

Edward P. Seeber, Esquire
Attorney I.D. #76084
JAMES, SMITH, DIETTERICK & CONNELLY, LLP
Suite C-400
555 Gettysburg Pike
Mechanicsburg, PA 17055
(717)533-3280
Attorneys for Ronald J. Boose

RONALD J. BOOSE,
Plaintiff

v.

RYAN HORCHEN and
PENN-WEST COMMODITIES, INC.,
Defendants

: IN THE COURT OF COMMON PLEAS
: CLEARFIELD COUNTY, PENNSYLVANIA
:
: NO. 08-1561-CD
:
:
: CIVIL ACTION - LAW

PRAECIPE

TO THE PROTHONOTARY:

Enter judgment against Ryan Horchen and Penn-West Commodities, Inc. Certified copies of all filings with the Court of Common Pleas of Cumberland County, Pennsylvania regarding this matter are attached hereto and made a part hereof.

Respectfully submitted,

JAMES, SMITH, DIETTERICK & CONNELLY, LLP

Date: 8/13/08

By: 

EDWARD P. SEEBER, ESQUIRE
Attorney I.D. #76084

Suite C-400
555 Gettysburg Pike
Mechanicsburg, PA 17055
(717) 533-3280

Attorneys for Plaintiff
Ronald J. Boose

FILED
m/1/19/08
AUG 20 2008

Atty pd. \$ 20.00

ICC Statement

to Atty Seeber

Notice to Def.

William A. Shaw
Prothonotary/Clerk of Courts

WAS

**IN THE COURT OF COMMON PLEAS OF CUMBERLAND COUNTY
CARLISLE, PENNSYLVANIA**

**CERTIFIED RECORD FROM THE APPEARANCE DOCKETS OF
CUMBERLAND COUNTY, PENNSYLVANIA**

RONALD J. BOOSE
129 FIELDSTONE DR
CARLISLE, PA 17013

VS.

NO. 07-4756 CIVIL TERM

RYAN HORCHEN
429 1ST STREET
DEBOISE, PA 17801

PENN-WEST COMMODITIES, INC
301 ASPEN WAY
DUBOISE, PA 17801

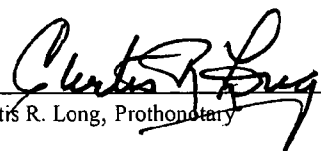
CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT

The undersigned Prothonotary of the Court of Common Pleas of Cumberland County, Pennsylvania, do hereby certify that attached hereto is a full, true and correct copy of the docket entries in the above captioned case.

I further certify that judgment was entered in favor of RONALD J. BOOSE and against RYAN HORCHEN & PENN-WEST COMMODITIES, INC. on the 10TH day of AUGUST A.D. 2008, in the amount of \$95,622.42.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Court, on the 24TH day of JULY A.D., 2008.

(SEAL)


Curtis R. Long, Prothonotary

Deputy

No.07-4756 CIVIL Term

RONALD J. BOOSE

VERSUS

RYAN HORCHEN and
PENN-WEST COMMODITIES, INC.

CERTIFIED RECORD

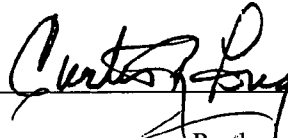
From CUMBERLAND County

Debt,\$ 95,622.42

Int. from \$

Costs \$ 27.50

Paid This Record \$ 16.00



Prothonotary

2007-04756 BOOSE RONALD J (vs) HORCHEN RYAN ET AL

Reference No...		Filed.....:	8/10/2007
Case Type.....	CONFESSION OF JUDGMENT	Time.....:	2:01
Judgment.....	95622.42	Execution Date	0/00/0000
Judge Assigned:		Jury Trial....	
Disposed Desc..		Disposed Date:	0/00/0000
----- Case Comments -----		Higher Crt 1.:	
		Higher Crt 2.:	

 General Index Attorney Info

BOOSE RONALD J PLAINTIFF
 129 FIELDSTONE DR
 CARLISLE PA 17013

HORCHEN RYAN DEFENDANT
 429 1ST ST
 DEBOISE PA 17801

PENN-WEST COMMODITIES INC DEFENDANT
 301 ASPEN WAY
 DUBOISE PA 17801

 Judgment Index Amount Date Desc

HORCHEN RYAN	95,622.42	8/10/2007	CONFESSION OF JUDG
PENN-WEST COMMODITIES INC	95,622.42	8/10/2007	CONFESSION OF JUDG

 * Date Entries *

8/10/2007 - - - - - FIRST ENTRY - - - - -
 CONFESSION OF JUDGMENT AND COMPLAINT ENTERED IN THE AMOUNT OF
 \$95622.42 BY EDWARD P SEEBER ESQ

