



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

Docket Number : 08-1289-CD

PRAECIPE TO TRANSFER  
JUDGMENT

**COVER SHEET**

**FILED**

JUL 14 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Att'y fee \$20.00

ICC Statement  
to Att'y

Notice to Def.

Terrence E. Tomassetti, Esquire  
PA St Ct ID 27639  
TOMASSETTI LAW OFFICE  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

Docket Number: \_\_\_\_\_

PRAECIPE TO TRANSFER  
JUDGMENT

**PRAECIPE TO TRANSFER JUDGMENT**

To the Prothonotary of Clearfield County, Pennsylvania:

Pursuant to Pa.R.C.P. 3002, kindly enter judgment against the Defendant in the amount of ~~\$2,867.12~~ <sup>1,814.77 as per S.G.</sup> plus interest from ~~May 12, 2008~~ <sup>11-14-07 as per S.G.</sup> and costs of suit, in accordance with the following documents attached hereto: (1) certified copy of all the docket entries in the above-captioned case; and (2) certification of the amount of the judgment in the above-captioned case; respectively enter the judgment in the appropriate dockets and in the judgment index against the defendant.



Attorney for Plaintiff

Terrence E. Tomassetti, Esquire

PA St Ct ID 27639

TOMASSETTI LAW OFFICE

2006 Sixth Avenue

Altoona, PA 16602

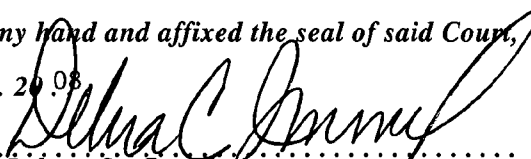
(814) 944-3249

**COMMONWEALTH OF PENNSYLVANIA,** }  
**COUNTY OF CENTRE,** } SS:

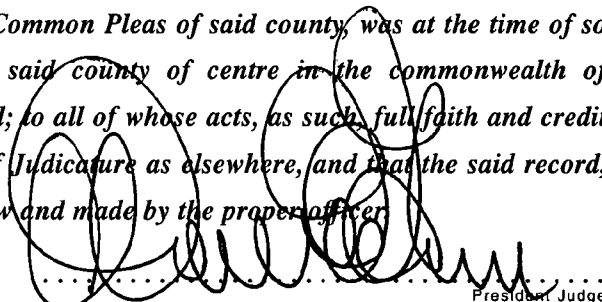
I ..... Debra C. Immel ..... *Prothonotary*  
of the Court of common Pleas in and for said County, do herby  
certify that the foregoing is a full, true and correct copy of the whole  
record of the case therein stated, wherein .....  
..... Five Star Suzuki .....  
Plaintiff, and ... Bigler Boyz, et. al .....  
.....

Defendant, so full and entire as the same remains of record before the said Court, at No. 2007-3025

**In Testimony Whereof,** I have hereunto set my hand and affixed the seal of said Court,  
this ..... 18th ..... day of .. June ..... A.D. 20 08

  
..... Debra C. Immel, ..... *Prothonotary*

I . David Grine ..... *President Judge of the forty-ninth Judicial District,*  
composed of the Courts of Common Pleas, Orphans' court and court of Quarter Sessions of the  
Peace, do certify that .. Debra C. Immel ..... by whom the annexed record, certificate and  
attestation were made and given, and who, in his own proper handwriting, thereunto subscribed  
his name and affixed the seal of the Court of Common Pleas of said county, was at the time of so  
doing and now is *Prothonotary* in and for said county of centre in the commonwealth of  
Pennsylvania, duly commissioned and qualified; to all of whose acts, as such, full faith and credit  
are and ought to be given, as well in Courts of Judicature as elsewhere, and that the said record,  
certificate and attestation are in due form of law and made by the proper officer

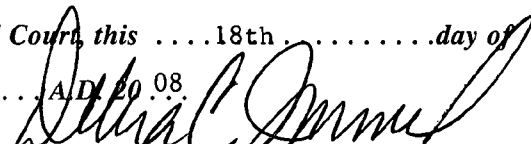
  
..... *President Judge*

**COMMONWEALTH OF PENNSYLVANIA,** }  
**COUNTY OF CENTRE,** } SS:

I ..... Debra C. Immel ..... *Prothonotary of the Court of Common Pleas*  
in and for said County, do certify that the Honorable .. David Grine .....  
..... by whom the foregoing attestation was made, and who has thereunto subscribed his  
name, was at the time of making thereof and still is *President Judge of the Court of common Pleas,*  
*Orphans' Court and Court of Quarter Sessions of the Peace* in and for said County, duly commis-  
sioned and qualified; to all whose acts, as such, full faith and credit are and ought to be given, as  
well in Courts of Judicature as elsewhere.

