Mail and a true and correct copy of the Answers to Interrogatories on the Defendant by U.S. Certified Mail as follows:

U. S. FIRST CLASS MAIL
Donald L. Phillips, Esquire
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219

CERTIFIED MAIL
Madera Enterprises
2072 Banion Rd.
P.O. Box 494
Madera, PA 16661-0494

Respectfully submitted,

Date: 4/4/08



Peter F. Smith, Esquire
Attorney for the Garnishee
P.O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

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

BECKWITH MACHINERY COMPANY,	:	
Inc.,	:	
	:	
Plaintiff	:	
	:	No. 2008-00531-CD
vs.	:	
	:	
MADERA ENTERPRISES,	:	
	:	
Defendant	:	
and	:	
	:	
CNB BANK and	:	
CLEARFIELD BANK & TRUST	:	
COMPANY,	:	
Garnishees	:	

GARNISHEE'S ANSWERS TO INTERROGATORIES

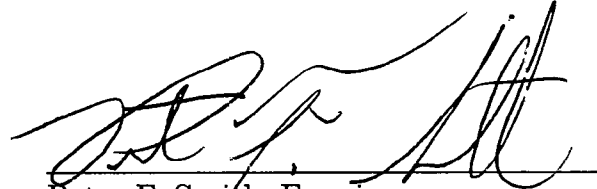
COMES NOW, CNB Bank, formerly County National Bank, by its attorney, Peter F. Smith, who answers the Interrogatories as follows:

1. Yes. Defendant maintained checking account #2401057. The balance in this account was \$7.94 on the date and at the time the Writ was served on CNB Bank. This account is first subject to CNB's \$150 fee for responding to this garnishment.
2. No.
3. No.
4. No.
5. No.
6. No.
7. No.
8. N.A.

9. No

10. N.A

Date: 4/3/08

A handwritten signature in black ink, appearing to read 'P. F. Smith', written over a horizontal line.

Peter F. Smith, Esquire
Attorney for the Garnishee
Attorney I.D. # 34291
30 South Second Street
P.O. Box 130
Clearfield, PA 16830
(814) 765-5595

VERIFICATION

I verify that the statements made in the foregoing Answers to Interrogatories are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

CNB BANK

Dated: 4-3-08

By: Kimberly M. Olson
Kimberly M. Olson,
CNB Bank Records and Research

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

BECKWITH MACHINERY COMPANY
(Plaintiff)

CIVIL ACTION

Donald L. Phillips, Esq.
Attorney for Plaintiff
(Street Address)
Ste. 800, Lawyers Building
(City, State, Zip)
Pittsburgh, PA 15219

2008-531-CD
No. 2007-1048-CD

TypeCase: CIVIL

Type of Pleading: Answers to
Interrogatories

VS.

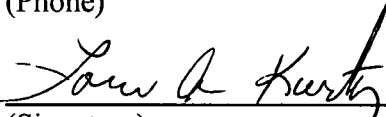
Filed on Behalf of:
Clearfield Bank & Trust Company

(Garnishee)

MADERA ENTERPRISES, INC.
(Defendant)

(Filed by)

Lori A. Kurtz
Asst. Vice President & Collection Manager
11 N. 2nd St., P.O. Box 171
Clearfield, PA 16830
(Address)
814-765-7551 or 814-762-8825
(Phone)


(Signature)

FILED *2cc*
012:4781 CBOT
APR 28 2008 *GR*

William A. Shaw
Prothonotary/Clerk of Courts

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

BECKWITH MACHINERY
COMPANY

PLAINTIFF

VS

MADERA ENTERPRISES, INC.

DEFENDANT

AND

CLEARFIELD BANK & TRUST COMPANY

GARNISHEE(s)

No. 2008-00531-CD

To: The Prothonotary of Clearfield County

The Clearfield Bank & Trust Company, Garnishee, files answers to plaintiff's interrogatories as follows:

The answer to the Plaintiff's interrogatories #1 is NO

The answer to the Plaintiff's interrogatories #2 is NO

The answer to the Plaintiff's interrogatories #3 is NO

The answer to the Plaintiff's interrogatories #4 is NO

The answer to the Plaintiff's interrogatories #5 is NO

The answer to the Plaintiff's interrogatories #6 is NO

The answer to the Plaintiff's interrogatories #7 is NO

The answer to the Plaintiff's interrogatories #8 is

No, account closed 2-21-07 by Bank

The answer to the Plaintiff's interrogatories #9 is NO

The answer to the Plaintiff's interrogatories #10 is N/A

Date April 28, 2008



Lori A. Kurtz
Assistant Vice President & Collection Manager
Clearfield Bank & Trust Company

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

BECKWITH MACHINERY COMPANY,
Plaintiff

vs.