 8/10/2007 NOTICE MAILED TO DEFENDANTS

 7/24/2008 EXEMPLIFIED RECORD FOR CLEARFIELD CO - BY CHERYL L BAKER/CERT
 PARALEGAL FOR JAMES SMITH DIETTERICK & CONNELLY LLP FOR PLFF
 - - - - - LAST ENTRY - - - - -

 * Escrow Information *

* Fees & Debits	Beg Bal	Pymts/Adj	End Bal
*****	*****	*****	*****
JDMT/CONFESSION	14.00	14.00	.00
TAX ON CONFESS	.50	.50	.00
SATISFACTION	8.00	8.00	.00
AUTOMATION FEE	5.00	5.00	.00
EX RECORD	16.00	16.00	.00
	-----	-----	-----
	43.50	43.50	.00

 * End of Case Information *

TRUE COPY FROM RECORD
 In Testimony whereof, I here unto set my hand
 and the seal of said Court at Carlisle, Pa.
 This 24th day of July 2008
Debra L. Butts
 Prothonotary

RONALD J. BOOSE,
Plaintiff

v.

RYAN HORCHEN and
PENN-WEST COMMODITIES, INC.,
Defendants

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

: NO. 07- 4756 Civil Term

: CIVIL ACTION - LAW

CONFESSION OF JUDGMENT

Pursuant to the authority contained in the warrants of attorney contained in the aforesaid \$13,000.00 Note and \$69,000.00 Note, the originals or copies of which are attached to the Complaint filed in this action, I appear for the Defendants and confess judgment in favor of Plaintiff and against Defendants as follows:

Principal Sum	\$13,000.00
Interest to July 27, 2007	\$283.39
Principal Sum	\$69,000.00
Interest to July 31, 2007	\$1,039.03
Attorneys' Fees (15% of unpaid balance)	<u>\$12,300.00</u>
TOTAL	\$95,622.42

plus interest from July 27, 2007 for the \$13,000.00 Note at the rate of \$1.43 per diem and interest from July 31, 2007 for the \$69,000.00 Note at the rate of \$7.57 per diem.

Respectfully submitted,

PECHT & ASSOCIATES, PC

Date: 8/8/07

By: [Signature]

EDWARD P. SEEGER, ESQUIRE

Attorney I.D. #76084

Suite 200

1205 Manor Drive

Mechanicsburg, PA 17055

(717) 766-9426

Attorneys for Plaintiff

Ronald J. Boose

TRUE COPY FROM RECORD

In Testimony whereof, I here unto set my hand
and the seal of said Court at Carlisle, Pa.
This 24th day of July 2008
Debra L. Burtz Clerk
Prothonotary

Pecht & Associates, PC
Edward P. Seeber, Esquire
Attorney I.D. #76084
Suite 200
1205 Manor Drive
Mechanicsburg, PA 17055
(717)766-9426
Attorneys for Ronald J. Boose

RONALD J. BOOSE,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CUMBERLAND COUNTY, PENNSYLVANIA
	:	
v.	:	NO.
	:	
RYAN HORCHEN and	:	
PENN-WEST COMMODITIES, INC.,	:	
Defendants	:	CIVIL ACTION - LAW

COMPLAINT IN CONFESSION OF JUDGMENT

AND NOW, comes Ronald Boose, Plaintiff, by and through his attorneys, Pecht & Associates, PC, and files this Complaint in Confession of Judgment as follows:

1. Ronald J. Boose, Plaintiff, is an adult individual residing at 129 Fieldstone Drive, Carlisle, Pennsylvania 17013.

2. Defendant, Ryan Horchen, an adult individual residing at 429 1st Street, DuBois, Pennsylvania 17801, is the owner of Penn-West Commodities, Inc. Defendant, Penn-West Commodities, Inc., a corporation with its principal place of business previously located at 301 Aspen Way, DuBois, Pennsylvania 17801. (Defendant Horchen and Defendant Penn-West Commodities, Inc. shall be collectively referred to as the "Defendants").

3. On or about June 27, 2006, Defendants executed and delivered a document entitled "Installment Judgment Note" ("1st Note") in favor of Plaintiff in the original principal amount of Thirteen Thousand Dollars (\$13,000.00), which authorized the confession of judgment against Defendants. A copy of said 1st Note, which copy is a true and correct

reproduction of the original 1st Note, is marked as Exhibit "A", attached hereto and made a part hereof.

4. On or about August 1, 2006, Defendants executed and delivered a second and separate document also entitled "Installment Judgment Note" ("2nd Note") in favor of Plaintiff in the original principal amount of Sixty-nine Thousand Dollars (\$69,000.00), which authorized the confession of another judgment against Defendants unrelated to the sum contained in the 1st Note. A copy of said 2nd Note, which copy is a true and correct reproduction of the original 2nd Note, is marked as Exhibit "B", attached hereto and made a part hereof.

5. To date, Defendants have made no payments as promised to Plaintiff in the 1st Note and 2nd Note.

6. Judgment is not being entered by confession against a natural person in connection with a consumer credit transaction.

7. The aforesaid Notes have not been released, transferred or assigned.

8. The aforesaid Notes stipulate that if the principal sums of each note are not paid by July 27, 2006 and October 31, 2006 respectively, and collection of said sums are placed in the hands of an attorney, Defendants agree to pay attorneys' fees in the amount of 15% of the unpaid balance.

9. Judgment has not been entered against the Defendants on the aforesaid Notes in any jurisdiction.

10. The aforesaid Notes authorize the entry of judgment without default thereon or the occurrence of a condition precedent.

11. The itemization of the amount due, including interest and attorneys' fees as authorized by the Notes is as follows:

Principal Sum (1 st Note)	\$13,000.00
Interest on 1 st Note to July 27, 2007	\$283.39
Principal Sum (2 nd Note)	\$69,000.00
Interest on 2 nd Note to July 31, 2007	\$1,039.03
Attorneys' Fees (15% of unpaid balance)	<u>\$12,300.00</u>
TOTAL	\$95,622.42

plus interest from July 27, 2007 for the 1st Note at the rate of \$1.43 per diem and interest from July 31, 2007 for the 2nd Note at the rate of \$7.57 per diem.

WHEREFORE, Plaintiff, as authorized by the Warrants of Attorney contained in the Notes, demands judgments against Defendants in the total sum of \$95,622.42, with interest on the principal sum of the 1st Note (\$13,000.00) from July 27, 2007 at the rate of \$1.43 per diem and with interest on the principal sum of the 2nd Note (\$69,000.00) from July 31, 2007 at the rate of \$7.57 per diem, and brings said instrument to Court to recover the said sum.

Respectfully submitted,

PECHT & ASSOCIATES, PC

Date: 8/8/07

By: 

EDWARD P. SEEBER, ESQUIRE
Attorney I.D. #76084

Suite 200
1205 Manor Drive
Mechanicsburg, PA 17055
(717) 766-9426

Attorneys for Plaintiff
Ronald J. Boose

\$10,000.00

June 27, 2006

INSTALLMENT JUDGMENT NOTE

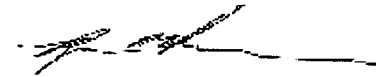
FOR THE VALUE RECEIVED, **RYAN M. HORCHEN, AND PENN-WEST COMMODITIES, INC.**, Hereinafter collectively referred to as "Horchen/Penn-West", promise to pay to the order of **RONALD BOOSE** the principal sum of \$13,000.00 USD (Thirteen Thousand United States Dollars) on July 27th 2006.

If this note is placed in the hands of an attorney for collection After July 27th 2006, Horchen/Penn-West agrees to pay a reasonable attorney's fee in the amount of 15% (Fifteen Percent) of the unpaid balance for collection.

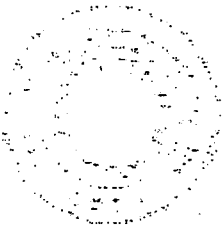
To Secure payment of this note, Horchen/Penn-West hereby authorizes, irrevocably, the Prothonotary, Clerk of Court, or any Attorney of the Court of Records to appear for them in such Court, at any time before or after default and confess judgment against them in favor of any holder of this Note with or without the filing of an Averment of Default, with release of errors, without stay of execution, and for such amount as may appear to be unpaid thereon, together with charges, attorney's fees and costs as herein provided. Horchen/Penn-West hereby waives and releases all errors in said proceedings and the right to object to or appeal therefrom and from all benefit and relief from any and all appraisal, stay, or exemption laws of any State, now in force or hereafter to be passed.



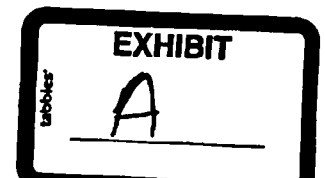
(Ryan M Horchen) Horchen/Penn-West



President / Secretary Penn-West Commodities, Inc.
(Ryan M Horchen)



(Penn-West Commodities, Inc. Seal)



\$60,000.00


August 1, 2006

INSTALLMENT JUDGMENT NOTE

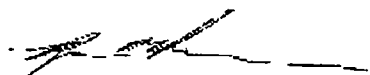
FOR THE VALUE RECEIVED, **RYAN M. HORCHEN, AND PENN-WEST COMMODITIES, INC.**, Hereinafter collectively referred to as "Horchen/Penn-West", promise to pay to the order of **RONALD BOOSE** the principal sum of \$69,000.00 USD on Oct 31st 2006.

If this note is placed in the hands of an attorney for collection After Oct 31st 2006, Horchen/Penn-West agrees to pay a reasonable attorney's fee in the amount of 15% (Fifteen Percent) of the unpaid balance for collection.

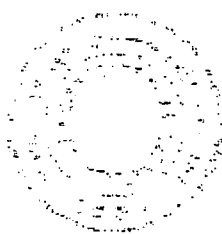
To Secure payment of this note, Horchen/Penn-West hereby authorizes, irrevocably, the Prothonotary, Clerk of Court, or any Attorney of the Court of Records to appear for them in such Court, at any time before or after default and confess judgment against them in favor of any holder of this Note with or without the filing of an Averment of Default, with release of errors, without stay of execution, and for such amount as may appear to be unpaid thereon, together with charges, attorney's fees and costs as herein provided. Horchen/Penn-West hereby waives and releases all errors in said proceedings and the right to object to or appeal therefrom and from all benefit and relief from any and all appraisement, stay, or exemption laws of any State, now in force or hereafter to be passed.



(Ryan M Horchen) Horchen/Penn-West



President / Secretary Penn-West Commodities, Inc.
(Ryan M Horchen)



(Penn-West Commodities, Inc. Seal)



IN THE COURT OF COMMON PLEAS OF CUMBERLAND COUNTY, PENNSYLVANIA

RONALD J. BOOSE,
Plaintiff

v.

RYAN HORCHEN and
PENN-WEST COMMODITIES, INC.,
Defendants

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

:

: NO.

:

:

:

:

: CIVIL ACTION - COMPLAINT IN
: CONFESSION OF JUDGMENT

I hereby certify that the address of Plaintiff is

**129 Fieldstone Drive
Carlisle, PA 17013**

The last known addresses of Defendants are:

**Ryan Horchen
429 1st Street
DuBois, PA 17801**

**Penn-West Commodities, Inc.
429 1st Street
DuBois, PA 17801**

Respectfully submitted,

PECHT & ASSOCIATES, PC

Date: 8/8/07

By: 

EDWARD P. SEEBER, ESQUIRE

Attorney I.D. #76084

Suite 200

1205 Manor Drive

Mechanicsburg, PA 17055

(717) 766-9426

Attorneys for Plaintiff

Ronald J. Boose

FILED-OFFICE
OF THE PROthonotary

2007 AUG 10 PM 2: 01

CUMBERLAND COUNTY
PENNSYLVANIA

\$27.50 Pd ATTY

Ce # 2980

ET# 196687

Notice mailed

RONALD J. BOOSE,
Plaintiff

v.

RYAN HORCHEN and
PENN-WEST COMMODITIES, INC.,
Defendants

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

: NO.

: CIVIL ACTION - LAW

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: Ryan Horchen
429 1st Street
DuBois, PA 17801

Penn-West Commodities, Inc.
429 1st Street
DuBois, PA 17801

- () Plaintiff
(X) Defendant
(X) Additional Defendant

You are hereby notified that an Order, Decree or Judgment was entered
in the above captioned proceeding on 8/10/07.

() A copy of the Order or Decree is enclosed,

or

(X) The judgment is as follows: **\$95,622.42**

plus interest from July 27, 2007 for the \$13,000.00 Note at the rate of \$1.43 per diem and interest
from July 31, 2007 for the \$69,000.00 Note at the rate of \$7.57 per diem.

13/ Curtis R. Long oks
Deputy

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Ronald J. Boose

Vs.

No. 2008-01561-CD

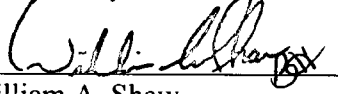
Ryan Horchen and Penn-West Commodities, Inc.

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$95,622.42 on August 20, 2008.

William A. Shaw

Prothonotary


William A. Shaw

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

Ronald J. Boose
Plaintiff(s)

No.: 2008-01561-CD

Real Debt: \$95,622.42

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Ryan Horchen
Penn-West Commodities, Inc.
Defendant(s)

Entry: \$20.00

Instrument: Transferred Judgment from
Cumberland County, PA

Date of Entry: August 20, 2008

Expires: August 20, 2013

Certified from the record this 20th day of August, 2008.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney