

08-651-CD
Cove Lumber vs Clair Ebersole Jr al

COVE LUMBER, INC.,
Plaintiff

vs.

CLAIR EBERSOLE, JR., t/d/b/a
E&B BUILDERS,
Defendant

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 2008-651-CD

: CIVIL ACTION - LAW

: **COMPLAINT IN CONFESSION OF
JUDGMENT**

: Filed on behalf of Plaintiff:
COVE LUMBER, INC.

: Counsel of record for this party:
FREDERICK B. GIEG, JR., ESQUIRE
I.D. NO. 09965
: 401 North Logan Boulevard
: Altoona, PA 16602
: (814) 946-1606

FILED Atty pd. \$5.00
m/18/57/01 APR 09 2008 ICC Atty Gieg
William A. Shaw
Prothonotary/Clerk of Courts
Notice to Def.
Statement to
Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

| | | |
|------------------------------|---|--------------------|
| COVE LUMBER, INC., | : | NO. 2008 |
| Plaintiff | : | |
| | : | |
| vs. | : | |
| | : | |
| CLAIR EBERSOLE, JR., t/d/b/a | : | |
| E&B BUILDERS, | : | |
| Defendant | : | CIVIL ACTION - LAW |

COMPLAINT IN CONFESSION OF JUDGMENT

1. The Plaintiff is Cove Lumber, Inc., a Pennsylvania Corporation with a business address of R.D.1, Box 412, Martinsburg, Blair County, Pennsylvania, 16662.
2. The Defendant is Clair Ebersole t/d/b/a E&B Builders, with an address of 810 Lyleville Road, Coalport, Clearfield County, Pennsylvania 16627.
3. On July 26 2007, Defendant entered into a Judgment Note for the sum of \$19,243.00, true and correct copy of the original document is attached hereto.
4. Judgment is being entered by confession against a natural person in connection with a commercial loan in a commercial transaction setting.
5. There has been no assignment of the Judgment Note.
6. Judgment has not been entered on the Judgment Note in any other jurisdiction.
7. Defendant defaulted on said Judgment Note by failing to make timely payments as required, and as of April 9, 2007 there is a delinquency of \$2,348.00.
8. By virtue of the Defendants failure to pay this Judgment Note the payoff is now \$16,144.64, with the last payment being made September 27, 2007.
9. The Judgment Note allows for recovery of Attorney's fees at the rate of 15%, or \$2,421.70.

10. The total amount due and owing including fees and costs is as follows:

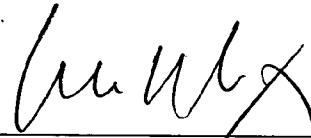
Balance as of March 3, 2008 \$ 16,144.64

Attorney fees of 15% \$ 2,421.70

TOTAL \$ 18,566.34

WHEREFORE, Plaintiff requests that Judgment by Confession be entered against the Defendant, Clair Ebersole, t/d/b/a E&B Builders, in the amount of \$16,144.64 plus 15% attorney's fees in the sum of \$2,421.70, for a total of \$18,566.34, pursuant to the attached instrument, affidavit, and certificate of residence, in compliance with Rule 2951 (a) (2).

Respectfully Submitted,



Frederick B. Gieg, Jr., Esquire
Attorney for Plaintiff
I.D. No. 09965

Pennsylvania Judgment
Published by The Plankenhorn Co., Williamsport, PA

\$ 19,243.00

July 26, 2007 *X8X*

ON DEMAND

Clair Ebersole, Jr. t/d/b/a

E&B Builders

promise to

pay to the order of Cove Lumber

NINETEEN THOUSAND TWO HUNDRED FORTY-THREE AND 00/100----- *Dollars*

at \$5,000.00 per month due by the 30th of each month

With interest 08

and without defalcation, value received.

Upon the non-payment of this note at maturity, I/we do hereby authorize the prothonotary or any attorney of any court of record of the United States to appear therein and, with or without statement filed, to confess judgment therein against me/us and in favor of the then holder of this note, whether he be the original payee, or an assignee or endorsee thereof, for the amount named, herein, with interest, costs of suit, release of errors, and with ten per cent, added for collection fees, hereby waiving all right of stay of execution, inquisition and appeal, and the benefit of any and all laws now or hereafter to be passed exempting real or personal property from levy and sale on execution, and also waiving the benefit of the present or any future insolvent laws of any state of the United States and of the present or any future bankrupt law of the United States.