**In Testimony Whereof,** I have hereunto set my hand and  
affixed the seal of said Court, this .... 18th ..... day of

..... June ..... A.D. 20 08

  
..... Debra C. Immel, ..... *Prothonotary*



Centre County Prothonotary  
Room 102 Courthouse  
Bellefonte, PA 16823  
(814) 355-6796

Page Number: 1  
Case Number: 07-3025

GENERAL  
APPEALS

Filed..... 07-19-2007  
10:11  
Sat/Dis/Gntd..

-----  
Litigants  
-----

Plaintiff(s)  
-----

Lawyer(s) for the Plaintiff(s)  
-----

FIVE STAR SUZUKI  
1400 W COLLEGE AVENUE  
C/O STEPH EN SOLDSTEIN  
STATE COLLEGE PA 16801

Defendant(s)  
-----

Lawyer(s) for the Defendant(s)  
-----

BOYZ, BIGLER  
PO BOX 381  
BIGLER PA 16825

JUDGMENT 1814.77

HERBERLING, RICHARD  
PO BOX 381  
BIGLER PA 16825

JUDGMENT 1814.77

CERTIFIED from the records as entered  
and filed in this office

  
Prothonotary and Clerk of the Court

-----  
Proceedings  
-----

07-19-2007 NOTICE OF APPEAL WITH PRAECIPE TO ENTER RULE TO FILE COMPLAINT  
AND RULE TO FILE, FILED. (MAILED COPIES TO DEFENDANT IN  
07-31-2007 ENVELOPE PROVIDED JULY 19, 2007. COPY JUDGE)  
PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT  
08-29-2007 FILED. (SERVED ON 7/21/07)  
COMPLAINT WITH NOTICE TO DEFEND, FILED. (MAILED COPY TO ATTY.  
TOMASSETTI IN ENVELOPE PROVIDED - 8/30/07) (SENT COPY TO JUDGE  
09-04-2007 8/30/07)  
CERTIFICATE OF SERVICE, FILED. (MAILED COPY TO ATTY. TOMASSETTI  
IN ENVELOPE PROVIDED - 9/4/07)  
11-14-2007 BY PAPER FILED JUDGMENT IS ENTERED IN FAVOR OF THE PLAINTIFF  
AND AGAINST THE DEFENDANT FOR FAILURE TO FILE AN ANSWER IN THE  
AMOUNT OF \$1,814.77 PLUS COSTS AND INTEREST WITH CERTIFICATE OF  
SERVICE. (NOTICE AND JUDGMENT ISSUED) (MAILED COPY OF NOTICE,  
JUDGMENT AND OTHER PAPERS TO THE DEFENDANT AND ATTY TOMASSETTI  
IN ENVELOPE PROVIDED, COPY COURT ADMIN DEC 5, 2007)  
05-29-2008 PRAECIPE FOR ISSUANCE OF WRIT OF EXECUTION, FILED. (GAVE  
WRIT TO SHERIFF FOR SERVICE - 06/04/08)  
06-17-2008 LETTER REQUESTING EXEMPLIFIED RECORD FROM ATTORNEY  
TOMASSETTI, FILED.  
06-18-2008 EXEMPLIFIED RECORD ISSUED - MAILED TO ATTORNEY TOMASSETTI, IN  
ENVELOPE PROVIDED, ON 06-19-2008.

Centre County Prothonotary  
Room 102 Courthouse  
Bellefonte, PA 16823  
(814) 355-6796

Page Number: 2  
Case Number: 07-3025

GENERAL  
APPEALS

Filed..... 07-19-2007  
10:11  
Sat/Dis/Gntd..

-----  
-----  
Fees  
-----

APPEALS - D.J. CIVIL	95.00pd	07-20-2007
CIVIL ACTION - DEFAULT JUDG.	10.00pd	12-07-2007
WRITS - EXECUTION	23.00pd	06-05-2008
EXEMPLIFIED RECORD	15.00pd	06-18-2008

=====  
143.00

===== End of case print-out =====



IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC.,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

Common Pleas Number 2007-3025

COMPLAINT

**COVER SHEET**

FILED FOR RECORD  
2007 NOV 14 P 12:39  
DEBRA C. IMHIEL  
CLERK OF COURT  
CENTRE COUNTY, PA

Terrence E. Tomassetti, Esquire  
PA St Ct ID 27639  
TOMASSETTI LAW OFFICE  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249



IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC.,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

Common Pleas Number 2007-3025

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

COMPLAINT

CERTIFIED from the records as entered  
and filed in this office

18th day of November 2007  
*[Signature]*  
Prothonotary and Clerk of the Court

**PRAECIPE FOR ENTRY OF DEFAULT JUDGMENT**

**TO: PROTHONOTARY OF CENTRE COUNTY**

Please enter default judgment in favor of the above-named Plaintiff, FIVE STAR/STATE COLLEGE, INC. trading and doing business as FIVE STAR SUZUKI and against the Defendant, RICHARD HEBERLING, individually and trading as BIGLER BOYZ, for failure to file an Answer in the above action within twenty (20) days from the date of service of the Complaint, and assess damages as follows:

Amount Due per Complaint \$1,814.77

**REAL DEBT**

**\$1,814.77**

plus costs of suit and legal interest

*Terrence E. Tomassetti*  
TERRENCE E. TOMASSETTI, ESQUIRE  
Supreme Court I.D. #27639  
Attorney for Plaintiff  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

DATED: November 7, 2007

FILED FOR RECORD  
2007 NOV 14 P 12:39  
DEBRA C. JENSEN  
PROTHONOTARY  
CENTRE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

Common Pleas Number 2007-3025

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

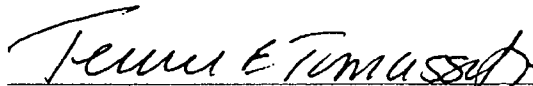
Defendant

CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I, TERRENCE E. TOMASSETTI, ESQUIRE, counsel for Plaintiff, do hereby certify that the Notice of Intention to File a Praecipe for Entry of Default Judgment in the above-captioned matter as required by Rule 237.1 of the Pennsylvania Rules of Civil procedure was forwarded via regular, first-class United States mail, postage prepaid, under date of October 10, 2007, addressed to the following party:

RICHARD HEBERLING  
t/d/b/a BIGLER BOYZ  
P.O. Box 381,  
Bigler, PA, 16825.



TERRENCE E. TOMASSETTI, ESQUIRE  
Supreme Court I.D. #27639  
Attorney for Plaintiff  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

FILED FOR RECORD  
2007 NOV 14 P 12:39  
CLERK OF COURT  
CENTRE COUNTY, PA



**UNITED STATES  
POSTAL SERVICE**

**Certificate of  
Mailing**

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.  
This form may be used for domestic and international mail.

From:

TERRENCE E. TOMASSETTI, ESQUIRE  
2006 SIXTH AVENUE  
ALTOONA, PA 16602

To:

Richard Helboiling  
t/ba Bigler Boyz  
PO Box 381  
Bigler PA 16825

PS Form 3817, April 2007 PSN 7530-02-000-9065

173 PB8614906 2943 \$01.050  
5804 MAILED FROM ALTOONA PA 16602  
OCT 10 07  
UNITED STATES POSTAL SERVICE

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE. INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

Common Pleas Number 2007-3025

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

NOTICE OF ENTRY OF JUDGMENT

**NOTICE OF ENTRY OF JUDGMENT**

TO DEFENDANT:

RICHARD HEBERLING  
t/d/b/a BIGLER BOYZ  
P.O. Box 381,  
Bigler, PA, 16825.

You are hereby notified that the following Default Judgment has been entered against you on  
the 14 day of Nov., 2007.

Judgment is in the amount of \$ 1814.77 +

Debra C. Gend Prothonotary

By: \_\_\_\_\_

Date mailed to Defendants:

11-14, 2007

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

FIVE STAR/STATE COLLEGE, INC.  
t/d/b/a FIVE STAR SUZUKI

PLAINTIFF(S)

NO: 2007-3025


RICHARD HEBERLING, individually and  
Trading as BIGLER BOYZ

DEFENDANT(S)

JUDGMENT

AND NOW, this 14th day of November, 2007 Judgment is entered in favor of  
the Plaintiff, FIVE STAR/STATE COLLEGE, INC. t/d/b/a FIVE STAR SUZUKI, and  
against the Defendant, RICHARD HEBERLING t/d/b/a BIGLER BOYZ for failure to  
file an answer in the amount of \$1,814.77 plus costs of suit and legal interest.

BY THE PROTHONOTARY:

  
DEBRA C. IMMEL

---

COPY

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

Common Pleas Number 08-1289-CD

NOTICE OF JUDGMENT

COVER SHEET

Terrence E. Tomassetti, Esquire  
PA St Ct ID 27639  
TOMASSETTI LAW OFFICE  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

Common Pleas Number 08-289-CD

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

NOTICE OF JUDGMENT

**NOTICE OF JUDGMENT**

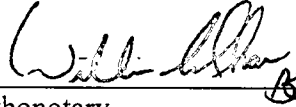
To: RICHARD HEBERLING, individually and trading as BIGLER BOYZ  
PO Box 381  
Bigler, PA 16825

Pursuant to Rule 236, please be advised that the Court has entered an

_____	Order
_____	Decree
<u>  X  </u>	Judgment \$1,814.77 plus Int 11-14-07
_____	Opinion

in the above-entitled proceeding, and a copy thereof is enclosed.

Dated: 7/14/08

  
Prothonotary

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

Five Star/State College, Inc.  
Five Star Suzuki  
Plaintiff(s)

No.: 2008-01289-CD

Real Debt: \$1,814.77

Atty's Comm: \$

Vs.

Costs: \$

Int. From: 11-14-07

Richard Heberling  
Bigler Boyz  
Defendant(s)

Entry: \$20.00

Instrument: Transferred from Centre Co.

Date of Entry: July 14, 2008

Expires: July 14, 2013

Certified from the record this July 14, 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

FIVE STAR/STATE COLLEGE, INC,  
t/d/b/a FIVE STAR SUZUKI

Plaintiff

vs.

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant

Docket Number: 2008-01289-CD

PRAECIPE FOR WRIT OF  
EXECUTION

## COVER SHEET

FILED

07/11/49301  
AUG 20 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Atty pd.  
\$20.00  
ICCable writs  
to Sheriff

2cc to Atty  
(610)

Terrence E. Tomassetti, Esquire  
PA St Ct ID 27639  
TOMASSETTI LAW OFFICE  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FIVE STAR/STATE COLLEGE, INC. :  
t/d/b/a FIVE STAR SUZUKI :

Plaintiff :

vs. :

Docket Number: 2008-01289-CD

RICHARD HEBERLING, individually and  
trading as BIGLER BOYZ,

Defendant :

PRAECIPE FOR WRIT OF  
EXECUTION

**PRAECIPE FOR ISSUANCE OF WRIT OF EXECUTION**

To the Prothonotary of Clearfield County:

Please issue writ of execution in the above matter,

(1) directed to the Sheriff of <sup>Clearfield</sup> ~~Centre~~ County, Pennsylvania;

(2) against RICHARD HEBERLING is an individual trading and doing business as BIGLER BOYZ, Defendant; and

(3) index this writ

(a) against RICHARD HEBERLING is an individual trading and doing business as BIGLER BOYZ, Defendant

against personal property of the Defendant as follows: any and all property of the Defendant including, without limitation, tools, equipment, vehicles, cash, office equipment, computers and other items of value located at 160 Grahampton Road, Woodland, PA 16881.

(4) Amount due **\$1,814.77**

Legal Interest from 8/29/2007 to 8/11/2008 \$ 94.57

Costs of suit to date \$ 68.00

**TOTAL \$1,977.34**

40.00 Prothonotary costs

*Terrence E. Tomassetti*

Terrence E. Tomassetti, Esquire

PA St Ct ID 27639

TOMASSETTI LAW OFFICE

2006 Sixth Avenue

Altoona, PA 16602

(814) 944-3249

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

Five Star/State College, Inc.,  
t/d/b/a Five Star Suzuki

Vs.

NO.: 2008-01289-CD

Richard Heberling, individually and  
trading as Bigler Boyz

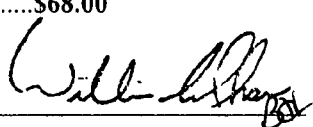
**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against FIVE STAR/STATE COLLEGE, INC., t/d/b/a FIVE STAR SUZUKI, Plaintiff(s) from RICHARD HEBERLING, individually and trading as BIGLER BOYZ, 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 of the Defendant as follows: any and all property of the Defendant including, without limitation, tools, equipment, vehicles, cash, office equipment, computers and other items of value located at 160 Grahampton Road, Woodland, PA 16881
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
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.
- (3) 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.
- (4) 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:.....\$1,814.77  
INTEREST FROM 8/29/07 to 8/11/08:.....\$94.57  
ATTY'S COMM: \$  
DATE: 8/20/2008

PROTH. COSTS PAID:.....\$40.00  
SHERIFF: \$  
OTHER COSTS: \$  
COSTS of suit to date:.....\$68.00

  
William A. Shaw  
Prothonotary/Clerk Civil Division

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

Requesting Party: Terrence E. Tomassetti, Esq.  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

Sheriff \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20834  
NO: 08-1289-CD

PLAINTIFF: FIVE STAR/STATE COLLEGE, INC, T/D/B/A FIVE STAR SUZUKI  
vs.  
DEFENDANT: RICHARD HEBERLING, INDIVIDUALLY AND TRADING AS BIGLER BOYZ  
Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 8/20/2008

LEVY TAKEN 10/30/2008 @ 10:40 AM

POSTED 12/4/2008 @ 10:21 AM

SALE HELD 12/19/2008

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED

DATE DEED FILED

PROPERTY ADDRESS 160 GRAHAMPTON ROAD WOODLAND , PA 16825

5  
**FILED**  
019:11/201  
FEB 02 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

SERVICES

SEE ATTACHED SHEET(S) OF SERVICES


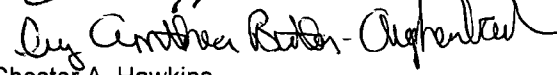
SHERIFF HAWKINS \$159.33

SURCHARGE \$20.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

\_\_\_\_\_ Day of \_\_\_\_\_ 2009

  
  
Chester A. Hawkins  
Sheriff

FIVE STAR/STATE COLLEGE, INC, T/D/B/A FIVE STAR SUZUKI

vs  
RICHARD HEBERLING, INDIVIDUALLY AND TRADING AS BIGLER BOYZ

---

1 @ SERVED RICHARD HEBERLING INDIV AND TRADING AS BIGLER BOYZ  
MAILING ADDRESS

---

2 10/30/200 @ 10:45 AM SERVED RICHARD HEBERLING INDIV AND TRADING AS BIGLER BOYZ  
SERVED RICHARD HEBERLING, INDIVIDUALLY, DEFENDANT, AT HIS PLACE OF EMPLOYMENT 160 GRAHAMPTON ROAD, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO RICHARD HEBERLING  
A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

---

3 10/30/200 @ 10:45 AM SERVED RICHARD HEBERLING TRADING AS BIGLER BOYZ  
SERVED RICHARD HEBERLING TRADING AS BIGLER BOYZ, DEFENDANT, AT HIS PLACE OF EMPLOYMENT 160 GRAHAMPTON ROAD, WOODLAND, CLEARFIELD COUNTY PENNSYLVANIA BY HANDING TO RICHARD HEBERLING  
A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND A COPY OF THE LEVY AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

---

@ SERVED  
NOW, NOVEMBER 13, 2008 RECEIVED A LETTER FROM THE PLAINTIFF'S ATTORNEY TO RELEVY ON MORE PROPERTY OF THE DEFENDANT.

---

@ SERVED  
NOW, NOVEMBER 4, 2008 SHERIFF'S OFFICE LEVIED ON MORE PROPERTY OF THE DEFENANT.

---

12/4/2008 @ 10:22 AM SERVED RICHARD HEBERLING INDIV AND TRADING AS BIGLER BOYZ  
SERVED RICHARD HEBERLING INDIV AND TRADING AS BIGLER BOYZ, DEFENDANT, AT HIS PLACE OF EMPLOYMENT 160 GRAHAMPTON ROAD, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO A NOTICE OF SALE AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

---

@ SERVED  
NOW, DECEMBER 18, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CANCEL THE SHERIFF SALE SCHEDULED FOR DECEMBER 19, 2008 THE DEFENDANT PAID THE DEBT IN FULL.

---

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

Five Star/State College, Inc.,  
t/d/b/a Five Star Suzuki

Vs.

NO.: 2008-01289-CD

Richard Heberling, individually and  
trading as Bigler Boyz

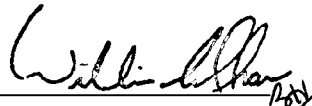
**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against FIVE STAR/STATE COLLEGE, INC., t/d/b/a FIVE STAR SUZUKI, Plaintiff(s) from RICHARD HEBERLING, individually and trading as BIGLER BOYZ, 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 of the Defendant as follows: any and all property of the Defendant including, without limitation, tools, equipment, vehicles, cash, office equipment, computers and other items of value located at 160 Grahampton Road, Woodland, PA 16881
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:  
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.
- (3) 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.
- (4) **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.**

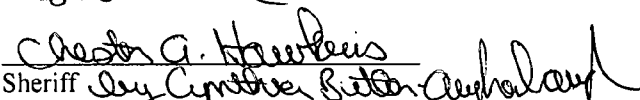
AMOUNT DUE/PRINCIPAL:.....\$1,814.77  
INTEREST FROM 8/29/07 to 8/11/08:.....\$94.57  
ATTY'S COMM: \$  
DATE: 8/20/2008

PROTH. COSTS PAID:.....\$40.00  
SHERIFF: \$  
OTHER COSTS: \$  
COSTS of suit to date:.....\$68.00

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Requesting Party: Terrence E. Tomassetti, Esq.  
2006 Sixth Avenue  
Altoona, PA 16602  
(814) 944-3249

Received this writ this 20<sup>th</sup> day  
of August A.D. 2008  
At 3:00 A.M./P.M.

  
Sheriff Gregory A. Heberling

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

08-1289-CD      NAME   RICHARD HEBERLING INDIV AND TRADING AS BIGLER BOYZ      NO.

NOW, February 01, 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 Richard Heberling, Individually And Trading As Bigler Boyz 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 \$1,997.34 and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR	9.00
SERVICE	9.00
MILEAGE	5.85
LEVY	20.00
MILEAGE	5.85
POSTING	9.00
HANDBILLS	
COMMISSION	39.95
POSTAGE	1.68
HANDBILLS	10.00
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	9.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	20.00
BID/ SETTLEMENT AMOUNT	1,997.34
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$159.33</b>

DEBT-AMOUNT DUE	1,814.77
INTEREST @ %	0.00
FROM TO 12/19/2008	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	68.00
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	94.57
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$2,196.67</b>

**COSTS:**

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	

SHERIFF COSTS	159.33
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	40.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

**TOTAL COSTS      \$199.33**

**TOTAL COSTS      \$2,196.67**

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

**Terrence E. Tomassetti, Esquire**

Elder Law Office  
2006 Sixth Avenue  
Altoona, PA 16602



Member, National Academy of  
Elder Law Attorneys™



November 13, 2008

Chester A. Hawkins, Sheriff  
Clearfield County Sheriff's Office  
1 North Second Street  
Clearfield, PA 16830

**RE: Five Star/State College, Inc. t/d/b/a Five Star Suzuki vs.  
Richard Heberling, individually and trading as Bigler Boyz  
Common Pleas Number: 2008-01289-CD**

Dear Sheriff Hawkins:

This letter will acknowledge receipt of the fax from your office on October 31, 2008 of the list of personal property levied on regarding the above-captioned matter. We are concerned that the levied property is not of sufficient value to cover the amount of the judgment (\$1,977.34 plus costs). In reviewing the available information from the Kelly Blue Book, my staff found the truck would have a value ranging between \$550.00 and \$900.00 depending upon its condition. We are without information as to any value the plow would add to this sum. Unless you and your staff are certain that this vehicle is of sufficient value to guarantee payment of the full amount my client's judgment and costs, please levy against additional personal property of the Defendant to ensure payment of the total amount due.

Your staff has advised my office that the sale of this property would not take place until late January 2009. As stated in my previous correspondence, my client is understandably anxious to avoid any further delay by bringing this execution to sale as quickly as possible. The Writ in this matter was issued on August 19, 2008 with the levy not taking place until October 30, 2008. Please schedule any additional levies needed to guarantee my client's judgment and the sale of this property as soon as possible.

Thank you for your assistance in this matter. I await your response.

Sincerely yours,

*Terry Tomassetti /s/*

Terrence E. Tomassetti

TET:wsg  
cc: Jerry M. Goldstein





# FIVE STAR SUZUKI

1400 W. College Ave. • State College, PA 16801 • (814) 867-8141 • Fax (814) 867-8164 • T 11 Free (877) 267-3884

Fax To: 814-765-5915

Attn: Cindy

December 18, 2008

RE: Sheriff's Sales at the business 160 Grahampton Road, Woodland, PA 16825

This debt has been paid in full. Please cancel this sale.

Manager

  
Stephen E Goldstein

  
Date

FILED

FEB 02 2009

William A. Shaw  
Prothonotary/Clerk of Courts