

08-639-CD

Soult Wholesale vs Butler Siding al

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

SOULT WHOLESALE COMPANY,  
a Pennsylvania Corporation,  
Plaintiff,

v.

BUTLER SIDING & WINDOW  
OUTLET, INC., a Pennsylvania  
Corporation,  
Defendant.

NC. 08 - 639 - CD

Type of Pleading:

**COMPLAINT**

Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820  
&  
Trudy G. Lumadue, Esq.  
Pa I.D. 202049

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

Dated: April 8, 2008

**FILED** 2CC Atty  
0/3:35pm  
APR 8 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

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

SOULT WHOLESALE COMPANY,       \*  
a Pennsylvania Corporation,     \*  
                    Plaintiff,     \*  
                                      \* .

v.

NO.    08   -           - CD

BUTLER SIDING & WINDOW       \*  
OUTLET, INC., a Pennsylvania   \*  
Corporation,                    \*  
                    Defendant.   \*

**COMPLAINT**

NOW COMES the Plaintiff, Soult Wholesale Company, and by its attorney, James A. Naddeo, Esquire, sets forth the following:

1. That the Plaintiff is Soult Wholesale Company, a Pennsylvania Corporation, having its principal place of business located at 405 Latimer Street, Clearfield, Clearfield County, Pennsylvania 16830.

2. That the Defendant is Butler Siding & Window Outlet, Inc., a Pennsylvania Corporation, having its principal place of business located at 1063 New Castle Road, Prospect, Pennsylvania 16052.

3. Beginning on July 23, 2002, and continuing on a regular basis until December 4, 2007, Defendant purchased goods and merchandise from Plaintiff.

4. During the time of Defendant's purchases and to date, Plaintiff maintained books of account, keeping an accurate

and running account of all debits and credits for the sale of goods and merchandise to Defendant.

5. That Plaintiff's policy printed on its statements of account provides for a monthly service charge of 1.5% which Defendant has accepted.

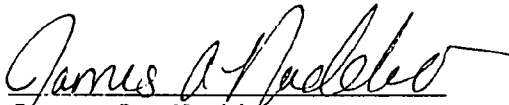
6. On or about January 31, 2008, Plaintiff submitted to Defendant a written account accurately showing all debits and credits for its transactions with Defendant. A copy of the written account is attached as Exhibit "A."

7. On January 31, 2008, Defendant agreed with Plaintiff that the account was true and correct and that Defendant was indebted to Plaintiff in the sum of \$9,734.98, the amount shown in the account as owing.

8. Although demand has been made, Defendant has failed to pay all or any part of the sum of \$9,734.98.

WHEREFORE, Plaintiff demands judgment against Defendant for \$9,734.98 with costs and interest from the respective dates identified in the account stated for all amounts due Plaintiff from the Defendant.

Respectfully submitted,

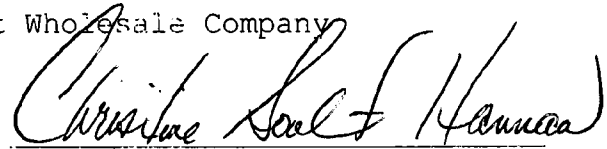
By   
James A. Naddeo  
Attorney for Plaintiff

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

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

Soult Wholesale Company

By:

A handwritten signature in cursive script, appearing to read "Christine Soult Hannan", written over a horizontal line.

Christine Soult Hannan  
Plaintiff

Dated:

4-8-08



405 LATIMER ST. • P.O. BOX 1112 • CLEARFIELD, PA 16830-1112

PHONE: 814-765-5591 • FAX: 814-765-4204

## Statement of Account



P.O. BOX 1112

CLEARFIELD, PA 16830-1112

PHONE: 814-765-5591 • FAX: 814-765-4204

CUSTOMER

BUTLER SDG & MD OUTLET INC  
1063 NEW CASTLE ROAD  
PROSPECT PA 16052

DATE : 01/31/08  
DIVISION : 1  
CUST. # : BUTLERSDG  
PAGE : 2

DATE : 01/31/08  
DIVISION : 1  
PAGE : 2  
CUST. # : BUTLERSDG  
BUTLER SDG & MD OUTLET INC

DATE	REFERENCE	CD	SHIP TO ID #	PO #	AMOUNT	BALANCE	REFERENCE	✓	AMOUNT
	Ship To :	same			9734.98				9734.98
OVER 90	OVER 60	OVER 30	1 10 30	CURRENT	TOTAL AMOUNT	9734.98			
9148.54	135.11	317.15	0.00	1397.18	Please ✓ Items Being Paid				

TRANSACTION CODES:  
IN = INVOICE  
DA = DEBIT ADJUST  
AC = APPLIED CREDIT

CM = CREDIT MEMO  
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CA = CREDIT ADJUSTMENT  
CB = CHARGEBACK  
OA = ON ACCOUNT

1 1/2% Monthly service charge  
on accounts 30 days past due.

