

08-1951-CD

Hoffman Riggers Inc vs Weldstar Inc

COURT OF COMMON PLEAS OF ERIE COUNTY
CIVIL DIVISION

08-1951-CD

Page 1 of 6

Plaintiff(s)
HOFFMAN RIGGERS INC
(vs)

Defendant(s)
WELDSTAR INC

COUNTY NATIONAL BANK
GARNISHEE

Case No: 2008-11720

WRIT OF EXECUTION
NOTICE

This paper is a WRIT OF EXECUTION. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly:

- (1) Fill out the attached claim form and demand for a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

S FILED
01/04/2008
OCT 13 2008
Attys Elderkin, Martin,
Kelly & Messina, pd.
\$20.00
LAW
William A. Shaw
Prothonotary/Clerk of Courts

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYERS REFERRAL SERVICE

(814) 459-4411
302 W NINTH ST
ERIE, PA 16502

COURT OF COMMON PLEAS OF ERIE COUNTY
CIVIL DIVISION

Page 2 of 6

HOFFMAN RIGGERS INC (vs) WELDSTAR INC
Case No: 2008-11720

WRIT OF EXECUTION
(Money Judgments)
(Rule 3252)

Commonwealth of Pennsylvania
County of ERIE

To the Sheriff of ERIE COUNTY:

To satisfy the judgment, interest and costs against
WELDSTAR INC

- (1) you are directed to levy upon the property of the defendant(s) and to sell the defendant's interest therein;
- (2) you are also directed to attach the property of the defendant(s) not levied upon in the possession of COUNTY NATIONAL BANK as garnishee(s),

(Specifically describe Property)

**ANY MONEY OR OTHER PROPERTY BELONGING TO WELDSTAR INC
WHICH IS ON DEPOSIT OR IN THE POSSESSION OF COUNTY NATIONAL
BANK

COURT OF COMMON PLEAS OF ERIE COUNTY
CIVIL DIVISION

Page 3 of 6

HOFFMAN RIGGERS INC (vs) WELDSTAR INC
Case No: 2008-11720

and to notify the garnishee(s) that

- (a) an attachment has been issued;
- (b) except as provided in paragraph (c), the garnishee(s) is 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(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

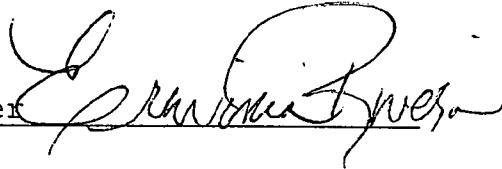
COURT OF COMMON PLEAS OF ERIE COUNTY
CIVIL DIVISION

Page 4 of 6

HOFFMAN RIGGERS INC (vs) WELDSTAR INC
Case No: 2008-11720

AMOUNT DUE	\$85,064.44
INTEREST @6% (PER DIEM \$13.98)	\$1,565.76
TOTAL	\$86,630.02
PRO ATTY COST PD	\$150.00
SHERIFF'S FEE PD	\$70.00
SAT#	\$8.00

Patrick L. Fetzner
Prothonotary



9/25/2008
Date Sealed

Attorney for Plaintiff:
RHODES DAVID J, ESQ
MCCLURE & MILLER
717 STATE ST, STE 701
ERIE, PA 16501

COURT OF COMMON PLEAS OF ERIE COUNTY
CIVIL DIVISION

Page 5 of 6

HOFFMAN RIGGERS INC (vs) WELDSTAR INC
Case No: 2008-11720

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

(i) set aside in kind (specify property to be set aside in kind); _____

(ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis for exemption): _____

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300 statutory exemption: in cash
 in kind (specify property): _____

(b) Other (specify amount and basis of exemption): _____

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

COURT OF COMMON PLEAS OF ERIE COUNTY
CIVIL DIVISION

Page 6 of 6

HOFFMAN RIGGERS INC (vs) WELDSTAR INC
Case No: 2008-11720

I request a prompt court hearing to determine the exemption.
Notice of the hearing should be given to me at (include phone#).

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa C.S. 4909 relating to unsworn falsification to authorities.

Date

(Defendant)

THIS CLAIM TO BE FILED WITH THE OFFICE
OF THE SHERIFF OF ERIE COUNTY

ERIE COUNTY SHERIFFS OFFICE
814-451-6254 451-6253 451-6293
140 WEST 6 STREET
FOURTH FLOOR
ERIE, PA 16501