



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

CERTIFIED BUILDERS WHOLESALE INC.

Plaintiff

VS.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, his wife

Defendants

No. 08- 1974-CD

TYPE OF CASE  
Civil Action - Law

TYPE OF PLEADING:  
Claim of Lien

FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:  
David R. Thompson, Esq.  
Attorney at Law  
Supreme Court I.D. 73053  
P.O. Box 587  
308 Walton Street, Suite 4  
Philipsburg PA 16866  
(814) 342-4100

<sup>3</sup>  
**FILED** *Atty Ad*  
*01:44:01 25*  
OCT 15 2008 *ICC to Defs. w/notice*  
*(SM) 2 CC Atty Thompson*  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFIED BUILDERS WHOLESALE INC.:

Claimant,

No. 08-

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, his wife

Owners,

**CLAIM OF LIEN - MECHANIC'S LIEN**  
**Pa Stat. Ann. Title 49. §1503**

AND NOW, comes the Claimant, **Certified Builders Wholesale Inc.**, by and through its attorney, David R. Thompson, Esquire, and files this Claim of Lien ("Claim") pursuant to the Mechanic's Lien Law, as amended, (49 P.S. §1503) and in support thereof avers as follows:

1. Claimant Certified Builders Wholesale Inc. is a Pennsylvania corporation with its principal place of business at 1212 Walton Street, Philipsburg, Pennsylvania, 16866.
2. Claimant files this Claim as a subcontractor.
3. The general contractor is Mecco Construction, a Pennsylvania business with its principal place of business at PO Box 277, Ramey, Pennsylvania, 16671.
3. The owners of real estate and buildings against which Claimant files this Claim are David T. and Elizabeth Sheehan, husband and wife, who reside at 71 Sieber Road, Spring City, Pennsylvania, 19475.
4. Claimant delivered materials to Owners property on April 21, 2008.

5. Claimant makes this Claim based on a contractual invoice between Plaintiff and Mecco Construction, general contractor for owners, which provided for materials for the agreed upon sum of \$9,528.69. A true and correct copy of said invoice is attached hereto as Exhibit "A".

6. A full and complete list of the materials provided is also attached hereto as Exhibit "A".

7. Owners have failed and refused to make payment to Claimant that was and is due and owing for materials provided, all to the detriment of Claimant.

8. All materials provided by Claimant were incorporated into the building and/or are in the possession of Owners.

9. Claimant provided a Formal Notice of Intent to File a Mechanic's Lien to David T. and Elizabeth Sheehan on September 11, 2008 by U.S. Postal Service Certified Mail.

10. The property which is subject to the lien is real property located in Clearfield County, Pennsylvania, consisting of 76 acres more or less, and having a control number of 101013714, and also being the property described in Deed Book 2007, page 08094, and dated 20070508 in the Clearfield County Recorder of Deeds Office.

11. The amount due and owing to Claimant is \$9,528.69 together with lawful interest.

Respectfully Submitted,

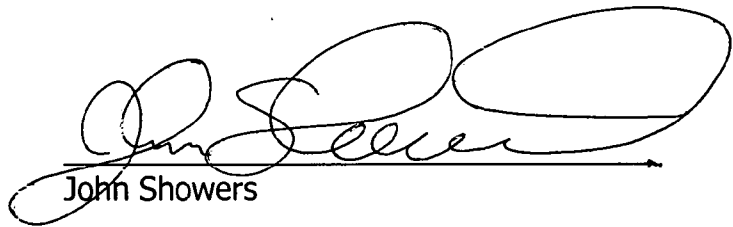
A handwritten signature in black ink, appearing to read 'D. R. Thompson', written over a horizontal line.

David R. Thompson, Esquire

**VERIFICATION**

I certify that the facts set forth in the foregoing ***CLAIM OF LIEN*** are true and correct to the best of my knowledge, information and belief and that I am the owner of Certified Builders Wholesale, Inc., Claimant in the Claim of Lien. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated:



John Showers



# CERTIFIED BUILDERS WHOLESAL, INC.

1212 Walton Street  
Philipsburg, PA 16866  
(814) 342-6540 • 800-742-4504  
FAX (814) 342-4417  
www.certifiedbuilders.net

ORDER  
PAGE 2

HHHH

SO  
OLD  
TO

MECCO CONSTRUCTION  
PO BOX 777  
RAMEY PA 16871

SHIP  
TO

S O L D T O		MECCO CONSTRUCTION		S H I P T O		INVOICE NO.		INVOICE DATE							
PO BOX 8777						04756		3-1-80							
RAMEY PA 15571								ACCOUNT NO.							
								15571							
SALES PERSON		CHECKER		METHOD OF PAYMENT		PURCHASE ORDER NO.		ORDER REF. NO.		DUE DATE		SLIP NO.		DELIVERY DATE	
ALD		RD		CASH		0000000000									
ORDERED		SHIPPED		ITEM NO.		DESCRIPTION		U/M		UNIT PRICE		AMOUNT			

0000000000

NOTE: Purchaser assumes responsibility for sizes, specifications & quantities on all orders.