Witness my hand and seal

[Signature] *[Signature]* *[Signature]*
Clair Ebersole, Jr. t/d/b/a (Seal)
E&B Builders (Seal)

100

The Commonwealth of Pennsylvania now requires that notice of the entry of any money judgment be given to the party against whom the judgment is entered. Therefore, pursuant to Pennsylvania Rules of Civil Procedure No. 236 you are hereby notified of the entry of Judgment, Final Order or Decree, as indicated below, in the office of the Prothonotary of Clearfield County, Pennsylvania.

COVE LUMBER, INC.,
Plaintiff

: IN THE COURT OF COMMON PLEAS OF
: CLEARFIELD COUNTY, PENNSYLVANIA

:

:

: CIVIL DIVISION

:

:

: NO. 2008-651-CD

:

:

: JUDGMENT: \$18,566.34

:

:

: FILED: April 8, 2008

CLAIR EBERSOLE t/d/b/a
E&B BUILDERS,
Defendant

Willie L. Baker
April 9, 2008

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

2008
JULY

Cove Lumber, Inc.
Plaintiff(s)

No.: 2008-00651-CD

Real Debt: \$18,566.34

Atty's Comm: \$

Vs.

Costs: \$

Clair Ebersole Jr.
E & B Builders
Defendant(s)

Entry: \$95.00

Instrument: Complaint in Confession
of Judgment

Date of Entry: April 9, 2008

Expires: April 9, 2013

Certified from the record this 9th day of April, 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

COVE LUMBER, INC.,
Plaintiff

vs.

CLAIR EBERSOLE, JR., t/d/b/a
E&B BUILDERS,
Defendant

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 2008-651-CD

: CIVIL ACTION - LAW

: NOTICE UNDER RULE 2958.1
: OF JUDGMENT AND EXECUTION
: THEREON

: Filed on behalf of Plaintiff:
: COVE LUMBER, INC.

: Counsel of record for this party:
: **FREDERICK B. GIEG, JR., ESQUIRE**
: **I.D. NO. 09965**
: 401 North Logan Boulevard
: Altoona, PA 16602
: (814) 946-1606

FILED ^{cc}
APR 09 2008 Atty Gieg
APR 09 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

| | | |
|------------------------------|---|--------------------|
| COVE LUMBER, INC., | : | NO. 2008 |
| Plaintiff | : | |
| | : | |
| vs. | : | |
| | : | |
| CLAIR EBERSOLE, JR., t/d/b/a | : | |
| E&B BUILDERS, | : | |
| Defendant | : | CIVIL ACTION - LAW |

NOTICE UNDER RULE 2958.1 OF JUDGMENT AND EXECUTION THEREON

TO: Clair Ebersole t/d/b/a E&B Builders

A Judgment in the amount of \$21,167.30 has been entered against you and in favor of the Plaintiff without any prior notice of hearing based on a Confession of Judgment contained in a written agreement or other paper allegedly signed by you. The sheriff may take your money or other property to pay the Judgment at any time after thirty (30) days after the date on which this notice is served on you.

You may have legal rights to defeat the Judgment or to prevent your money or property from being taken. YOU MUST FILE A PETITION SEEKING RELIEF FROM THE JUDGMENT AND PRESENT IT TO A JUDGE WITHIN THIRTY (30) DAYS AFTER THE DATE ON WHICH THIS NOTICE IS SERVED ON YOU OR YOU MAY LOSE YOUR RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER

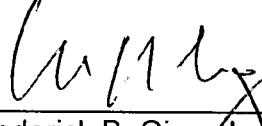
LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

MID PENN LEGAL SERVICES

211 ½ E. Locust Street
Clearfield, PA 16830

(814) 765-9646
(800) 326-9177

GIEG AND GIEG



Frederick B. Gieg, Jr., Esquire
Attorney for Plaintiff
PA I.D. No. 09965

FILED

APR 09 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COVE LUMBER, INC., : NO. 2008-651-CD
Plaintiff :
vs. :
CLAIR EBERSOLE, JR., t/d/b/a :
E&B BUILDERS, :
Defendant : CIVIL ACTION - LAW

AFFIDAVIT OF DEFAULT

I, SUSAN MILLER, being an Officer for Cove Lumber, Inc., Plaintiff in the above matter, state that the Defendant, Clair Ebersole, Jr., t/d/b/a E&B Builders, has defaulted in the following manner:

1. The Defendant, Clair Ebersole, Jr., t/d/b/a E&B Builders, has not made a payment on the account since September 27, 2007.
2. The past due amount at this time is \$18,566.34.

COVE LUMBER, INC.

Susan Miller

By: Susan Miller

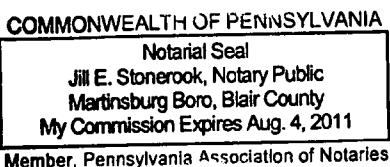
Sworn to and subscribed before me,

this 5th day of March, 2008.

Jill E. Shaw

Notary Public

My Commission Expires:



FILED *10cc*
4/9/2008
APR 09 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COVE LUMBER, INC., : NO. 2008-651-CD
Plaintiff :
vs. :
CLAIR EBERSOLE, JR., t/d/b/a :
E&B BUILDERS, :
Defendant : CIVIL ACTION - LAW

AFFIDAVIT

I, SUSAN MILLER, being duly sworn according to law, depose and say:

1. That I am an Officer of Cove Lumber, Inc., the Plaintiff in the within matter.
2. That in said capacity I am familiar with the account that forms the basis of the instant action and that I am authorized to take this Affidavit.
3. The last payment made on said account was September 27, 2007, and the account is in default.
4. The amounts due on the account are as follows:

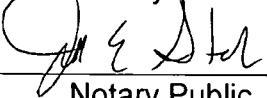
| | |
|---|---------------------|
| Principal of debt due and unpaid as of 07/26/07 | \$ 16,144.64 |
| Attorney's fees (15% of principal) | <u>2,421.70</u> |
| TOTAL | \$ 18,566.34 |

COVE LUMBER, INC.

Susan Miller
By: Susan Miller

Sworn to and subscribed before me,

this 5th day of March, 2008.



Notary Public

My Commission Expires
COMMONWEALTH OF PENNSYLVANIA

| |
|------------------------------------|
| Notarial Seal |
| Jill E. Stoneroak, Notary Public |
| Martinsburg Boro, Blair County |
| My Commission Expires Aug. 4, 2011 |

Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COVE LUMBER, INC., : NO. 2008-*651-CD*
Plaintiff

vs.

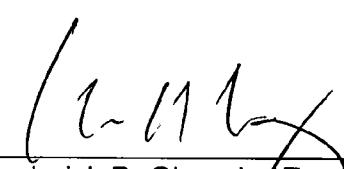
CLAIR EBERSOLE, JR., t/d/b/a
E&B BUILDERS,
Defendant : CIVIL ACTION - LAW

WARRANT

Pursuant to the authority contained in the warrant of attorney, the original or a copy
of which is attached to the complaint filed in this action, I appear for the defendant and
confess judgment in favor of the plaintiff and against the defendant as follows:

| | |
|-----------------------|-----------------|
| Principal sum | \$16,144.64 |
| Attorney's fees - 15% | <u>2,421.70</u> |
| TOTAL | \$18,566.34 |

GIEG AND GIEG



Frederick B. Gieg, Jr., Esquire
Attorney for Plaintiff
I.D. #09965

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

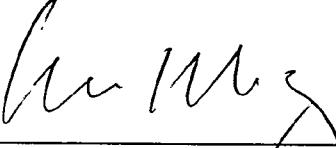
COVE LUMBER, INC., : NO. 2008-651-CD
Plaintiff :
vs. :
CLAIR EBERSOLE, JR., t/d/b/a :
E&B BUILDERS, :
Defendant : CIVIL ACTION - LAW

CERTIFICATE OF RESIDENCE

The Plaintiff is Cove Lumber, Inc., with an address of R.D.1, Box 412, Martinsburg, Blair County, Pennsylvania 16662.

The Defendant is Clair Ebersole, t/d/b/a E&B Builders with an 810 Lyleville Road, Coalport, Clearfield County, Pennsylvania, 16627.

Respectfully Submitted,



Frederick B. Gieg, Jr. Esquire
Attorney for Plaintiff
I.D. No. 09965

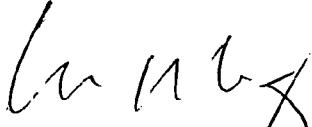
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COVE LUMBER, INC., : NO. 2008-1051-CD
Plaintiff :
vs. :
CLAIR EBERSOLE, JR., t/d/b/a :
E&B BUILDERS, :
Defendant : CIVIL ACTION - LAW

AFFIDAVIT

I, Frederick B. Gieg, Jr., Esquire, Attorney for Cove Lumber, Inc., hereby state that judgment is being entered by confession against a natural person in connection with a commercial loan (Judgment Note).

