

08-2353-CD

Huntington Nat'l Bank vs Bonnie Huzinec

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

No. 08-2353-CD

vs.

PRAECIPE TO FILE FOREIGN JUDGMENT

BONNIE L HUZINEC

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
Pittsburgh, PA 15219
(412) 434-7955

WWR#6931432

FILED Atty pd. 20.00
M 12/26/08
DEC 08 2008 ICC Notice
William A. Shaw to Def.
Prothonotary/Clerk of Courts Statement
to Atty

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK
Plaintiff

vs.

Civil Action No.

BONNIE L HUZINEC
Defendant

PRAECIPE TO FILE FOREIGN JUDGMENT

TO THE PROTHONOTARY:

Please file the enclosed certified transcript of Jefferson County, Pennsylvania in accordance with Section B of the Uniform Enforcement of Foreign Judgment Act (42 Pa. C.S.A. Section 4306), and also mail notice of the filing of the Judgment to the Judgment-debtor at the address shown on the attached verification.

Amount of Judgment computed as follows:

Principal Amount of Judgment	\$19507.76
Paid on account	
Interest at the rate of 9.6% per annum on \$19507.76 from 6/18/08 to 11/28/08	677.27
Damage	
Prior Costs	<u>18.00</u>
Total Judgment	\$20203.03

WELTMAN, WEINBERG & REIS CO., L.P.A.

Date: _____

By: W.T. Molczan
William T. Molczan, Esquire

PA. I.D.#47437

WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
Pittsburgh, PA 15219
(412) 434-7955

WWR#6931432

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

Civil Action No.

BONNIE L HUZINEC

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the
following Order or Judgment was
entered against you on

12/18/08

Assumpsit Judgment in the amount
of \$20203.03 plus costs.

Trespass Judgment in the amount
of \$_____ plus costs.

If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic Safety,
Harrisburg, PA.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

By:

PROTHONOTARY (OR DEPUTY)

BONNIE HUZINEC
402 E MAIN ST
SYKESVILLE PA 15865

In the Court of Common Pleas of Jefferson County, Pennsylvania

OFFICE OF THE PROTHONOTARY

SKY BANK,

Plaintiffs

No. 288 - 2007 C.D.

vs.

BONNIE L. HUZINEC,

Defendant

I, Tonya S. Geist, CERTIFICATION OF DOCKET ENTRIES AND JUDGMENT PROTHONOTARY OF THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY, PENNSYLVANIA, DO HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE, CORRECT AND FULL COPY OF THE DOCKET ENTRIES IN THE ABOVE CAPTIONED CASE:

*****SEE ATTACHED COMPUTER DOCKET PRINTOUT*****

I FURTHER CERTIFY THAT JUDGMENT WAS ENTERED IN FAVOR OF SKY BANK AND AGAINST BONNIE L. HUZINEC ON THE 18th day of June 2008 IN THE ABOVE CAPTIONED CASE IN THE AMOUNT OF \$ 19,507.76

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE SAID COURT, ON THE 20th DAY OF November 2008

(Dorinda Sifers), deputy
Prothonotary

No. 288 - 2007 C.D.

SKY BANK,

Plaintiff

vs

BONNIE L. HUZINEC,

**Verification of Docket
Entries and Judgment**

JUDGMENT - - - - - \$ 19,507.76

Interest from - - - - - \$ _____

Jefferson County Costs - - \$ 127.80

This Record - - - - - \$ 16.50

William T. Molczan, Esquire
Attorney for Plaintiff

2007-00288 SKY BANK (vs) BONNIE L HUZINEC

Reference No.: Filed.....: 4/12/2007
 Case Type.....: CIVIL ACTION Time.....: 11:35
 Judgment.....: 19507.76 Execution Date: 0/00/0000
 Judge Assigned: Jury Trial...: Disposed Date: 0/00/0000
 Disposed Desc.: Higher Crt 1.: Higher Crt 2.:
 Case Comments -----

General Index*****
Attorney InfoSKY BANK
101 EAST WASHINGTON STREET
NEW CASTLE PA 16101

PLAINTIFF

WARMBRODT JAMES C

HUZINEC BONNIE L
402 EAST MAIN STREET
SYKESVILLE PA 15865

DEFENDANT

ELLERMAYER, JOSEPH H.

Judgment Index*****
Amount Date Desc

HUZINEC BONNIE L 19,507.76 6/18/2007 DEFAULT JUDGMENT

* Date Entries *

4/12/2007 - - - - - FIRST ENTRY - - - - -
 COMPLAINT W/NOTICE FLD BY RICHARD PARKS, ESQ.
 CPY RTND C/SHRF W/CK DM

5/16/2007 SHERIFF'S RETURN: MAY 11, 2007 SERVED NTC & COMPLAINT UPON
 BONNIE L. HUZINEC
 MY COSTS: \$93.02 DS

6/18/2007 PRAECIPE FOR ENTRY OF JUDGMENT BY DEFAULT FLD BY RICHARD PARKS, ESQ
 C/RTND DS

6/18/2007 JUDGMENT ENTERED BY DEFAULT IN THE AMOUNT OF \$19,507.76
 NTC TO DEFT JUNE 26, 2007 DS

7/30/2007 NOTICE OF COUNSEL CHANGE OF ADDRESS REGARDING RICHARD PARKS, ESQ
 ON B/OF PLTF W/CERT OF SERVICE. CPY RTND DM

9/10/2007 MOTION TO COMPEL FLD BY RICHARD PARKS, ESQ. ON B/OF PLTF
 W/CERT OF SERVICE. CPY RTND C/C DM

9/14/2007 ORDER OF COURT; A RULE HAS BEEN ISSUED UPON DEFT TO SHOW CAUSE WHY
 SHE SHOULD NOT BE REQUIRED TO FILE RESPONSES TO PLTF INTERROGATORIES
 RULE RETURNABLE: OCTOBER 10, 2007 AT 1:30PM.
 CPS TO PARKS W/SLIP DM

10/10/2007 ORDER OF COURT; DEFT IS REQUIRED TO FILE COMPLETE AND VERIFIED
 RESPONSES TO PLTFS INTERROGATORIES WITHIN THIRTY DAYS FROM THE
 DATE OF THIS ORDER OR FILE A RESPONSE TO THIS MOTION SETTING FORTH
 THE REASONS FOR ITS NON-COMPLIANCE.
 CPS TO PARKS AND DEFT HUZINEC DM

11/19/2007 SECOND MOTION FOR SANCTIONS FLD BY RICHARD PARKS, ESQ ON B/OF
 PLTF W/CERT OF SERVICE. CPY RTND C/C DM

12/04/2007 ORDER OF COURT; RULE IS ISSUED TO DEFT TO SHOW CAUSE WHY SHE
 SHOULD NOT BE HELD IN CONTEMPT FOR HER FAILURE TO COMPLY WITH
 THIS COURTS ORDER DATED OCTOBER 10, 2007. RULE RETURNABLE ON
 JANUARY 3, 2008 AT 3:00PM. DEFT IS TO PAY PLTFS ATTORNEY FEES OF
 \$400.00 INCURRED AS A RESULT OF PLTFS HAVING TO FILE TWO MOTION FOR
 SANCTIONS. CPS TO PARKS W/SLIP DM

12/06/2007 AFFIDAVIT OF SERVICE OF ORDER OF COURT DATED DECEMBER 3, 2007
 FLD BY RICHARD PARKS, ESQ C/RTND DS

1/14/2008 ORDER: MTN IS GRANTED DEFT IS FOUND IN CONTEMPT OF COURT'S PRIOR
 ORDER AND IS SENTENCED TO 15 DAYS INCARARCEATION IN THE JEFFERSON

A TRUE COPY
 1/14/2008
 CLERK
 PROTHONOTARY - CLERK
 ATTEST:
 1/14/2008
 PROTHONOTARY

2007-00288 SKY BANK (vs) BONNIE L HUZINEC

Reference No...: Filed..... 4/12/2007
 Case Type....: CIVIL ACTION Time..... 11:35
 Judgment....: 19507.76 Execution Date 0/00/0000
 Judge Assigned: Jury Trial...
 Disposed Desc.: Disposed Date 0/00/0000
 Higher Crt 1.:
 Higher Crt 2.:
 Case Comments -----

COUNTY JAIL. SAID SENTENCE IS SUSPENDED ON THE FOLLOWING CONDITIONS
 1) THAT ON OR BEFORE JANUARY 31, 2008 SHE ANSWER THE PLTF'S INTERR.
 2) ON OR BEFORE FEBRUARY 29, 2008 SHE PAY \$400. IN ATTY FEES TO PLTF
 COUNSEL. CPS TO ATTY ELLERMAYER & RICHARD PARKS W/SLIP DS

 3/11/2008 LETTER TO JUDGE FORADORA FROM ATTORNEY RICHARD PARKS REQUESTING
 AN ORDER STATING THAT MS. HUZINEC WOULD BE INCARCERATED FOR
 15 DAYS IF SHE DID NOT ANSWER PLTFS INTERROGATORIES BY JANUARY
 31, 2008 AND PAY \$400.00 IN ATTORNEY FEES TO PLTFS COUNCIL.
 NO CPS DM

 3/11/2008 ORDER OF COURT; BONNIE L HUZINEC SHALL REPORT TO THE JEFFERSON
 COUNTY JAIL ON MARCH 31, 2008 AT 11:00AM TO SERVE HER FIFTEEN
 DAYS UNLESS SHE PAYS ALL MONIES DUE PLTFS COUNCIL.
 CPS TO PIETRAJALLO, PARKS, ELLERMAYER, DEFT AND JAIL DM

 3/18/2008 ANSWERS TO INTERROGATORIES FLD BY BONNIE HUZINEC.
 NO CPS DM

 4/15/2008 LETTER FROM RICHARD PARKS, ESQ ON B/OF PLTF TO JUDGE FORADORA
 STATING THAT THE DEFT IS IN COMPLIANCE WITH HER OBLIGATION. DM