2	0109036R	0-102	OUTSWING * 36 X 80 * R/H/H	EA	219.10	438.20
2	0101036R	0-101	FLUSH * OUTSWING * 36 X 80	EA	162.50	325.00
2	00SHS484B	0-104	SLIDER 48 X 48	EA	142.60	285.20
2	0000000000	0-105	LOWE/ARG FULS	EA	203.75	407.50
1	0000000000	0-106	WHITE VINYL-PATIO 6' X 6'8 LEFT	EA	549.95	549.95
1	0000000000	0-107	ACTIVE-1" INS BL-HAVY DUTY SCREEN	EA	599.95	599.95
1	0000000000	0-108	DOOR DOUBLE DOOR	EA	10.00	10.00
10	0000000000	0-109	WHITE J-CHANNEL 12'6"	EA	4.46	44.60

HHHH

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HHHH

## PURCHASER ASSUMES RESPONSIBILITY FOR SIZES, SPECIFICATIONS & QUANTITIES ON ALL ORDERS.

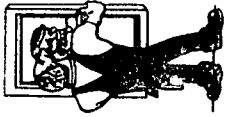
NOTE: NO Warranty on DARK BROWN Windows unless specified in writing. All sales take place at 1212 Walton St., Philipsburg, Clearfield County, PA.

NOTE: Products are distributed, sold or installed by Certified Builders Wholesale, Inc. and are purchased by the same from the manufacturer as a proven product. Certified Builders is not responsible for any defect on the products, windows, or screens other than what the manufacturer stipulates. The warranty is (ONE) full year at no charge to the customer for parts or labor. A \$55.00 service charge will be rendered for the first hour and \$25.00 per hour after that plus any parts not covered by the manufacturer. You may not cancel any special order after 3 work days. No other conditions exist for cancelling an order, unless a written agreement is signed by both parties. 1. Returns subject to a restocking charge, depending on the product purchased. 2. A 1 1/2% per month service charge is added beginning the first of the month following due date. 3. Attorney's fees of 25% of the outstanding balance plus legal costs will be added for collection fees where we deem it necessary to enforce collection. 4. Vendor liability ceases upon delivery of goods to vendor's loading dock for pick up. 5. On deliveries vendor's liability ceases when goods are unloaded. Vendor reserves right to unload anywhere at destination unless specific directions are given by customer (within reasonable requests). 6. Vendor has the right to attach, garnish or fix lien on any property or joint property including all of the above rules in order to collect any outstanding bills due. Vendor maintains this right at any time after sufficient notice for nonpayment has been issued with a maximum of six months. Vendor maintains this right against contractor or person whether in business or not, no matter what state said party or parties may live in or move to. This agreement, once signed, does hold you liable and waives all bankruptcy rules and regulations. This is a personal guarantee of payment.

SUB TOTAL	0000.00
SALES TAX	000.00
DEPOSIT	000.00
TOTAL AMOUNT DUE	0000.00

HHHH

HHHH



# CERTIFIED BUILDERS WHOLESALE, INC.

1212 Walton Street  
Philipsburg, PA 16866  
(814) 342-6540 • 800-742-4504  
FAX (814) 342-4417  
www.certifiedbuilders.net

DE 4/21/00

By JLB  
ORDER  
D Not Get Check

HHHH



SHIP TO	INVOICE NO.	INVOICE DATE
SHIP TO	44736	4/13/00

SO L MEDCO CONSTRUCTION  
PO BOX 277  
T CONEY PO 16871

SALES PERSON	CHECKER	METHOD OF PAYMENT	PURCHASE ORDER NO.	ORDER REF. NO.	DUE DATE	SLIP NO.	DELIVERY DATE
HOU	RJ	CASH	0183001				