Respectfully Submitted,



Frederick B. Gieg, Jr. Esquire
Attorney for Plaintiff
I.D. No. 09965

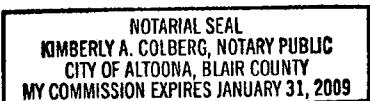
Sworn to and Subscribed this

26th day of Feb., 2008.



Notary Public

My Commission Expires:



FILED

APR 09 2006

William A. Shaw
Prothonotary/Clerk of Courts

COVE LUMBER, INC.,
Plaintiff

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 2008-651-CD

: CIVIL ACTION - LAW

: **AFFIDAVIT OF SERVICE**

VS.

CLAIR EBERSOLE, JR., t/d/b/a
E&B BUILDERS,
Defendant

: Filed on behalf of Plaintiff:
COVE LUMBER, INC.

: Counsel of record for this party:
FREDERICK B. GIEG, JR., ESQUIRE
I.D. NO. 09965
: 401 North Logan Boulevard
: Altoona, PA 16602
: (814) 946-1606

FILED NOCC
06/25/08
JUN 02 2008
William A. Shaw
Prothonotary/Clerk of Court

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COVE LUMBER, INC., : NO. 2008
Plaintiff

vs.

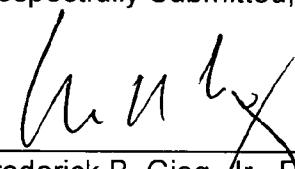
CLAIR EBERSOLE, JR., t/d/b/a
E&B BUILDERS,
Defendant

: CIVIL ACTION - LAW

AFFIDAVIT OF SERVICE

I, Frederick B. Gieg, Jr., Esquire, hereby swear and depose that under the 11th day of April, 2008, I sent notice of the above-captioned Complaint in Confession of Judgment and Notice Under Rule 2958.1 of Judgment and Execution Thereon by certified mail to Clair Ebersole t/d/b/a E&B Builders, Defendant, at his last known address of 810 Lyleville Road, Coalport, Pennsylvania 16627, and the same was returned "Unclaimed". Original of said receipt of service attached hereto and made a part hereof.

Respectfully Submitted,



Frederick B. Gieg, Jr., Esquire
Attorney for Plaintiff
I.D. No. 09965

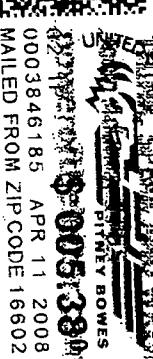
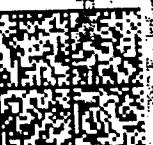
CERTIFIED MAIL

GIEG AND GIEG

ATTORNEYS AT LAW

401 N. LOGAN BOULEVARD

ALTOONA, PENNSYLVANIA 16602



7006 3450 0002 0202 3338

Clair Ebersole
t/d/b/a F&B Builders
810 Lyleville Road
Coalport, PA

NIXIE

165 5E 1 25 04/29/08

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

AC: 16602179699 *0596-07024-29-25

16602179699

FILED

JUN 02 2008

William A. Shaw
Prothonotary/Clerk of Courts

COVE LUMBER, INC.,
Plaintiff

VS.

CLAIR EBERSOLE, JR., t/d/b/a
E&B BUILDERS,
Defendant

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA
:
: NO. 2008-651-CD
:
: CIVIL ACTION - LAW
:
: **PRAECIPE**
:
: Filed on behalf of Plaintiff:
: **COVE LUMBER, INC.**
:
: Counsel of record for this party:
: **FREDERICK B. GIEG, JR., ESQUIRE**
: **I.D. NO. 09965**
: 401 North Logan Boulevard
: Altoona, PA 16602
: (814) 946-1606

FILED Atty pd. \$15.00
JUL 30 2008 Cert. of Skt
Entries w/ Judge
William A. Shaw
Prothonotary/Clerk of Courts to Atty
B
B
B

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COVE LUMBER, INC., : NO. 2008-651-CD
Plaintiff

vs.