 8/25/2008 PRAECIPE FOR ENTRY OF APPEARANCE FLD BY JAMES WARMBRODT, ESQ
 ON B/OF PLTF C/RTND DS

 11/14/2008 PRAECIPE FOR EXEMPLIFIED RECORD FLD BY WILLIAM MOLCZAN, ESQ
 C/RTND DS

 11/14/2008 CERTIFICATION OF DOCKET ENTRIES AND JDMT SENT TO ATTY MOLCZAN, ESQ
 N/CPS DS
 ----- LAST ENTRY -----

 * Escrow Information *
 * Fees & Debits Beg Bal Pymts/Adj End Bal *

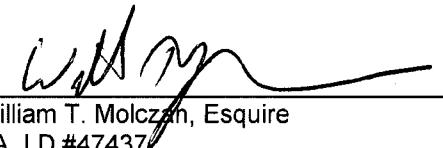
COMPLAINT	88.50	88.50	.00
COMPLAINT TAX	.50	.50	.00
COMPLAINT JCP	10.00	10.00	.00
COMPLAINT AUTO	5.00	5.00	.00
JUDG DEFAULT	15.50	15.50	.00
EXEMP/OUT OF CO	16.50	16.50	.00
CERT COPY	1.50	1.50	.00
	137.50	137.50	.00

 * End of Case Information *

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities, that the undersigned is the attorney for the Judgment Creditor, Huntington National Bank successor by merger to Sky Bank; that the last known address of the Judgment Debtor is 402 E Main St, Sykesville Pa 15865; that the last known address of the Judgment Creditor is c/o Weltman, Weinberg & Reis Co., L.P.A., 1400 Koppers Building, 436 Seventh Ave, Pittsburgh Pa 15219; that the Foreign Judgment is valid, enforceable and unsatisfied, and that the facts set forth in the foregoing Praecept are true and correct to the best of the undersigned's knowledge, information and belief.

WELTMAN, WEINBERG & REIS CO., L.P.A.



William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
Pittsburgh, PA 15219
(412) 434-7955

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

Huntington National Bank
Sky Bank
Plaintiff(s)

No.: 2008-02353-CD

Real Debt: \$20,203.03

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Bonnie L. Huzinec
Defendant(s)

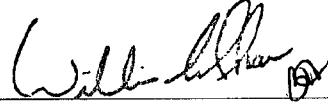
Entry: \$20.00

Instrument: Foreign Judgment from
Jefferson Co., PA

Date of Entry: December 8, 2008

Expires: December 8, 2013

Certified from the record this 8th day of December, 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
CIVIL DIVISION

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff No. 08-2353-CD

vs.

**PRAECIPE FOR WRIT OF EXECUTION
(BANK ATTACHMENT ONLY)**

BONNIE HUZINEC

Defendant

NATIONAL CITY BANK,

Garnishee,

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#6931432

FILED Atty fd. 20.00
M 11434
JAN 12 2009 2CC @leewits
to Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

60

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC

Defendant

NATIONAL CITY BANK,

Garnishee

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against BONNIE HUZINEC, Defendant
3. against NATIONAL CITY BANK, Garnishee

4. Judgment Amount	\$ 20203.03
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Interest	\$ 92.99
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Costs	\$ 308.00
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SUBTOTAL:	\$ 20604.02
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Costs (to be added by Prothonotary):	Prothonotary costs \$ 40.00
--------------------------------------	------------------------------------

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan, Esquire

PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#6931432

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

Copy

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK
Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC
Defendant

NATIONAL CITY BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BONNIE HUZINEC Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of NATIONAL CITY BANK, as garnishee, 200 N BRADY ST DU BOIS PA 15801 and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant 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 not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated

Amount due \$ 20604.02

Costs to be added..... \$ _____
40.00 Prothonotary costs

Prothonotary

Willie Hargan
Deputy

DATED: 11/21/09

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

No. 288-2007-CR
08-2353-CR

BONNIE HUZINEC

Defendant

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 and sold by the Sheriff to satisfy your debts. **SUCH PROPERTY IS SAID TO BE EXEMPT**. No matter what you may owe, there is a **DEBTOR'S EXEMPTION** established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below 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) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. **IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.**

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.

LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

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 statutory \$300.00 exemption be:

(1) set aside in kind (specify property, to be set aside in kind):

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

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

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: in cash in kind
(specify property):

(b) Social Security benefits on deposit in the amount of \$

(c) Other (specify amount & basis for exemption):

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

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. § 4904 relating to unsworn falsification to authorities:

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County

1 N. Second Street, Suite 116, Clearfield County Courthouse

Clearfield, Pennsylvania 16830

Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

WWR#6931432

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff No. 08-2353-CD

vs. **INTERROGATORIES IN ATTACHMENT**

BONNIE HUZINEC

Defendant

and

NATIONAL CITY BANK

Garnishee FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#6931432

FILED NO CC
M 11/3461
JAN 12 2009
S
William A. Shaw
Prothonotary/Clerk of Courts
(610)

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

Civil Action No.: 08-2353-CD

BONNIE HUZINEC
Defendant

and

NATIONAL CITY BANK
Garnishee

TO: NATIONAL CITY BANK

Suggested Reference No.: XXX-XX-5694

RE: BONNIE HUZINEC
402 E MAIN ST
SYKESVILLE PA 15865

IMPORTANT NOTICES TO GARNISHEE!

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in Judgment against you.

B. Herein, the word "defendant" means any one or more of the defendants against whom the writ of Execution is issued.

C. While service of Writ upon the Garnishee attaches all property of the Defendant subject to attachment which is then in the hands of the garnishee, it also attaches all property of the defendant which comes into the Garnishee's possession thereafter, until Judgment is entered against the Garnishee. For example, the resultant liability of a Garnishee-Bank would not be measured by the balance in the debtor's account, either at the time of service of the Writ or at the time of Judgment against the Garnishee, but rather by the amounts deposited and withdrawn during the intervening period.

INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to him on any negotiable or other written instrument, or did he claim that you owed him any money or were liable to him for any reason?

1a. If the answer to Interrogatory 1 is in the affirmative, state the following: the amount of money you owe or owed to defendant, and, if such money is in the form of a fund, the present location thereof; the terms, face amount and amount you owe or owed to defendant on each of such negotiable or other written instruments and the present location of each of such instruments; the amount or amounts that defendant claims or claimed that you owe or owed to him; and the nature and amount of each of such liabilities.

2. At the time you were served or at any subsequent time was there in your possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant.

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or part by the defendant or in which defendant held or claimed any interest?

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

5. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

6. At any time after you were served did you pay, transfer, or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

7. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, Identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general monetary exemption under 42 Pa.C.S. § 8123? If so, identify each account.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#6931432

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is _____
(Name)

_____ of _____, garnishee herein,
(Title) (Company)

that he/she is duly authorized to make this verification, and that the facts set forth in the foregoing
Answers to Interrogatories are true and correct to the best of his/her knowledge, information and belief.

_____ (SIGNATURE)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2353-CD

HUNTINGDON NATIONAL BANK Successor

vs

BONNIE HUZINEC

TO: NATIONAL CITY BANK, Garnishee

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

SERVE BY: 01/20/2009 ASAP HEARING: PAGE: 105136

DEFENDANT: NATIONAL CITY BANK, Garnishee

ADDRESS: 200 N. BRADY ST.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, 1/13/2009 AT 2:10 AM PM SERVED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON NATIONAL CITY BANK, Garnishee, DEFENDANT
BY HANDING TO Pam FARRELL VICB - PRESIDENT

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS
THEREOF.

ADDRESS SERVED 200 North Brady St. Dubois, Pa. 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE FOR NATIONAL CITY BANK, Garnishee

AT (ADDRESS) _____

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO NATIONAL CITY BANK, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2009

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Mark A. Coudre
Deputy Signature

Mark A. Coudre
Print Deputy Name

FILED

01/13/2009
JAN 14 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105136
NO: 08-2353-CD
SERVICES 1
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: HUNTINGDON NATIONAL BANK Successor

vs.

DEFENDANT: BONNIE HUZINEC

TO: NATIONAL CITY BANK, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8798437	10.00
SHERIFF HAWKINS	WELTMAN	8798437	38.90

FILED

03:30pm
JAN 15 2009

WM
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

Day of 2009



Chester A. Hawkins
Sheriff

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

**HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK**

Plaintiff No. 08-2353-CD

VS.

**PRAECIPE FOR WRIT OF EXECUTION
(BANK ATTACHMENT ONLY)**

BONNIE HUZINEC

Defendant

NATIONAL CITY BANK,

Garnishee,

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#6931432

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

JAN 12 2009

Attest.

William L. Gray
Prothonotary/
Clerk of Courts

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC

Defendant

NATIONAL CITY BANK,

Garnishee

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against BONNIE HUZINEC, Defendant
3. against NATIONAL CITY BANK, Garnishee
4. Judgment Amount \$ 20203.03

Interest \$ 92.99

Costs \$ 308.00

SUBTOTAL: \$ 20604.02

Costs (to be added by Prothonotary): **Prothonotary costs** \$ 40.00

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan

William T. Molczan, Esquire

PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#6931432

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK
Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC
Defendant

NATIONAL CITY BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BONNIE HUZINEC Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of NATIONAL CITY BANK, as garnishee, 200 N BRADY ST DU BOIS PA 15801 and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant 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 not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated

Amount due \$ 20604.02

Costs to be added..... \$

Received this writ this 12 day
of Jan A.D. 2009
at 3:00 A.M./P.M.

40.00 Prothonotary costs

Prothonotary

Chetler A. Hamblin
Sheriff Lyman H. Hamblin

Willie L. Hargan
Deputy

DATED: 11/12/09

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

No. 288-2007-CD
08-2353-CD

BONNIE HUZINEC

Defendant

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 and sold by the Sheriff to satisfy your debts. **SUCH PROPERTY IS SAID TO BE EXEMPT**. No matter what you may owe, there is a **DEBTOR'S EXEMPTION** established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below 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) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. **IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.**

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.

LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

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 statutory \$300.00 exemption be:

(1) set aside in kind (specify property, to be set aside in kind):

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

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

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: in cash in kind
(specify property):_____

(b) Social Security benefits on deposit in the amount of \$_____

(c) Other (specify amount & basis for exemption):

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

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. § 4904 relating to unsworn falsification to authorities:

Date: _____

Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
1 N. Second Street, Suite 116, Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK
Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC
Defendant

NATIONAL CITY BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BONNIE HUZINEC Defendant(s);

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- (2) You are also directed to attach the property of the defendant not levied upon in the possession of NATIONAL CITY BANK, as garnishee, 200 N BRADY ST DU BOIS PA 15801 and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant 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 not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated

Amount due \$ 20604.02

Costs to be added..... \$ _____

Received this writ this 12 day
of Jan A.D. 2009
At 3:00 A.M./P.M.