ACCOUNT NO.	REMARKS

ORDERED	SHIPPED	ITEM NO.	DESCRIPTION	U/M	UNIT PRICE	AMOUNT
			(814) 372-7431			
			NOTE: Purchaser assumes responsibility for sizes, specifications & quantities on all orders.			
			CMT #1223407 3/21/00			
2			225X 10' X 10' 6. DOOR		682.00	1364.00 T
			BRANDSTONE			
			412"R/TORCION			
			60/5 LOCK			
1		6DA0PA	Perforated Angle	PC	15.65	15.65 T
60		6DA0VW	Vinyl Weatherstrip (lineal ft.)	FT	1.25	75.00 T
5		3M1	GLIDING DOORS 1"	DX	6.56	32.80 T
1		3STNW	STAINLESS STEEL TRIM NAILS-WHITE	DX	9.51	9.51 T
3		ATCW	TRIM COIL WHITE/WH 24" X 50'	DX	78.35	235.05 T
22		HACVSW	HEIGHT CENTER VENT SOFFIT WHITE TRIP 4	PC	8.96	197.12 T
36		HAT4SS	HEARTY 1-6 SOLID SOFFIT WHITE	PC	8.96	322.56 T
54		HAS2JS	5/8 SANDLEWOOD J-CHANNEL 12'6"	PC	4.46	240.94 T
3		HAS8DCS	5/8 SANDLEWOOD OUTSIDE CORNER 10'	PC	17.20	51.60 T
10		HATTS	SANDLEWOOD T-TRIM 10'	PC	12.05	120.50 T
255		HAS5S	HEIGHT SANDLEWOOD SOLID SOFFIT 12'	PC	13.72	3498.60 T
5		LUSSE43852	ULTRA SECURITY STANDARD FINISH LOC EA	EA	12.50	62.50 T

HHHH

HHHH

HHHH

## PURCHASER ASSUMES RESPONSIBILITY FOR SIZES, SPECIFICATIONS & QUANTITIES ON ALL ORDERS.

SUB TOTAL	
SALES TAX	
DEPOSIT	
TOTAL AMOUNT DUE	

NOTE: NO Warranty on DARK BROWN Windows unless specified in writing. All sales take place at 1212 Walton St. Philipsburg, Clearfield County, PA. (Cantina)

NOTE: Products are distributed, sold or installed by Certified Builders Wholesale, Inc. and are purchased by the same from the manufacturer as a proven product. Certified Builders is not responsible for any defect on the products, windows, or screens other than what the manufacturer stipulates. The warranty is (ONE) full year at no charge to the customer for parts or labor. A \$35.00 service charge will be rendered for the first hour and \$25.00 per hour after that plus any parts not covered by the manufacturer. You may not cancel any special order after 3 work days. No other conditions exist for canceling an order, unless a written agreement is signed by both parties. 1. Returns subject to a restocking charge, depending on the product purchased. 2. A 1 1/2% per month service charge is added beginning the first of the month following due date. 3. Attorney's fees of 25% of the outstanding balance plus legal costs will be added for collection fees where we deem it necessary to enforce collection. 4. Vendor liability ceases upon delivery of goods to vendor's loading dock for pick up. 5. On deliveries vendor's liability ceases when goods are unloaded. Vendor reserves right to unload anywhere at destination unless specific directions are given by customer (within reasonable requests). 6. Vendor has the right to attach, garnish or lien on any property or joint property including all of the above rules in order to collect any outstanding bills due. Vendor maintains this right at any time after sufficient notice for nonpayment has been issued with a maximum of six months. Vendor maintains this right against contractor or person whether in business or not, no matter what state said party or parties may live in or move to. This agreement, once signed, does hold you liable and waives all bankruptcy rules and regulations. This is a personal guarantee of payment.

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Certified Builders Wholesale, Inc.

Vs.

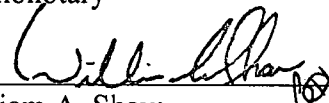
No. 2008-01974-CD

David T. Sheehan and Elizabeth Sheehan

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$9,528.69 on October 15, 2008.

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
William A. Shaw



CORRECTED NOTICE  
NOTICE OF MECHANIC'S LIEN CLAIM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Certified Builders Wholesale, Inc.

Vs.

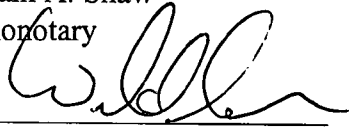
No. 2008-01974-CD

David T. Sheehan Elizabeth Sheehan

To: DEFENDANT(S)

NOTICE is given that a Mechanic's Lien Claim in the above captioned matter has been entered against you in the amount of \$9528.69 on October 15, 2008.