CLAIR EBERSOLE, JR., t/d/b/a :
E&B BUILDERS,
Defendant : CIVIL ACTION - LAW

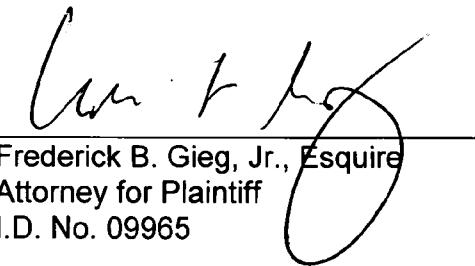
PRAECIPE

TO: PROTHONOTARY OF CLEARFIELD COUNTY,

Please exemplify the record in the above-captioned matter.

Respectfully Submitted,

Frederick B. Gieg, Jr., Esquire
Attorney for Plaintiff
I.D. No. 09965



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
OFFICE OF THE PROTHONOTARY

Cove Lumber, Inc.

Vs.

NO. 2008-00651-CD

**Clair Ebersole Jr. t/d/b/a
E & B Builders**

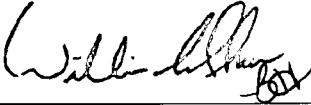
CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT

I, William A. Shaw, Prothonotary of the Court of Common Pleas of Clearfield County, Pennsylvania, do hereby certify that the attached is a certified and full copy of the docket entries in the above captioned case.

I further certify that a Judgment was entered in the above captioned matter in favor of Cove Lumber, Inc. and against Clair Ebersole, Jr., t/d/b/a E & B Builders on April 9, 2008, in the amount of \$18,566.34.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the said Court, on the 30th day of July, A.D., 2008.

William A. Shaw
Prothonotary

BY: 
Deputy

Date: 7/30/2008

Time: 02:06 PM

Page 1 of 1

Clearfield County Court of Common Pleas

User: BHUDSON

ROA Report

Case: 2008-00651-CD

Current Judge: No Judge

Cove Lumber, Inc. vs. Clair Ebersole Jr., E & B Builders

Judgment

| Date | Judgment | Judge |
|-----------|--|--|
| 4/9/2008 | New Case Filed. Filing: Complaint in Confession of Judgment Paid by: Gieg, Frederick B. Jr. (attorney for Cove Lumber, Inc.) Receipt number: 1923505 Dated: 4/9/2008 Amount: \$95.00 (Check) Judgment entered in favor of the Plaintiff and against the defendants in the amount of \$18,566.34. Notice to deft and Statement to Atty. Affidavits, Warrant and Certificate of Residence, filed by s/ Frederick B. Gieg Jr Esq. NO CC. Notice Under Rule 2958.1 of Judgment and Execution Thereon, filed by s/ Frederick B. Gieg Jr Esq. 1CC Atty Gieg. | No Judge No Judge No Judge No Judge |
| 6/2/2008 | Affidavit of Service filed. The 11th day of April 2008, sent notice of the above-captioned Complaint in Confession of Judgment and Notice under Rule 2958.1 of Judgment and Execution thereon by certified mail to Clair Ebersole t/d/b/a E&B Builders at his last known address and the same was returned "UNCLAIMED", filed by s/ Frederic B. Gieg Jr Esq. No CC. | No Judge |
| 7/30/2008 | Filing: Praeclipe, Re: Exemplified Record Paid by: Gieg, Frederick B. Jr. (attorney for Cove Lumber, Inc.) Receipt number: 1925199 Dated: 7/30/2008 Amount: \$15.00 (Check) Certification of Docket Entries with Judgment to Attorney Gieg | No Judge |

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

JUL 30 2008

Attest.

William E. Hudson
Prothonotary/
Clerk of Courts

COVE LUMBER,
Plaintiff

VS.

CLAIR EBERSOLE, t/d/b/a
E&B BUILDERS,
Defendant

: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 2008-651-cd

: CIVIL ACTION - LAW

: **PRAECIPE TO ISSUE WRIT OF EXECUTION**

: Filed on behalf of Plaintiff:
COVE LUMBER

: Counsel of record for this party:
FREDERICK B. GIEG, JR., ESQUIRE
I.D. NO. 09965
GIEG AND GIEG
: 401 North Logan Boulevard
: Altoona, PA 16602
: (814) 946-1606

FILED *Atty pd. 20.00*
10/14/08
OCT 31 2008 1CC&L Writs
S William A. Shaw to Sheriff
Prothonotary/Clerk of Courts
(61)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

| | | |
|------------------------------|---|--------------------|
| COVE LUMBER, | : | NO. 2008-651-CD |
| Plaintiff | : | |
| vs. | | |
| CLAIR EBERSOLE, JR., t/d/b/a | : | |
| E&B BUILDERS, | : | |
| Defendant | : | CIVIL ACTION - LAW |

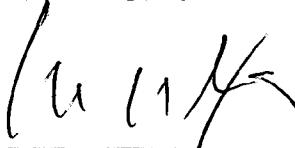
PRAECIPE

TO: CAROL NEWMAN, PROTHONOTARY

Please issue a Writ of Execution on behalf of the Plaintiff and against the Defendant on the above Judgment in the amount of \$18,566.34 on any and all personal property of Defendant.

Respectfully Submitted,

GIEG AND GIEG



Frederick B. Gieg, Jr., Esquire
Attorney for Plaintiff
PA I.D. #09965

CC-17

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

| | | |
|------------------------------|---|--------------------|
| COVE LUMBER, | : | NO. 2008-651-CD |
| Plaintiff | : | |
| | : | |
| vs. | : | |
| | : | |
| CLAIR EBERSOLE, JR., t/d/b/a | : | |
| E&B BUILDERS, | : | |
| Defendant | : | CIVIL ACTION - LAW |

WRIT OF EXECUTION

TO THE SHERIFF OF THE COUNTY OF CLEARFIELD,

To satisfy the judgment, interest and costs against CLAIR EBERSOLE, JR.,
t/d/b/a E&B BUILDERS, Defendant,

(1) you are directed to levy upon the property of the defendant and to sell his
interest therein;

(2) you are also directed to attach the property of the defendant not levied
upon in the possession of
as garnishee,

(Description of property)

and to notify the garnishee that

(a) an attachment has been issued;

(b) the garnishee is enjoined from paying any debt to or for the account of the
defendant and from delivering any property of the defendant or otherwise disposing
thereof;

(3) if property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due \$ 18,566.34

Interest from 04-09-08 \$

Costs to be added yes \$ _____

\$
Prothonotary costs 130.00

10/31/08
Prothonotary

William L. Shanahan

Seal of the Court

By: _____
(Deputy)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20879
NO: 08-651-CD

PLAINTIFF: COVE LUMBER
vs.
DEFENDANT: CLAIR EBERSOLE, JR. T/D/B/A E&B BUILDERS

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 10/31/2008

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/17/2009

DETAILS

@ SERVED CLAIR EBERSOLE, T/D/B/A E&B BUILDERS
DOCKET ONLY, DEFENDANT FILED CHAPTER 7 BANKRUPTCY.

S
FILED
01/18/2009
FEB 17 2009
W.M.
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20879
NO: 08-651-CD

PLAINTIFF: COVE LUMBER

vs.

DEFENDANT: CLAIR EBERSOLE, JR. T/D/B/A E&B BUILDERS

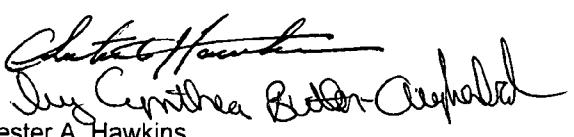
Execution PERSONAL PROPERTY

SHERIFF RETURN

SHERIFF HAWKINS \$9.42

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

| | | |
|------------------------------|---|--------------------|
| COVE LUMBER, | : | NO. 2008-651-CD |
| Plaintiff | : | |
| | : | |
| vs. | : | |
| | : | |
| CLAIR EBERSOLE, JR., t/d/b/a | : | |
| E&B BUILDERS, | : | |
| Defendant | : | CIVIL ACTION - LAW |

WRIT OF EXECUTION

TO THE SHERIFF OF THE COUNTY OF CLEARFIELD,

To satisfy the judgment, interest and costs against CLAIR EBERSOLE, JR.,
t/d/b/a E&B BUILDERS, Defendant,

(1) you are directed to levy upon the property of the defendant and to sell his
interest therein;

(2) you are also directed to attach the property of the defendant not levied
upon in the possession of
as garnishee,

(Description of property)

and to notify the garnishee that

- (a) an attachment has been issued;
- (b) the garnishee is enjoined from paying any debt to or for the account of the
defendant and from delivering any property of the defendant or otherwise disposing
thereof;

(3) if property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due \$ 18,566.34

Interest from 04-09-08 \$

Costs to be added yes \$ _____

\$
Prothonotary costs 130.00

10/31/08
Prothonotary

Willie Shays

Seal of the Court

By: _____
(Deputy)

Received this writ this 21st day
of October A.D. 2008
At 2:25 A.M./P.M.

Charlene Hawkins
Sheriff Day Court Clerk-Bethel-Bethel

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME CLAIR EBERSOLE, T/D/B/A E&B BUILDERS

NO. 08-651-CD

NOW, February 15, 2009, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Clair Ebersole, Jr. T/D/B/A E&B Builders to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

| | |
|----------------------------|---------------|
| RDR SERVICE | 9.00 |
| MILEAGE LEVY | |
| MILEAGE POSTING | |
| HANDBILLS | |
| COMMISSION | 0.00 |
| POSTAGE | 0.42 |
| HANDBILLS | |
| DISTRIBUTION | |
| ADVERTISING | |
| ADD'L SERVICE | |
| ADD'L POSTING | |
| ADD'L MILEAGE | |
| ADD'L LEVY | |
| BID/ SETTLEMENT AMOUNT | |
| RETURNS/DEPUTIZE | |
| COPIES | |
| BILLING/PHONE/FAX | |
| CONTINUED SALES | |
| MISCELLANEOUS | |
| TOTAL SHERIFF COSTS | \$9.42 |

PLAINTIFF COSTS, DEBT AND INTEREST:

| | |
|--------------------------------|-----------------|
| DEBT-AMOUNT DUE | |
| INTEREST @ % | 0.00 |
| FROM TO | |
| PROTH SATISFACTION | |
| LATE CHARGES AND FEES | |
| COST OF SUIT-TO BE ADDED | |
| FORECLOSURE FEES | |
| ATTORNEY COMMISSION | |
| REFUND OF ADVANCE | |
| REFUND OF SURCHARGE | 20.00 |
| SATISFACTION FEE | |
| ESCROW DEFICIENCY | |
| PROPERTY INSPECTIONS | |
| INTEREST | |
| MISCELLANEOUS | |
| TOTAL DEBT AND INTEREST | \$159.42 |

COSTS:

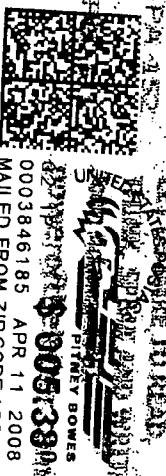
| | |
|---------------------|-----------------|
| ADVERTISING | 0.00 |
| TAXES - COLLECTOR | |
| TAXES - TAX CLAIM | |
| DUE | |
| LIEN SEARCH | |
| ACKNOWLEDGEMENT | |
| SHERIFF COSTS | 9.42 |
| LEGAL JOURNAL COSTS | 0.00 |
| PROTHONOTARY | |
| MORTGAGE SEARCH | 130.00 |
| MUNICIPAL LIEN | |
| TOTAL COSTS | \$139.42 |
| TOTAL COSTS | \$159.42 |

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN TEN (10) DAYS FROM THIS DATE.

CHESTER A. HAWKINS, Sheriff

CERTIFIED MAIL

GIEG AND GIEG
ATTORNEYS AT LAW
401 N. LOGAN BOULEVARD
ALTOONA, PENNSYLVANIA 16602



7006 3450 0002 0202 3338

UNL
Clair Ebersole
t/d/b/a E&B Builders
810 Lyleville Road
Coalport, PA

NIXIE

165 5E 1 25 04/29/08

RETURN TO SENDER
UNCLASMED
UNABLE TO FORWARD

BC: 16602179899 *0595-07024-29-25

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

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.

Clair Ebersole
t/d/b/a E&B Builders
810 Lyleville Road
Coalport, PA 16627

COMPLETE THIS SECTION ON DELIVERY

| | | | |
|---|---|---------------------|--|
| A. Signature |  | | |
| B. Received by (Printed Name) | <input type="checkbox"/> Agent <input type="checkbox"/> Addressee | | |
| | | C: Date of Delivery | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: | | | |

| | | | |
|--|--|--|---------------------|
| Clair Ebersole t/d/b/a E&B Builders 810 Lyleville Road Coalport, PA 16627 | | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. <input type="checkbox"/> Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| 2. Article Number (Transfer from service label) | | 7006 | 3450 0002 0202 3338 |
| | | Domestic Return Receipt | |
| | | PS Form 3811, February 2004 | |