Chester A. Yawker
Sheriff by Mayhew

40.00 Prothonotary costs

Prothonotary

Deputy

DATED: 11/12/09

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

No. 288-2007-CD

08-2353-CD

BONNIE HUZINEC

Defendant

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 and sold by the Sheriff to satisfy your debts. **SUCH PROPERTY IS SAID TO BE EXEMPT**. No matter what you may owe, there is a **DEBTOR'S EXEMPTION** established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below 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:

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LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

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 statutory \$300.00 exemption be:
 (1) set aside in kind (specify property, to be set aside in kind):

(b) (2) paid in cash following the sale of the property levied upon; or
I claim the following exemption: (specify property and basis of exemption):

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: in cash in kind
(specify property):

(b) Social Security benefits on deposit in the amount of \$
(c) Other (specify amount & basis for exemption):

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

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. § 4904 relating to unsworn falsification to authorities:

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
1 N. Second Street, Suite 116, Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

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Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

WWR#6931432

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff No. 08-2353-CD

vs. **INTERROGATORIES IN ATTACHMENT**

BONNIE HUZINEC

Defendant

and

NATIONAL CITY BANK

Garnishee

FILED ON BEHALF OF:
Plaintiff

**COUNSEL OF RECORD OF
THIS PARTY:**

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#6931432

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK

Plaintiff

vs.

Civil Action No.: 08-2353-CD

BONNIE HUZINEC
Defendant

and

NATIONAL CITY BANK
Garnishee

TO: NATIONAL CITY BANK

Suggested Reference No.: XXX-XX-5694

RE: BONNIE HUZINEC
402 E MAIN ST
SYKESVILLE PA 15865

IMPORTANT NOTICES TO GARNISHEE!

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in Judgment against you.

B. Herein, the word "defendant" means any one or more of the defendants against whom the writ of Execution is issued.

C. While service of Writ upon the Garnishee attaches all property of the Defendant subject to attachment which is then in the hands of the garnishee, it also attaches all property of the defendant which comes into the Garnishee's possession thereafter, until Judgment is entered against the Garnishee. For example, the resultant liability of a Garnishee-Bank would not be measured by the balance in the debtor's account, either at the time of service of the Writ or at the time of Judgment against the Garnishee, but rather by the amounts deposited and withdrawn during the intervening period.

INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to him on any negotiable or other written instrument, or did he claim that you owed him any money or were liable to him for any reason?

1a. If the answer to Interrogatory 1 is in the affirmative, state the following: the amount of money you owe or owed to defendant, and, if such money is in the form of a fund, the present location thereof; the terms, face amount and amount you owe or owed to defendant on each of such negotiable or other written instruments and the present location of each of such instruments; the amount or amounts that defendant claims or claimed that you owe or owed to him; and the nature and amount of each of such liabilities.

2. At the time you were served or at any subsequent time was there in your possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant.

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or part by the defendant or in which defendant held or claimed any interest?

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

5. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

6. At any time after you were served did you pay, transfer, or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

7. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, Identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general monetary exemption under 42 Pa.C.S. § 8123? If so, identify each account.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#6931432

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is _____
(Name)

(Title) of _____, garnishee herein,

(Company)

that he/she is duly authorized to make this verification, and that the facts set forth in the foregoing
Answers to Interrogatories are true and correct to the best of his/her knowledge, information and belief.

(SIGNATURE)

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

HUNTINGTON NATIONAL BANK

Plaintiff

No. 08-2353-CD

vs.

**PRAECLP TO SETTLE, DISCONTINUE
& END AS TO THE GARNISHEE
NATIONAL CITY BANK ONLY**

BONNIE HUZINEC

Defendant

NATIONAL CITY BANK

Garnishee

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt
PA I.D #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#6931432

FILED
M 1152 P.M. GL
FEB 05 2009 3cc Atty
(610)

5
William A. Shaw
Prothonotary/Clerk of Courts

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

HUNTINGTON NATIONAL BANK

Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC

Defendant

NATIONAL CITY BANK

Garnishee

PRAECIPE TO SETTLE DISCONTINUE AND END
AS TO THE GARNISHEE , NATIONAL CITY BANK, ONLY

TO THE PROTHONOTARY OF COUNTY:

Please kindly Settle Discontinue and End the above captioned matter as to Garnishee, NATIONAL CITY BANK, only, upon the records of the Court and mark the cost paid.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
James C. Warmbrodt
PA I.D #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

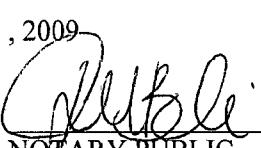
WWR#6931432

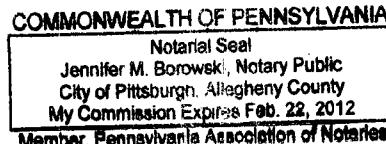
Sworn to and subscribed

Before me the 27

Day of JANUARY

, 2009


NOTARY PUBLIC



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

HUNTINGTON NATIONAL BANK,
successor by merger to SKY BANK, :
Plaintiff : No. 08-2353-CD
v. :
: Type of Case:
: CIVIL
: Type of Pleading:
: **CLAIM FOR EXEMPTION**
: Filed on behalf of:
: ~~Plaintiff Defendant~~
: Counsel of Record:
: Mary L. Pothoven, Esquire
: Supreme Court ID #72164
: PO Box 218
: Reynoldsville PA 15851
: (814) 653-2243

FILED NO
01/09/10 B74
MAR 09 2009 (G10)

S William A. Shaw
Prothonotary/Clerk of Courts

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

HUNTINGTON NATIONAL BANK,	:
successor by merger to SKY BANK,	: No. 08-2353-CD
Plaintiff	:
	:
V.	:
	:
BONNIE HUZINEC,	:
Defendant	:
	:
National City Bank, Garnishee	:

CLAIM FOR EXEMPTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

I, Bonnie Huzinec, the above named Defendant, claim
exemption of property from levy or attachment:

From my property which is the possession of a third party,
namely, National City Bank, I claim the following exemptions:

- A. My \$300.00 statutory exemption in cash;
- B. Social Security benefits on deposit in the amount of
approximately \$858.86; and
- C. Other. The only deposits into this account consist of
Social Security Survivor benefits paid as follows: \$472.00 per
month for Defendant, Bonnie Huzinec; \$472.00 per month for
Defendant's daughter, Barbara Huzinec; and \$472.00 per month for
Defendant's son, Phillip Huzinec. Additionally, the only other
deposits into this account are from the State of Pennsylvania

Children and Youth Services Fund, as and for support of Defendant's adopted daughter, Barbara Huzinec, at the rate of \$11.34 per day with an average monthly deposit of approximately \$340.00 and from the State of Rhode Island Children and Youth Services for the support of Defendant's adopted son, Phillip Huzinec, at the rate of \$12.56 with an average monthly payment of \$376.80.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at 580 Golden Yoke Road, Luthersburg PA 15848. My phone number is (814) 661-2269. Notice should also be given to my attorney, Mary L. Pothoven, Esquire, at PO Box 218, Reynoldsville PA 15851, Phone: (814) 653-2243.

Date: 3/4/09

Bonnie Huzinec
Bonnie Huzinec

VERIFICATION

I, Bonnie Huzinec, verify the facts set forth in the foregoing CLAIM FOR EXEMPTION are true and correct to the best of my knowledge, information and belief and I understand that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

Date: 3/4/09

Bonnie Huzinec
Bonnie Huzinec, Defendant

HOLC

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

HUNTINGTON NATIONAL BANK
SUCCESSOR BY MERGER TO SKY BANK
Plaintiff

vs.

Civil Action No. 08-2353-CD

BONNIE HUZINEC
Defendant

NATIONAL CITY BANK
Garnishee

May 13 2009
RECEIVED
CLEARFIELD COUNTY CLERK'S OFFICE

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BONNIE HUZINEC Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
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 - 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 not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated

Amount due \$ 20604.02

Costs to be added..... \$

40.00 Prothonotary costs

Received this writ this 12 day
of Jan A.D. 2009
At 5:00 A.M./P.M.

Prothonotary

Chester A Hawkins
Sheriff by Marilyn Harris

Willie L. Harris
Deputy

DATED: 11/2/09

National City®

1/13/2009

Special Services
Locator# 01-5325
4100 West 150th Street
Cleveland, OH 44135

BONNIE L HUZINEC
580 GOLDEN YOKE RD
LUTHERSBURG PA
15848-2206

IMPORTANT INFORMATION ABOUT YOUR ACCOUNT

NATIONAL CITY WAS SERVED WITH THE ENCLOSED WRIT OF EXECUTION REQUIRING US TO PLACE A HOLD ON YOUR ACCOUNT(S) DESCRIBED BELOW FOR THE AMOUNT(S) INDICATED, UNTIL WE RECEIVE A FINAL ORDER.

ACCOUNT TYPE	NUMBER	AMOUNT
CHECKING	765398428	\$20,604.02
		\$0.00
		\$0.00

IF FUNDS WERE AVAILABLE, YOUR ACCOUNT WAS CHARGED A \$50.00 LEGAL PROCESSING FEE, AND A DEBIT ADVICE IS ENCLOSED.

ONCE DOCUMENTS RELATED TO THIS MATTER ARE FILED WITH THE COUNTY PROTHONOTARY, COPIES WILL BE SENT TO YOU.

IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT YOUR ATTORNEY. WE REGRET THE NEED TO TAKE THIS ACTION AND APPRECIATE YOUR UNDERSTANDING.

SINCERELY,

SPECIAL SERVICES DEPARTMENT

MJ

FILED

MAR 09 2009

**William A. Shaw
Prothonotary/Clerk of Courts**

LAW OFFICES

Querino R. Torretti

ATTORNEY AT LAW
600 E. MAIN STREET
P.O. BOX 218
REYNOLDSVILLE, PA 15851

Mary L. Pothoven, Esq.
Associate

March 4, 2009
VIA FAX: 765-5915

Telephone: 814-653-2243
Fax : 814-653-8319

Clearfield County Sheriff
1 North Second Street
Suite 116
Clearfield PA 16830

RE: Huntington National Bank v. Bonnie Huzinec
Case No. 08-2353-CD

Dear Sheriff:

Enclosed herewith please find an original and three copies of a Claim for Exemption I am filing on behalf of my client, Bonnie Huzinec, relative to a Writ of Execution you served on National City Bank on behalf of the Plaintiff, Huntington National Bank. Please note enclosed herewith in addition to the Claim for Exemption is a copy of the only paperwork Mrs. Huzinec received from National City Bank. Namely, it is a letter dated January 13, 2009 and a copy of the Writ of Execution. You will note on the top of the Writ of Execution someone handwrote "Hold". We believe this letter and Writ of Execution was held by National City Bank because it was not mailed to my client until the middle of February. Unfortunately, my client had been out of town and did not open her mail from the bank until March 3, 2009.

Please note my client never received the Notice required under Rule of Civil Procedure 3252(a) nor did she receive the form for making a claim for exemption as provided in Pennsylvania Rule of Civil Procedure 3252(a).

In addition, it appears pursuant to Pennsylvania Rule of Civil Procedure 3108(b) "upon levy or attachment, the sheriff shall mail a copy of the Writ to the Defendant at the last known address. The Plaintiff shall provide the sheriff with copies of the Writ in envelopes for mailing properly stamped and

Page 2

March 4, 2009

RE: Huntington National Bank v. Bonnie Huzinec
Case No. 08-2353-CD

addressed. The sheriff shall note in the return the mailing of the writ and the date thereof." I do not know whether your offices mailed such a notice to my client, however, my client indicates the only notice she received is two papers I have included herewith from National City Bank.

I am enclosing herewith an original and three copies of an Order for Hearing for presentment to the court administrator for scheduling of said hearing. I would request a hearing in this matter be scheduled at yours an the court's earliest opportunity.

It is my understanding pursuant to Pennsylvania Rule of Civil Procedure 3123.1 that upon making a Claim for Exemption the Sheriff shall immediately notify the Plaintiff and Garnishee of the filing of the claim. It is also my understanding the Sheriff shall immediately present the matter to the court, with a hearing thereon to be scheduled within five business days thereafter upon such notice to the parties as the court shall direct. Accordingly, it is very important this matter be scheduled and this be presented to the court administrator and scheduled as soon as possible.

I am also enclosing stamped, pre-addressed envelopes to the Garnishee, National City Bank, and to the Attorney for the Plaintiff, William T. Molczan, Esquire, for service of the Claim for Exemption and Order for Hearing. Also enclosed is a self-addressed, stamped envelope for return to my office of the file-stamped Claim of Exemption and Order for Hearing documents.

Thank you for your ongoing courtesy and attention to this matter. Should you have any questions or need anything further, please advise.

Cordially yours,

Mary L. Pothoven

Encl.

MLP/lmb

Cc: Court Administrator

LAW OFFICES

Querino R. Torretti

ATTORNEY AT LAW
600 E. MAIN STREET
P.O. BOX 218
REYNOLDSVILLE, PA 15851

Mary L. Pothoven, Esq.
Associate

March 4, 2009

Telephone: 814-653-2243
Fax : 814-653-8319

Clearfield County Court Administrator
1 North Second Street
Suite 116
Clearfield PA 16830

RE: Huntington National Bank v. Bonnie Huzinec
Case No. 08-2353-CD

Dear Sir or Madam:

Enclosed herewith please find a copy of a letter I sent to the Sheriff as well as a copy of a Claim for Exemption I am filing on behalf of my client, Bonnie Huzinec, and an Order for Hearing on this matter. Please coordinate with the Sheriff to have a hearing in this matter scheduled as soon as possible.

Thank you for your courtesy and attention to this matter.

Cordially yours,

Mary L. Pothoven

Mary L. Pothoven

Enc.
MLP/lmb

RECORDED
MAR 03 2009

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

HUNTINGTON NATIONAL BANK,
successor by merger to SKY BANK, : No. 08-23 53-CD
Plaintiff :
: Type of Case:
v. :
: Type of Pleading:
BONNIE HUZINEC, : **ORDER FOR HEARING**
Defendant :
: Filed on behalf of:
National City Bank, Garnishee : Plaintiff
: Counsel of Record:
: Mary L. Pothoven, Esquire
: Supreme Court ID #72164
: PO Box 218
: Reynoldsville PA 15851
: (814) 653-2243

FILED 300
018-20801 Atty Pothoven
MAR 09 2009
S 100 Shaw
William A. Shaw
Prothonotary/Clerk of Courts
60

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

HUNTINGTON NATIONAL BANK, : 2353
successor by merger to SKY BANK, : No. 08-23253-CD
Plaintiff :
: :
v. :
: :
BONNIE HUZINEC, :
Defendant :
: :
National City Bank, Garnishee :
:

ORDER FOR HEARING

AND NOW, this 5th day of March, 2009, upon
consideration of the Claim for Exemption filed on behalf of
Defendant, Bonnie Huzinec, it is hereby ORDERED:

1. Hearing upon the Claim for Exemption will be held on
March 24, 2009, at 9:00 A.m. in Courtroom No. 1
of the Clearfield County Courthouse in Clearfield, Pennsylvania.

2. Notice of the entry of this Order shall be served on the
Plaintiff and National City Bank by MARY POTHOVEN, ESQ.
the Pothovenary. FDW

Judie Ammons J.

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

HUNTINGTON NATIONAL BANK,
successor by merger to SKY BANK,
Plaintiff

v.

BONNIE HUZINEC,
Defendant

National City Bank, Garnishee

: No. 08-2353-CD
:
: Type of Case:
:
:
: Type of Pleading:
: **CERTIFICATE OF SERVICE**
:
: Filed on behalf of:
: Plaintiff
:
: Counsel of Record:
: Mary L. Pothoven, Esquire
: Supreme Court ID #72164
: PO Box 218
: Reynoldsville PA 15851
: (814) 653-2243

S
FILED acc Atty
3/11/57 cm Pothoven
MAR 23 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

HUNTINGTON NATIONAL BANK,	:
successor by merger to SKY BANK,	: No. 08-2353-CD
Plaintiff	:
	:
v.	:
	:
BONNIE HUZINEC,	:
Defendant	:
	:
National City Bank, Garnishee	:

CERTIFICATE OF SERVICE

I, Mary L. Pothoven, Esquire, hereby attest a True Copy of the Claim for Exemption and an Order for Hearing was served on William T. Molczan, Esquire and National City Bank by mailing a copy to their addresses listed below on March 13, 2009, by regular mail, postage prepaid:

William T. Molczan, Esq.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh PA 15219

National City Bank
200 North Brady Street
DuBois PA 15801

Respectfully submitted:



Mary L. Pothoven, Esquire

Date: March 20, 2009

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

HUNTINGTON NATIONAL BANK,	*	NO. 08-2353-CD
Plaintiff	*	
vs.	*	
BONNIE HUZINEC,	*	
Defendant	*	
vs.	*	
NATIONAL CITY BANK,	*	
Garnishee	*	

ORDER

AND NOW, this 20th day of March, 2009, the Court having been advised that the Defendant's money was taken from her account at National City Bank it is the ORDER of this Court as follows:

1. The filing of the Praecept to Settle Discontinue and End as to the Garnishee, National City Bank does not serve to cancel the hearing scheduled for **March 24, 2009 at 9:00 a.m.** relative the Defendant's Claim for Exemption;
2. The hearing on the Defendant's Claim for Exemption will proceed as scheduled on March 24, 2009 at 9:00 in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania; and
3. It is the ORDER of this Court that Plaintiff's counsel and a representative from the Plaintiff's firm be present for said hearing.

FILED

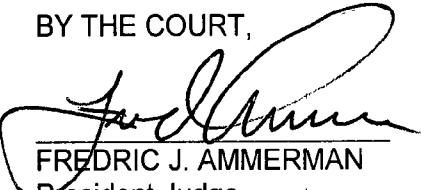
03/11/09
MAR 20 2009

William A. Shaw
Prothonotary/Clerk of Courts

Judge Ammerman's faxed
1 CC to each Attorney 3/20/09.

(60)

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED

MAR 20 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

HUNTINGTON NATIONAL BANK,
successor by merger to SKY BANK,
Plaintiff : No. 08-2353-CD
v. :
: Type of Case:
: CIVIL
: Type of Pleading:
: **ORDER ON**
: **CLAIM FOR EXEMPTION**
: Filed on behalf of:
: Plaintiff
: Counsel of Record:
: Mary L. Pothoven, Esquire
: Supreme Court ID #72164
: PO Box 218
: Reynoldsville PA 15851
: (814) 653-2243

BONNIE HUZINEC,
Defendant

National City Bank, Garnishee

3CC Atty
FILED 3/9/2009 Pothoven
MAR 24 2009 (will serve)

5
William A. Shaw
Prothonotary/Clerk of Courts
(610)

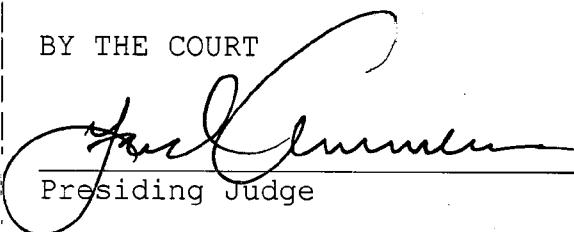
IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

HUNTINGTON NATIONAL BANK,	:
successor by merger to SKY BANK,	: No. 08-2353-CD
Plaintiff	:
	:
v.	:
	:
BONNIE HUZINEC,	:
Defendant	:
	:
National City Bank, Garnishee	:

AND NOW this 24th day of March, 2009, after hearing on
Defendant's Claim for Exemption, **IT IS HEREBY ORDERED:**

1. The attachment of the Writ of Execution served on
National City Bank is hereby dissolved forthwith.
2. The within action is hereby dismissed as against
Garnishee, National City Bank.

BY THE COURT


Presiding Judge

FILED

MAR 24 2009

William A. Shaw
Prothonotary/Clerk of Courts