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
William A. Shaw

11-13-08

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH

SHEEHAN

Defendants

No. 2008-01974-CD

Type of Case: Civil

Type of Pleading:

Praecipe for Entry of Appearance

Filed on Behalf of: Defendants

Counsel for Defendants:

Ann B. Wood, Esquire

Supreme Court No. 23364

Bell, Silberblatt & Wood

318 East Locust Street

P.O. Box 670

Clearfield, PA 16830

(814) 765-5537

FILED

01/11/25/08  
NOV 20 2008

S

William A. Shaw  
Prothonotary/Clerk of Courts

icc  
Atty Wood

610

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

CERTIFIED BUILDERS WHOLESALE, INC. :

Plaintiff :

vs. :

No. 2008-01974-CD

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN :

Defendants :

**PRAECIPE FOR ENTRY OF APPEARANCE**

TO: William A. Shaw, Prothonotary, Clerk of Courts,

Please enter my appearance on behalf of Defendants, David T. Sheehan and Elizabeth  
Sheehan, in the above-captioned case.

BELL, SILBERBLATT & WOOD  
By

Date: Nov. 19, 2008

Ann B. Wood  
Ann B. Wood, Esquire  
Attorney for Defendants

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

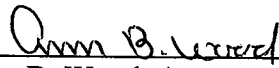
CERTIFIED BUILDERS WHOLESALE, INC.	:	
Plaintiff	:	
	:	
vs.	:	No. 2008-01974-CD
	:	
DAVID T. SHEEHAN and ELIZABETH	:	
SHEEHAN	:	
Defendants	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a certified copy of the foregoing Praecipe for Entry of Appearance as filed on behalf of the Defendants with reference to the above matter has been served upon the following attorney for Plaintiff by mailing the same to them by United States First Class Mail, postage prepaid, addressed as follows on November 21, 2008:

David R. Thompson, Esquire  
308 Walton Street, Suite 4  
P.O. Box 587  
Philipsburg, PA 16866-0587

Date: November 21, 2008

  
Ann B. Wood, Attorney for Defendants

CA

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

CERTIFIED BUILDERS WHOLESALE, INC.  
Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN Defendants

:  
:  
:  
No. 2008-01974-CD  
:  
:  
Type of Case: Civil  
:  
Type of Pleading:  
Preliminary Objections  
:  
Filed on Behalf of: Defendants  
:  
Counsel for Defendants:  
:  
Ann B. Wood, Esquire  
Supreme Court No. 23364  
Bell, Silberblatt & Wood  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830  
(814) 765-5537

5  
**FILED** 100 Atty  
0/11:45 am Wood  
DEC 02 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN

Defendants

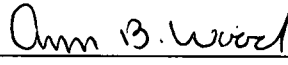
No. 2008-01974-CD

**NOTICE TO PLEAD**

TO: Certified Builders Wholesale, Inc.

You are hereby notified to file a written response to the enclosed Preliminary Objections  
within twenty (20) days from service hereof or a judgment may be entered against you.

BELL, SILBERBLATT & WOOD  
BY:

  
Ann B. Wood, Esquire  
Attorney for Defendants

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

CERTIFIED BUILDERS WHOLESALE, INC.	:	
Plaintiff	:	
	:	
vs.	:	No. 2008-01974-CD
	:	
DAVID T. SHEEHAN and ELIZABETH	:	
SHEEHAN	:	
Defendants	:	

**PRELIMINARY OBJECTIONS TO MECHANIC'S LIEN CLAIM**

NOW COME, David T. Sheehan and Elizabeth Sheehan, Owners, by their counsel, Ann B. Wood, Esquire, and files these Preliminary Objections pursuant to 49 Pa.S. §1505 to strike off the Mechanic's Lien Claim of Certified Builders Wholesale, Inc., Claimant, and in support thereof avers the following:

1. Claimant's Mechanic's Lien, a copy of which is attached as Exhibit "A" was filed on October 15, 2008, against Owners' property consisting of 76 acres in Clearfield County described as Instrument #200708094 dated May 8, 2007.

2. Claimant claims a lien in the amount of \$9,528.69 for materials furnished in the erection or construction of a pole barn pursuant to orders for materials placed by Wesley Lovell t/d/b/a Mecco Construction, the general contractor with the Owners.

3. Claimant's Mechanic's Lien is barred by Claimant's failure to serve written notice by an adult in the same manner as a Writ of Summons in Assumpsit pursuant to 49 P.S. §1502(c) but rather served notice by Certified Mail.

4. Claimant's Mechanic's Lien claim is barred for failing to file an Affidavit of Service within twenty (20) days of the service that was made setting forth the date and manner of service as required by 49 P.S. §1502(a)(2).