MADERA ENTERPRISES, INC.,
Defendant

vs.

CNB BANK and
CLEARFIELD BANK & TRUST
COMPANY,
Garnishees

No. 2008-00531-CD

FILED

AUG 21 2008
01/10/10/10
William A. Smith
Prothonotary/Clerk of Court
WAS CLK ER

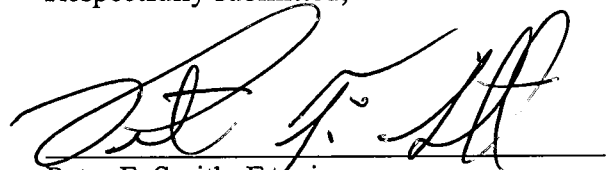
CERTIFICATE OF SERVICE

I, Peter F. Smith, attorney for CNB Bank, formerly County National Bank, in the above-captioned matter, hereby certify that I served the Garnishee's Supplemental Answer to Interrogatories filed in this matter on the Attorney for the Plaintiff by U.S. First Class Mail and a true and correct copy of the Garnishee's Supplemental Answers to Interrogatories on the Defendant by U.S. Certified Mail as follows:

U. S. FIRST CLASS MAIL
Donald L. Phillips, Esquire
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219

CERTIFIED MAIL
Madera Enterprises
2072 Banion Rd.
P.O. Box 494
Madera, PA 16661-0494

Respectfully submitted,



Peter F. Smith, Esquire
Attorney for the Garnishee
P.O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

Date: August 20, 2008

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

BECKWITH MACHINERY COMPANY,	:	
Inc.,	:	NO. 2008-00531-CD
	:	
Plaintiff	:	
vs.	:	
	:	
MADERA ENTERPRISES,	:	
	:	
Defendant	:	
and	:	
	:	
CNB BANK and	:	
CLEARFIELD BANK & TRUST	:	
COMPANY,	:	
	:	
Garnishees	:	

GARNISHEE'S SUPPLEMENTARY ANSWERS
TO INTERROGATORIES

COMES NOW, CNB Bank, formerly County National Bank, by its attorney,
Peter F. Smith, who supplements the answers which CNB submitted on April 3,
2008 as follows:

1. Subsequent to service of the Writ of Execution on CNB Bank, a deposit
was made into the Defendant's single bank account no. 00024015057 of
\$12,000 on June 30, 2008. The current balance in this account is
\$12,007.94.

Otherwise, CNB's answers to Interrogatories 2 through 10 are
accurate and unchanged.

Respectfully submitted,



Date: August 20, 2008

Peter F. Smith, Esquire
Attorney for the Garnishee
Attorney I.D. # 34291
30 S. 2nd St., P.O. Box 130
Clearfield, PA 16830
(814) 765-5595

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BECKWITH MACHINERY COMPANY,
INC.

CIVIL DIVISION

Plaintiff,

NO. 2008-00531-CD

vs.

MADERA ENTERPRISES, .

**PRAECIPE FOR JUDGMENT ON
ADMISSIONS AGAINST GARNISHEE,
CNB BANK, formerly County National
Bank, ONLY**

Defendant,

and

FILED ON BEHALF OF PLAINTIFF:
BECKWITH MACHINERY COMPANY,
INC.

CNB BANK, formerly County National Bank,

Garnishee.

COUNSEL OF RECORD FOR THIS
PARTY:

Donald L. Phillips, Esquire
PA I.D. #01339
PHILLIPS AND BORING, P.C.
Firm I.D. #327
Lawyers Building, Suite 800
428 Forbes Avenue
Pittsburgh, PA 15219
(412) 281-1977

FILED *Atty pd. \$20.00*
mjl:38/32
AUG 28 2008 *Notice to Garnishee*

William A. Shaw
Prothonotary/Clerk of Courts

Statement to
Atty Phillips

GK

No. 2008-00531-CD

Donald L. Phillips
Attorney for Plaintiff

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

BECKWITH MACHINERY COMPANY,
INC.,

Plaintiff,

vs.

MADERA ENTERPRISES,

Defendant,

and

CNB BANK, formerly County National Bank,

Garnishee.

No. 2008-00531-CD

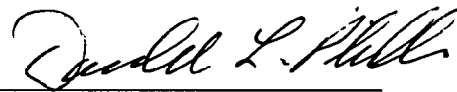
CERTIFICATION OF ADDRESSES

I certify that the address of the plaintiff-creditor is as follows:

BECKWITH MACHINERY COMPANY
c/o Phillips and Boring, P.C.
Attorneys for Plaintiff/Creditor
Suite 800, Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219

and that the name(s) and address(es) of all defendants entitled to notice of entry of default judgment are as follows:

Peter F. Smith, Esquire
CNB BANK, formerly County National Bank, Garnishee
P.O. Box 130
30 South Second Street
Clearfield, PA 16830



Donald L. Phillips
Attorney for Plaintiff/Creditor

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[X] Garnishee

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[X] Admissions

William L. Shaw

Ad

Applicable brackets have been check ☒

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

Beckwith Machinery Company
Plaintiff(s)

No.: 2008-00531-CD

Real Debt: \$12,007.94

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Madera Enterprises, Inc.
Defendant(s)

Entry: \$20.00

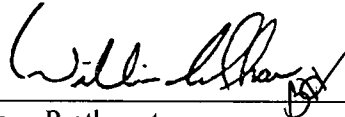
Instrument: Judgment upon Admissions against
CNB Bank, Garnishee

CNB Bank
Garnishee

Date of Entry: August 28, 2008

Expires: August 28, 2013

Certified from the record this 28th day of August, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BECKWITH MACHINERY COMPANY CIVIL DIVISION
INC.,

Plaintiff,

NO.: 2008-00531-CD

vs.

TYPE OF PLEADING:

MADERA ENTERPRISES,

**PRAECIPE TO SATISFY
AS TO GARNISHEE, CNB BANK, formerly
County National Bank, ONLY**

Defendant,

and

CNB BANK, formerly County National
Bank,

Garnishee.

FILED
m/12:05pm
SEP 15 2008

pd \$7.00 Att
No cl.

William A. Shaw
Prothonotary/Clerk of Courts

FILED ON BEHALF OF:
Plaintiff Beckwith Machinery Company, Inc.

COUNSEL OF RECORD FOR THIS PARTY:

Donald L. Phillips, Esquire
PHILLIPS AND BORING, P. C.
Suite 800, Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219
(412) 281-1977

Attorney's State ID #01339
Attorney's Firm ID #0327

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BECKWITH MACHINERY COMPANY,)	
INC.,)	
)	
Plaintiff,)	
)	
vs.	)	NO. 2008-00531-CD
)	
MADERA ENTERPRISES,)	
)	
Defendant,)	
)	
and)	
)	
CNB BANK, formerly County National)	
Bank,)	
)	
Garnishee.)	

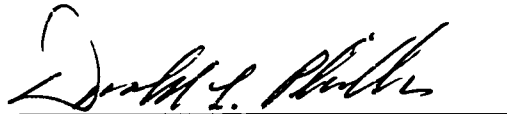
PRAECIPE TO SATISFY AS TO
GARNISHEE, CNB BANK, formerly County National Bank, ONLY

TO: CLEARFIELD COUNTY PROTHONOTARY

Please satisfy as to the Garnishee, CNB Bank, formerly County National Bank, only, in
the above referenced case at the above number and term and mark it off the docket.

This statement is made subject
to the penalties of 18 Pa. C.S.
Section 4904 relating to unsworn
falsifications to authorities.

PHILLIPS AND BORING, P.C.



Donald L. Phillips
Attorney for Plaintiff

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

BECKWITH MACHINERY COMPANY,
Inc.,

Plaintiff

vs.

MADERA ENTERPRISES,

Defendant

and

CNB BANK and
CLEARFIELD BANK & TRUST
COMPANY,

Garnishees

NO. 2008-00531-CD

FILED

OCT 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

GARNISHEE'S SUPPLEMENTARY ANSWERS
TO INTERROGATORIES

COMES NOW, CNB Bank, formerly County National Bank, by its attorney,
Peter F. Smith, who supplements the answers which CNB submitted on April 3,
2008 as follows:

1. Subsequent to service of the Writ of Execution on CNB Bank, a deposit
was made into the Defendant's single bank account no. 00024015057 of
\$12,000 on June 30, 2008. The current balance in this account is
\$12,007.94.

Otherwise, CNB's answers to Interrogatories 2 through 10 are
accurate and unchanged.

Respectfully submitted,



Peter F. Smith, Esquire
Attorney for the Garnishee
Attorney I.D. # 34291
30 S. 2nd St., P.O. Box 130
Clearfield, PA 16830
(814) 765-5595

Date: August 20, 2008

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

BECKWITH MACHINERY COMPANY,
Plaintiff

vs.

MADERA ENTERPRISES, INC.,
Defendant

vs.

CNB BANK and
CLEARFIELD BANK & TRUST
COMPANY,
Garnishees

No. 2008-00531-CD

CERTIFICATE OF SERVICE

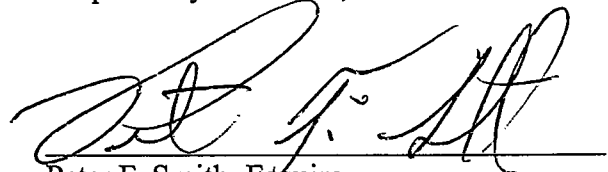
I, Peter F. Smith, attorney for CNE Bank, formerly County National Bank, in the above-captioned matter, hereby certify that I served the Garnishee's Supplemental Answer to Interrogatories filed in this matter on the Attorney for the Plaintiff by U.S. First Class Mail and a true and correct copy of the Garnishee's Supplemental Answers to Interrogatories on the Defendant by U.S. Certified Mail as follows:

U. S. FIRST CLASS MAIL
Donald L. Phillips, Esquire
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219

CERTIFIED MAIL
Madera Enterprises
2072 Banion Rd.
P.O. Box 494
Madera, PA 15661-0494

Respectfully submitted,

Date: August 20, 2008



Peter F. Smith, Esquire
Attorney for the Garnishee
P.O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

VERIFICATION

I verify that the statements made in the foregoing Answers to Interrogatories are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsification to authorities.

CNB BANK

Dated: 4-3-08

By: Kimberly M. Olson
Kimberly M. Olson,
CNB Bank Records and Research

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

BECKWITH MACHINERY COMPANY,	:	No. 2008-00531-CD
Plaintiff	:	
vs.	:	
MADERA ENTERPRISES, INC.,	:	
Defendant	:	
vs.	:	
CNB BANK and	:	
CLEARFIELD BANK & TRUST	:	
COMPANY,	:	
Garnishees	:	

GARNISHEE CNB BANK' S CERTIFICATE OF SERVICE

I, Peter F. Smith, attorney for CNB Bank, Garnishee in the above captioned matter certify that I sent true and correct copies of Answers to Interrogatories in aid of execution by U.S. First Class Mail to the Plaintiff and by U.S. Certified Mail on August 22, 2008 to the Defendant as follows:

U. S. FIRST CLASS MAIL
Donald L. Phillips, Esquire
800 Lawyers Building
428 Forbes Avenue
Pittsburgh, PA 15219

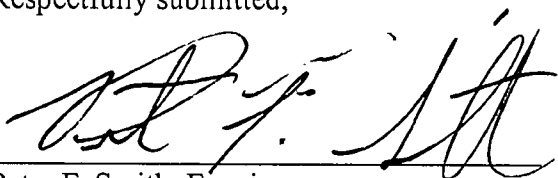
CERTIFIED MAIL
Madera Enterprises
2072 Banion Rd.
P.O. Box 494
Madera, PA 16661-0494

True and correct copies of the U.S. Mail receipts and signed green cards for the Certified Mail are attached hereto and incorporated herein and by reference as Exhibit A.

Respectfully submitted,

Date:

10/29/08



Peter F. Smith, Esquire
Attorney for the Garnishee
P.O. Box 130, 30 South Second Street
Clearfield, PA 16830
(814) 765-5595

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 10.12
Certified Fee	\$ 2.70
Return Receipt Fee (Endorsement Required)	\$ 2.20
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 15.02

Postmark
Here

08/22/2008

Sent To **MADERA ENTERPRISES**
Street, Apt. No., 2072 Banion Road, P.O. Box 494
or PO Box No.
City, State, ZIP+4 Madera, PA 16661-0494

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MADERA ENTERPRISES
2072 Banion Road
P.O. Box 494
Madera, PA 16661-0494

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent
Lindsay Robison ☐ Addressee
B. Received by (Printed Name) C. Date of Delivery
Lindsay Robison *8-28-02*
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

7006 0000 0001 4503 5426

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