RETURN THIS STUB  
WITH YOUR PAYMENT

Exhibit "A"



405 LATIMER ST. • P.O. BOX 1112 • CLEARFIELD, PA 16830-1112

PHONE: 814-765-5591 • FAX: 814-765-4204

# Statement Of Account



P.O. BOX 1112  
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# Statement

CUSTOMER

BUTLER SDG & WD OUTLET INC  
1063 NEW CASTLE ROAD  
PROSPECT PA 16052

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PAGE : 1

BUTLER SDG & WD OUTLET INC

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02/15/07	602211	DS		STOCK	7450.76	7450.76	602211	7450.76
10/11/07	602211	CP			-250.00	7200.76	602211	-250.00
10/18/07	602211	CP			-250.00	6950.76	602211	-250.00
11/12/07	602211	CP			-750.00	6200.76	602211	-750.00
11/15/07	602211	CP			-250.00	5950.76	602211	-250.00
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05/18/07	612442	DS			17.82	7543.58	612442	17.82
08/06/07	624263	DS			12.00	7555.58	624263	12.00
09/04/07	628392	IN			787.50	8343.08	628392	787.50
12/04/07	641621	DA		GARDNER	60.00	8403.08	641621	60.00
12/04/07	641625	DA			60.00	8463.08	641625	60.00
12/04/07	641627	DA			60.00	8523.08	641627	60.00
05/31/07	FC10962	FC		ANTENUCCI	111.76	8634.84	FC10962	111.76
06/20/07	FC10974	FC			111.76	8746.60	FC10974	111.76
07/31/07	FC10982	FC			148.88	8895.48	FC10982	148.88
08/31/07	FC10991	FC			150.82	9046.30	FC10991	150.82
09/30/07	FC10995	FC			141.24	9187.54	FC10995	141.24
10/31/07	FC11006	FC			136.00	9323.54	FC11006	136.00
11/30/07	FC11009	FC			135.11	9458.65	FC11009	135.11
12/31/07	FC11022	FC			137.15	9595.80	FC11022	137.15
01/31/08	FC11030	FC			139.18	9734.98	FC11030	139.18

TOTAL AMOUNT

CONTINUED

Please ✓ Items Being Paid

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1 1/2% Monthly service charge  
on accounts 30 days past due.  
18% Per Annum

RETURN THIS STUB  
WITH YOUR PAYMENT

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

Service # 1 of 1 Services

Sheriff Docket # **104009**

SOULT WHOLESALE COMPANY, a Pennsylvania Corp.

Case # 08-639-CD

vs.

BUTLER SIDING & WINDOW OUTLET, INC., a Pennsylvania Corp.

TYPE OF SERVICE COMPLAINT

## SHERIFF RETURNS

NOW July 18, 2008 RETURNED THE WITHIN COMPLAINT "NOT SERVED" AS TO BUTLER SIDING & WINDOW OUTLET, INC. A PENNSYLVANIA CORP., DEFENDANT. DO NOT SERVE AT DIRECTION OF ATTORNEY

SERVED BY: /

## Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NADDEO	1296	10.00
SHERIFF HAWKINS	NADDEO	1296	14.00

**FILED**  
013:12 2008  
JUL 21 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before me This

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

So Answers,

  
Chester A. Hawkins  
Sheriff



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

SOULT WHOLESALE COMPANY,  
a Pennsylvania Corporation,  
Plaintiff,

v.

BUTLER SIDING & WINDOW  
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Defendant.

NO. 08 - 639 - CD

Type of Pleading:

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Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820  
&  
Trudy G. Lumadue, Esq.  
Pa I.D. 202049

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

Dated: April 8, 2008

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

APR -8 2008

Attest.

*William L. ...*  
Prothonotary/  
Clerk of Courts

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

SOULT WHOLESALE COMPANY, \*  
a Pennsylvania Corporation, \*  
Plaintiff, \*

v. \*

NO. 08 - - CD

BUTLER SIDING & WINDOW \*  
OUTLET, INC., a Pennsylvania \*  
Corporation, \*  
Defendant. \*

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by its attorney, James A. Naddeo, Esquire, sets forth the  
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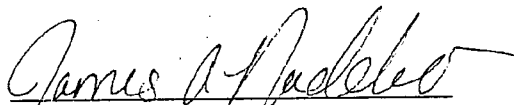
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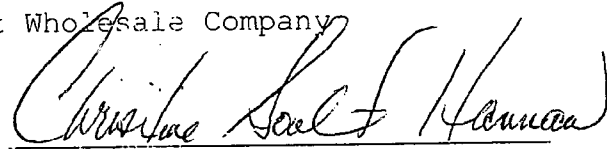
By   
James A. Naddeo  
Attorney for Plaintiff

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

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Soult Wholesale Company

By:

A handwritten signature in cursive script, appearing to read "Christine Soult Hannan", written over a horizontal line.

Christine Soult Hannan  
Plaintiff

Dated:

4-8-08



405 LATIMER ST. • P.O. BOX 1112 • CLEARFIELD, PA 16830-1112

PHONE: 814-765-5591 • FAX: 814-765-4204

Statement Of Account



P.O. BOX 1112

CLEARFIELD, PA 16830-1112  
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Statement

CUSTOMER

BUTLER SDG & MD OUTLET INC  
1063 NEW CASTLE ROAD  
PROSPECT PA 16052

DATE : 01/31/08  
DIVISION : 1  
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PAGE : 2  
CUST. # : BUTLERSDG  
BUTLER SDG & MD OUTLET INC

DATE	REFERENCE	CD	SHIP TO ID #	PO #	AMOUNT	BALANCE	REFERENCE	✓	AMOUNT
	Ship To :	SAME			9734.98				9734.98
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9148.54	135.11	317.15	0.00	139.14	Please ✓ Items Being Paid				
TRANSACTION CODES:									
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DA = DEBIT ADJUST.					CP = CASH PAYMENT				
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					OA = ON ACCOUNT				
					1 1/2% Monthly service charge				
					on accounts 30 days past due				
					RETURN THIS STUB				

Exhibit "A"



405 LATIMER ST. • P.O. BOX 1112 • CLEARFIELD, PA 16830-1112  
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Statement Of Account



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Statement

CUSTOMER

BUTLER SDG & MD OUTLET INC  
1063 MEN CASTLE ROAD  
PROSPECT PA 15052

DATE : 01/31/08  
DIVISION : 1  
CUST. # : BUTLERSDG  
PAGE : 1

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DIVISION : 1  
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BUTLER SDG & MD OUTLET INC

DATE	REFERENCE	CD	SHIP TO #	PA #	AMOUNT	BALANCE	REFERENCE	AMOUNT
12/15/07	602211	DS			7450.76	7450.76	602211	7450.76
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10/18/07	602211	CP			-250.00	6950.76	602211	-250.00
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12/31/07	FC11009	FC			135.11	9457.75	FC11009	135.11
12/31/07	FC11022	FC			137.15	9594.90	FC11022	137.15
12/31/08	FC11030	FC			139.18	9734.08	FC11030	139.18
					TOTAL		AMOUNT	
					9734.08		9734.08	

CONTINUED

Please ✓ Items Being Paid

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RETURN THIS STUB  
WITH YOUR PAYMENT

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Attest.

*W. A. B.*  
Prothonotary/  
Clerk of Courts

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Plaintiff, \*

v. \*

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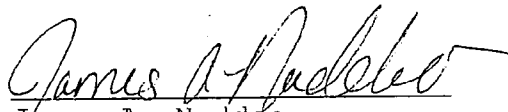
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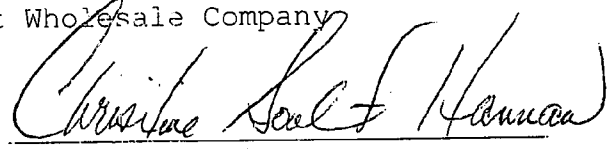
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Christine Soult Hannan  
Plaintiff

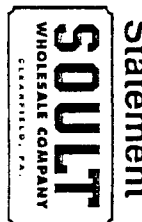
Dated:

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405 LATIMER ST. • P.O. BOX 1112 • CLEARFIELD, PA 16830-1112  
 PHONE: 814-765-5591 • FAX: 814-765-4204

# Statement Of Account



P.O. BOX 1112  
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# Statement

CUSTOMER

BUTLER SDG & WD OUTLET INC  
 1063 NEW CASTLE ROAD  
 PROSPECT PA 16052

DATE : 01/31/08  
 DIVISION : 1  
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RETURN THIS STUB								

Exhibit "A"



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PHONE: 814-765-5591 • FAX: 814-765-4204



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08/06/07	624263	DS			12.00	7555.58	624263		12.00
09/04/07	628392	IN			787.50	8343.08	628392		787.50
12/04/07	641621	DA		GARDNER	60.00	8403.08	641621		60.00
12/04/07	641625	DA			60.00	8463.08	641625		60.00
12/04/07	641627	DA			60.00	8523.08	641627		60.00
05/31/07	FC10962	FC		ANTENUCCI	111.76	8634.84	FC10962		111.76
06/30/07	FC10974	FC			111.76	8746.60	FC10974		111.76
07/31/07	FC10982	FC			148.88	8895.48	FC10982		148.88
08/31/07	FC10991	FC			150.82	9046.30	FC10991		150.82
09/30/07	FC10995	FC			141.24	9187.54	FC10995		141.24
10/31/07	FC11006	FC			136.00	9323.54	FC11006		136.00
11/30/07	FC11009	FC			135.11	9458.65	FC11009		135.11
12/31/07	FC11022	FC			137.15	9595.80	FC11022		137.15
01/31/08	FC11030	FC			139.18	9734.98	FC11030		139.18

TOTAL AMOUNT

CONTINUED

Please ✓ Items Being Paid

TRANSACTION CODES: IN = INVOICE CM = CREDIT MEMO CA = CREDIT ADJUSTMENT  
DA = DEBIT ADJUST. CP = CASH PAYMENT CB = CHARGEBACK  
AC = APPLIED CREDIT AD = APPLIED DEBIT OA = ON ACCOUNT

1 1/2% Monthly service charge on accounts 30 days past due.

RETURN THIS STUB WITH YOUR PAYMENT

CA

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

SOULT WHOLESALE COMPANY  
Plaintiff

vs.

BUTLER SIDING & WINDOW OUTLET, INC.,  
Defendant

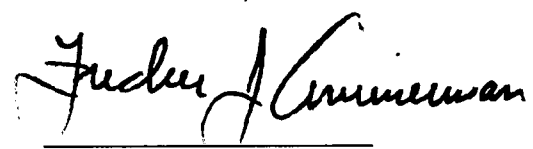
\* NO. 2008-639-CD  
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**ORDER**

NOW, this 25<sup>th</sup> day of June, 2013, it is the ORDER of this Court that a **status conference** be and is hereby scheduled for the **29th day of August, 2013 at 1:30 p.m.** in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

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

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

019102cm  
JUN 27 2013  
William A. Shaw  
Prothonotary Clerk of Courts  
icc Atty Naddo  
icc deth  
66

DATE: 6-27-13

☐ You are responsible for serving all appropriate parties.

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

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

☒ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

**FILED**

JUN 27 2013

William A. Shaw  
Prothonotary/Clerk of Courts

del  
1063 New Castle Rd  
Prospect 16652

FILED  
O 11:10 a.m. GK  
JUL 11 2013  
William A. Shaw  
Prothonotary/Clerk of Courts

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

SOULT WHOLESALE COMPANY,  
a Pennsylvania Corporation,  
Plaintiff,

vs.

BUTLER SIDING & WINDOW  
OUTLET, INC., a Pennsylvania  
Corporation,  
Defendant.

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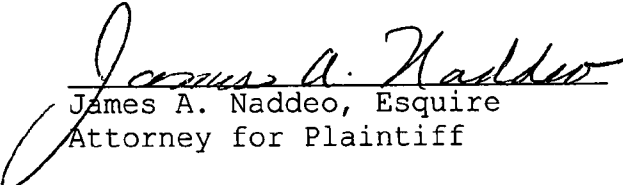
No. 08 - 639 - CD

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Dear Sir:

Please mark the above-captioned case settled and  
discontinued.

  
James A. Naddeo, Esquire  
Attorney for Plaintiff



CA

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

SOULT WHOLESALE COMPANY,  
a Pennsylvania Corporation  
Plaintiff

vs.

BUTLER SIDING & WINDOW OUTLET, INC., a  
Pennsylvania Corporation,  
Defendant

\* NO. 2008-639-CD  
\*  
\*  
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\*  
\*

**ORDER**

NOW, this 26<sup>th</sup> day of August, 2013, the Court notes that Plaintiffs' Praecipe to Discontinue in the above-captioned case was filed on July 11, 2013 by James Naddeo, Esquire. Therefore, it is the ORDER of this Court that the **status conference** in the above-captioned case scheduled for the 29th day of August, 2013 is **canceled**.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

**FILED**

ICC 2013, Naddeo  
10:21 am ICC do 11  
AUG 27 2013

William A. Shaw  
Prothonotary/Clerk of Courts

GV

FILED

AUG 27 2013

William A. Shaw  
Prothonotary/Clerk of Courts