5. Pursuant to 49 P.S. §1502(a)(2), the failure to serve the notice or to file the Affidavit within the time specified shall be sufficient ground for striking off the claim.

WHEREFORE, David T. Sheehan and Elizabeth Sheehan as Owners of the property at issue request the Honorable Court to strike the Claimant's Mechanic's Lien Claim.

Respectfully submitted,  
BELL, SILBERBLATT & WOOD  
By:

Ann B. Wood

Ann B. Wood, Esquire  
Attorney for Defendants

#### VERIFICATION

We verify that the statements made in these Preliminary Objections are true and correct.

We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

Date: 11/24/08

David T. Sheehan  
David T. Sheehan

Elizabeth Sheehan  
Elizabeth Sheehan



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

CERTIFIED BUILDERS WHOLESALE INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, his wife

Defendants

No. 08-1974-CD

TYPE OF CASE  
Civil Action - Law

TYPE OF PLEADING:  
Claim of Lien

FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:

David R. Thompson, Esq.  
Attorney at Law  
Supreme Court I.D. 73053  
P.O. Box 587  
308 Walton Street, Suite 4  
Philipsburg PA 16866  
(814) 342-4100

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

OCT 15 2008

*W. B.*  
Prothonotary/  
Clark of Courts

Attest.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFIED BUILDERS WHOLESALE INC.:

Claimant,

No. 08-

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, his wife

Owners,

**CLAIM OF LIEN - MECHANIC'S LIEN**  
**Pa Stat. Ann. Title 49. §1503**

AND NOW, comes the Claimant, **Certified Builders Wholesale Inc.**, by and through its attorney, David R. Thompson, Esquire, and files this Claim of Lien ("Claim") pursuant to the Mechanic's Lien Law, as amended, (49 P.S. §1503) and in support thereof avers as follows:

1. Claimant Certified Builders Wholesale Inc. is a Pennsylvania corporation with its principal place of business at 1212 Walton Street, Philipsburg, Pennsylvania, 16866.
2. Claimant files this Claim as a subcontractor.
3. The general contractor is Mecco Construction, a Pennsylvania business with its principal place of business at PO Box 277, Ramey, Pennsylvania, 16671.
3. The owners of real estate and buildings against which Claimant files this Claim are David T. and Elizabeth Sheehan, husband and wife, who reside at 71 Sieber Road, Spring City, Pennsylvania, 19475.
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6. A full and complete list of the materials provided is also attached hereto as Exhibit "A".

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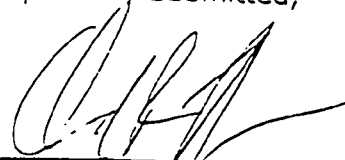
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9. Claimant provided a Formal Notice of Intent to File a Mechanic's Lien to David T. and Elizabeth Sheehan on September 11, 2008 by U.S. Postal Service Certified Mail.

10. The property which is subject to the lien is real property located in Clearfield County, Pennsylvania, consisting of 76 acres more or less, and having a control number of 101013714, and also being the property described in Deed Book 2007, page 08094, and dated 20070508 in the Clearfield County Recorder of Deeds Office.

11. The amount due and owing to Claimant is \$9,528.69 together with lawful interest.

Respectfully Submitted,

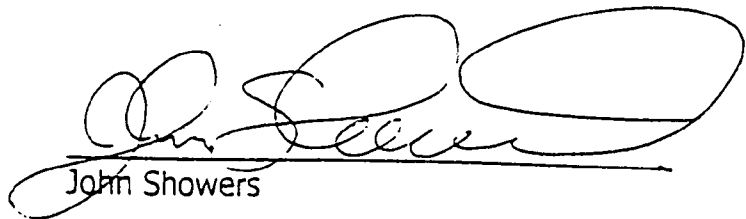
A handwritten signature in black ink, appearing to read 'D. R. Thompson', written over a horizontal line.

David R. Thompson, Esquire

### VERIFICATION

I certify that the facts set forth in the foregoing ***CLAIM OF LIEN*** are true and correct to the best of my knowledge, information and belief and that I am the owner of Certified Builders Wholesale, Inc., Claimant in the Claim of Lien. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated:



John Showers





NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Certified Builders Wholesale, Inc.

Vs.

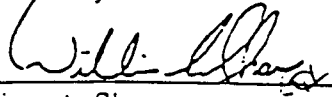
No. 2008-01974-CD

David T. Sheehan and Elizabeth Sheehan

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$9,528.69 on October 15, 2008.

