

08-1289-CD
Five Star vs Richard Heberling al

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 : 08-1289-CD
: :
RICHARD HEBERLING, individually and :
trading as BIGLER BOYZ, :
Defendant : PRAECIPE TO TRANSFER
: JUDGMENT
: :

COVER SHEET

FILED *Emm*
Atty Ad \$20.00
M 11:50 AM
JUL 14 2008 ICC & Statement
to Atty
William A. Shaw
Prothonotary/Clerk of Courts
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. : Docket Number: _____
: :
RICHARD HEBERLING, individually and :
trading as BIGLER BOYZ, : PRAECIPE TO TRANSFER
Defendant : 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
~~1,814.77 as per S.C. 11-14-07 as per S.A.~~
amount of \$2,867.12 plus interest from ~~May 12, 2008~~ 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.

Terrence E. Tomassetti

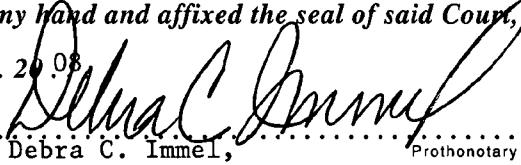
Attorney for Plaintiff
Terrence E. Tomassetti, Esquire
PA St Ct ID 27639
TOMASSETTI LAW OFFICE
2006 Sixth Avenue
Altoona, PA 16602
(814) 944-3249

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

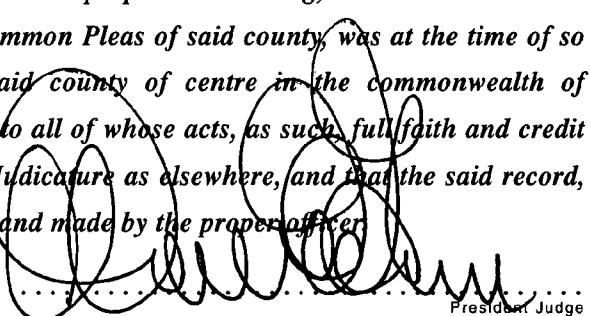
*I Debra C. Immel Prothonotary
of the Court of common Pleas in and for said County, do hereby
certify that the foregoing is a full, true and correct copy of the whole
record of the case therein stated, wherein
..... Five Star Suzuki
Plaintiff, and Bigler Boyz, et. al.
.....*

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. 2008


..... Debra C. Immel, Prothonotary

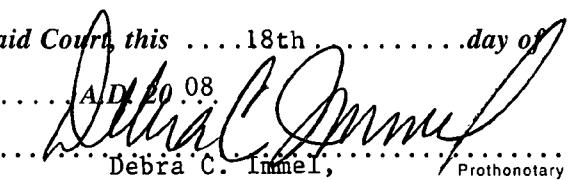
*I . David Grine President Judge of the forty-ninth Judicial District,
composed of the Courts of Common Pleas, Orphans' court and court of Quarter Sessions of the
Peace, do certify that .. Debra C. Immel by whom the annexed record, certificate and
attestation were made and given, and who, in his own 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. 2008**


..... Debra C. Immel, Prothonotary

No. 2007-3025

.....
.....
.....
.....
.....

.....
.....
.....
.....
.....

VERSUS

.....
.....
.....
.....
.....

EXEMPLIFIED RECORD

From.....CENTRE.....County.

Debt, - - - \$1814.77.....

Int. from.....

Costs.....

.....
.....
.....
.....
.....

Entered and Filed 11/14/ 2007.

.....Debra.C...Immael.....
.....Prothonotary

COPY OFGENERAL DOCKET ENTRY.

is contained the following:

Among the Records and Proceedings enrolled in the Court of Common Pleas in
and for the County of Centre in the Commonwealth of Pennsylvania, to No.2007-3025.....

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)

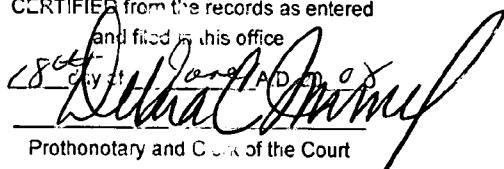
BOYZ, BIGLER
PO BOX 381
BIGLER PA 16825

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

1807 Day of June 2008

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 ENVELOPE PROVIDED JULY 19, 2007. COPY JUDGE)
07-31-2007 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT FILED. (SERVED ON 7/21/07)
08-29-2007 COMPLAINT WITH NOTICE TO DEFEND, FILED. (MAILED COPY TO ATTY. TOMASSETTI IN ENVELOPE PROVIDED - 8/30/07) (SENT COPY TO JUDGE 8/30/07)
09-04-2007 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.

Common Pleas Number 2007-3025

RICHARD HEBERLING, individually and
trading as BIGLER BOYZ,

Defendant

COMPLAINT

COVER SHEET

FILED FOR RECORD

May 14 P 12:39

TERENCE C. TOMASSETTI
TOMASSETTI LAW OFFICE
2006 Sixth Avenue
Altoona, PA 16602
(814) 944-3249

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,

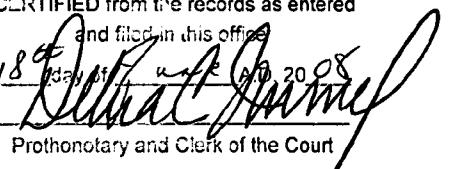
Defendant

COMPLAINT

CERTIFIED from the records as entered

and filed in this office

18th day of November 2008


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. Tomasetti
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

NOV 14 2007
TERRENCE E. TOMASSETTI
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 Praecept 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
TERRENCE E. TOMASSETTI, ESQUIRE
Supreme Court I.D. #27639
Attorney for Plaintiff
2006 Sixth Avenue
Altoona, PA 16602
(814) 944-3249

FILED FOR RECORD

OCT 12 2007 12:39

DEBRA C. IMEL
FIFTH DISTRICT
CLERK OF COURT, PA



**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 Heebner
116-B Bigler Bldg
PO Box 381
Bellefonte PA 16823

5804 MAILED FROM ALTOONA PA 16602
2943 01.050 OCT 10 07
PB8614906



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

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. Hamel 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.

Common Pleas Number 08-1289-CD

RICHARD HEBERLING, individually and
trading as BIGLER BOYZ,

Defendant

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 08-1289-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
X Judgment \$1,814.77 per J.W. 11-14-07
Opinion

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

Dated: 7/14/08

Willie Chan
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. : Docket Number: 2008-01289-CD
: :
RICHARD HEBERLING, individually and :
trading as BIGLER BOYZ, :
Defendant : PRAECIPE FOR WRIT OF
: EXECUTION

COVER SHEET

FILED Atty pd:
M/T:49601 \$20.00
AUG 20 2008 ICC Cal Writs
William A. Shaw to Sheriff
Prothonotary/Clerk of Courts
2CC to Atty
GR

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 ^{Clearfield} 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 Grahampston 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

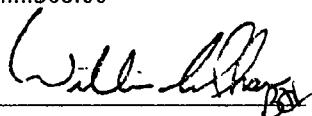
TO THE SHERIFF OF CLEARFIELD COUNTY:

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 Grahampston 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
079-11341
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
Chester A. Hawkins
Sheriff
Cory Annmarie Bitten-Dugherow

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 DEFENDANT.

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

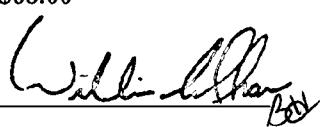
TO THE SHERIFF OF CLEARFIELD COUNTY:

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.**

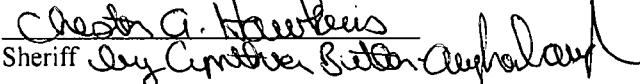
AMOUNT DUE/PRINCIPAL:.....\$1,814.77
INTEREST FROM 8/29/07 to 8/11/08:.....\$94.57
ATTY'S COMM: \$
DATE: 8/20/2008

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


William A. Shaw
Prothonotary/Clerk Civil Division

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

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


Chester A. Hawkeis
Sheriff by Cynthia Bitter Deputy

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

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

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:

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	
TOTAL SHERIFF COSTS	\$159.33

PLAINTIFF COSTS, DEBT AND INTEREST:

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	
TOTAL DEBT AND INTEREST	\$2,196.67

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:wsq

cc: Jerry M. Goldstein



FIVE STAR SUZUKI

1400 W. College Ave. • State College, PA 16801 • (814) 867-8141 • Fax (814) 867-8164 • T 1-877-267-3884

Fax To: 814-765-5915

Attn: Cindy

December 18, 2008

RE: Sheriff's Sales at the business 160 Grahampston 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