William A. Shaw  
Prothonotary

  
William A. Shaw

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

CERTIFIED BUILDERS WHOLESALE, INC.	:	
Plaintiff	:	
	:	
vs.	:	No. 2008-01974-CD
	:	
DAVID T. SHEEHAN and ELIZABETH	:	
SHEEHAN	:	
Defendants	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a certified copy of the foregoing Preliminary Objections as filed on behalf of the Defendants with reference to the above matter has been served upon the following attorney for Plaintiff by mailing the same to them by United States First Class Mail, postage prepaid, addressed as follows on December 2,, 2008:

David R. Thompson, Esquire  
308 Walton Street, Suite 4  
P.O. Box 587  
Philipsburg, PA 16866-0587

Date: Dec. 2, 2008

Ann B. Wood  
Ann B. Wood, Attorney for Defendants



UA

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH

SHEEHAN

Defendants

No. 2008-01974-CD

Type of Case: Civil

Type of Pleading:  
Praecipe for Argument

Filed on Behalf of: Defendants

Counsel for Defendants:

Ann B. Wood, Esquire  
Supreme Court No. 23364  
Bell, Silberblatt & Wood  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830  
(814) 765-5537

S  
FILED ICC Atty  
01/11:45 LM  
DEC 02 2008  
LM  
William A. Shaw  
Prothonotary/Clerk of Courts  
Wood

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN

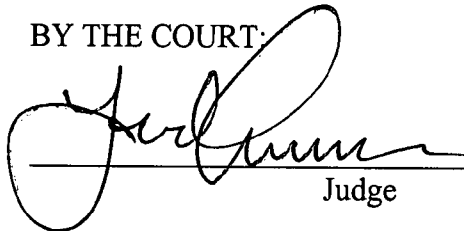
Defendants

No. 2008-01974-CD

RULE

AND NOW this 4 day of December, 2008, upon consideration of the Preliminary Objections filed on behalf of the Owners in this matter and the Praecipe for Argument on the same, it is hereby ORDERED AND DIRECTED that a rule be issued upon the Claimant, to show cause why the prayer for relief in said Preliminary Objections should not be granted. Argument is set for the 5<sup>th</sup> day of January, 2009 at 1:30 P.m. at the Clearfield County Courthouse, Courtroom # 1. The time allotted for this argument is 1 1/2 hour(s).

BY THE COURT:

  
Judge

FILED  
DEC 04 2008

William A. Shaw  
Prothonotary/Clerk of Courts

1CC  
Anywood  
GIC

FILED

DEC 04 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 12/4/08

☒ You are responsible for serving all appropriate parties.  
\_\_\_\_ The Prothonotary's office has provided service to the following parties:  
\_\_\_\_ Plaintiff(s) \_\_\_\_ Plaintiff(s) Attorney \_\_\_\_ Other  
\_\_\_\_ Defendant(s) \_\_\_\_ Defendant(s) Attorney  
\_\_\_\_ Special Instructions:

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

CERTIFIED BUILDERS WHOLESALE, INC. :

Plaintiff :

vs. :

No. 2008-01974-CD

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN :

Defendants :

**PRAECIPE FOR ARGUMENT**

TO THE PROTHONOTARY:

KINDLY SUBMIT THIS MATTER TO  
THE COURT FOR ARGUMENT ONLY.

1. The matter to be submitted for Argument is Preliminary Objections.
2. Oral Argument is requested.
3. This is not a discovery matter.
4. I certify that notice has been given to all counsel of record and to all unrepresented parties

of record of the filing of this Praecipe.

BELL, SILBERBLATT & WOOD  
BY

Date: Dec. 2, 2008

Ann B. Wood  
Ann B. Wood, Esquire  
Attorney for Defendant/Owners

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN Defendants

No. 2008-01974-CD

Type of Case: Civil

Type of Pleading:  
Certificate of Service

Filed on Behalf of: Defendants

Counsel for Defendants:

Ann B. Wood, Esquire  
Supreme Court No. 23364  
Bell, Silberblatt & Wood  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830  
(814) 765-5537

*S*  
**FILED** *NO CC*  
DEC 08 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CERTIFIED BUILDERS WHOLESALE, INC.	:	
Plaintiff	:	
	:	
vs.	:	No. 2008-01974-CD
	:	
DAVID T. SHEEHAN and ELIZABETH	:	
SHEEHAN	:	
Defendants	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a certified copy of Praecept for Argument with attached Rule setting hearing for January 5, 2008, as filed on behalf of the Defendants with reference to the above matter has been served upon the following attorney for Plaintiff by mailing the same to them by United States First Class Mail, postage prepaid, addressed as follows on December 5, 2008:

David R. Thompson, Esquire  
308 Walton Street, Suite 4  
P.O. Box 587  
Philipsburg, PA 16866-0587

Date: Dec. 5, 2008

Ann B. Wood  
Ann B. Wood, Attorney for Defendants

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH

SHEEHAN

Defendants

No. 2008-01974-CD

Type of Case: Civil

Type of Pleading:  
Affidavit of Service

Filed on Behalf of: Defendants

Counsel for Defendants:

Ann B. Wood, Esquire  
Supreme Court No. 23364  
Bell, Silberblatt & Wood  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830  
(814) 765-5537

*S* FILED *No CC.*  
*01/11:30 am*  
DEC 10 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

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

CERTIFIED BUILDERS WHOLESALE, INC.

Plaintiff

vs.

No. 2008-01974-CD

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN

Defendants

**AFFIDAVIT OF SERVICE**

COMMONWEALTH OF PENNSYLVANIA

:  
:  
: SS.  
:

COUNTY OF CLEARFIELD

AND NOW, this 10<sup>th</sup> day of December, 2008, I, Ann B. Wood, Esquire, being duly sworn, do depose and say that on November 20, 2008, I served a Notice to Settle, Discharge, Defend or Provide Security Against Mechanic's Lien Claim in the above-referenced matter on Wesley Lovell/Mecco Construction, by causing the same to be deposited in the United States Mail at the United States Post Office located at 118 North Second Street, Clearfield, Pennsylvania 16830, postage prepaid, by Certified Mail No. 7007 2560 0000 9091 1555, Return Receipt Requested, addressed to:

Wesley Lovell  
Mecco Construction  
P.O. Box 277  
Ramey, PA 16671

The Receipt For Certified Mail Receipt and the Return Receipt Card are attached hereto showing receipt on December 2, 2008.

Said document was also mailed by Regular Mail to Wesley Lovell at the above address with a Certificate Of Mailing, which is attached hereto, on November 20, 2008, and said mailing has not been returned to this office as of this date.

BELL, SILBERBLATT & WOOD

By

Ann B. Wood  
Ann B. Wood, Esquire

NOTARIAL SEAL  
ANDREA M. SMITH, Notary Public  
Clearfield Boro. Clearfield County, PA  
My Commission Expires June 28, 2011

SWORN TO and SUBSCRIBED before me this 10<sup>th</sup> day of December, 2008.

Andrea M. Smith  
Notary Public



5551 1606 0000 0952 2006

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ 1.17
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	—
<b>Total Postage &amp; Fees</b>	<b>\$ 6.07</b>

**Postmark Here**  
 CLEARFIELD PA 16830  
 NOV 20 2008  
 USPS

Sent To  
 Wesley Lovell/Mecco Construction  
 Street, Apt. No., or PO Box No. P.O. Box 277  
 City, State, ZIP+4 Ramey, PA 16671

PS Form 3800, August 2006 See Reverse for Instructions

**U.S. POSTAL SERVICE** **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Received From:  
 Ann B. Wood/Bell, Silberblatt & Wood  
 P.O. Box 670  
 Clearfield, PA 16830

One piece of ordinary mail addressed to:  
 Wesley Lovell/Mecco Construction  
 P.O. Box 277  
 Ramey, PA 16671

PS Form 3817, January 2001

**POSTAGE**  
 CLEARFIELD PA 16830  
 NOV 20 2008  
 USPS

**PITNEY DOWES**  
 \$ 001.100  
 0002792972 NOV 20 2008  
 MAILED FROM ZIP CODE 16830

**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.

1. Article Addressed to:  
 Wesley Lovell  
 Mecco Construction  
 P.O. Box 277  
 Ramey, PA 16671

2. Article Number (Transfer from service label) 7007 2560 0000 9091 1555

PS Form 3811, February 2004 Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature Jeane Selva ☐ Agent ☐ Addressee

B. Received by (Printed Name) Jeane Selva C. Date of Delivery 12-6-08

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

102595-02-M-1540

**FILED**

**DEC 10 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA  
CIVIL ACTION - LAW

CERTIFIED BUILDERS WHOLESALE INC.,

Plaintiff

VS

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, his wife

Defendant

No. 08-01974-CD

TYPE OF CASE  
Civil Division

*S*  
**FILED** 3CC/Att  
*m 11/16/08 Thompson*  
DEC 24 2008  
*lm*  
William A. Shaw  
Prothonotary/Clerk of Courts

TYPE OF PLEADING:  
Answer To Defendant's  
Preliminary Objections

FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:

David R. Thompson, Esq.  
Attorney at Law  
Supreme Court I.D. 73053  
P.O. Box 587  
308 Walton Street, Suite 4  
Philipsburg PA 16866  
(814) 342-4100

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFIED BUILDERS WHOLESALE INC.:

Claimant

No. 08-01974

VS.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, his wife

Owners

ANSWER TO DEFENDANT'S PRELIMINARY OBJECTIONS

AND NOW, comes Certified Builders Wholesale Inc., by and through its attorney, David

R. Thompson, Esquire, and files this Answer to Defendant's Preliminary Objections:

1. Admitted.

2. Admitted.

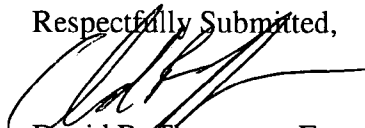
3. Admitted. Plaintiff respectfully requests this Honorable Court to allow Plaintiff to  
amend service of this claim.

4. Admitted. Plaintiff respectfully requests this Honorable Court to allow Plaintiff to  
amend service of this claim.

5. Admitted as a conclusion of law. By way of further pleading, Defendant's building  
has not been completed to date and thus the six (6) month statutory limit has not started to run.

WHEREFORE, Plaintiff, Your Building Centers, Inc., respectfully requests this Honorable Court to give leave to Plaintiff to amend service on Plaintiff's Claim of Lien, and in the alternative, to give Plaintiff leave to refile its Claim of Lien.

Respectfully Submitted,



David R. Thompson Esq.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION LAW

CERTIFIED BUILDERS WHOLESALE INC.,

Plaintiff

vs.

DAVID T. SHEEHAN and  
ELIZABETH SHEEHAN, his wife

Defendant

No. 08-01974-CD

*S*  
**FILED** *3CC Atty*  
*m/11:16am Thompson*  
**DEC 24 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

TYPE OF PLEADING:  
Certificate of Service

FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD FOR  
THIS PARTY:

David R. Thompson, Esq.  
Attorney at Law  
Supreme Court I.D. 73053  
P.O. Box 587  
308 Walton Street, Suite 4  
Philipsburg PA 16866  
(814) 342-4100

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA  
CIVIL DIVISION LAW

CERTIFIED BUILDERS WHOLESALE INC.,\*

Plaintiff

vs.

DAVID T. SHEEHAN and ELIZABETH  
SHEEHAN, wis wife

Defendant

No. 08-01974-CD

**CERTIFICATE OF SERVICE**

TO THE PROTHONOTARY:

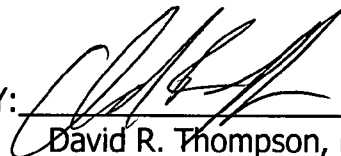
I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **ANSWER TO DEFENDANT'S PRELIMINARY OBJECTIONS** in the above captioned matter by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

David T. And Elizabeth Sheehan  
c/o Ann B. Wood, Esquire  
BELL, SILBERBLATT & WOOD  
P.O. Box 70  
318 East Locust Street  
Clearfield, PA 16830

DATE:

12-22-08

BY:



David R. Thompson, Esquire

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

CERTIFIED BUILDERS WHOLESALE, INC. :

Claimant, :

vs. :

No. 2008-01974-CD :

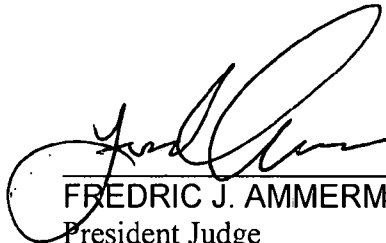
DAVID T. SHEEHAN,  
and ELIZABETH SHEEHAN, :

Owners. :

**ORDER**

AND NOW, this 9<sup>th</sup> day of January 2009, adhering to the strict notice requirements mandated by statute, it is the Order of this Court that the Owners' Preliminary Objections to Claimant's Mechanic's Lien be and are hereby GRANTED. The Mechanic's Lien Claim by Claimant Certified Builders Wholesale, Inc., against Owners David Sheehan and Elizabeth Sheehan is hereby DISMISSED and STRICKEN.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge

FILED

014:00612ccAttys!  
JAN 12 2009 Thompson

5 William A. Shaw  
Prothonotary/Clerk of Courts

Wood

(610)



FILED

JAN 12 2009

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 1/12/09

☐ You are responsible for serving all appropriate parties.

☒ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☒ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☒ Defendant(s) Attorney

☐ Special Instructions: