

08-2473-CD
Sherwin-Williams Co vs William Moore

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY,

Plaintiff,

vs.

WILLIAM M. MOORE i/d/b/a MOORE
PRESSURE,

Defendant.

ARBITRATION DIVISION

No.: 08-2473-CD

TYPE OF PLEADING:

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF:

The Sherwin-Williams Company, Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

Joseph R. Lawrence, Esquire
Pa. ID No. 65709

Christopher J. Azzara, Esquire
Pa. ID No. 204114

STRASSBURGER McKENNA
GUTNICK & GEFSKY
Firm No. 278

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Telephone: 412-281-5423
Facsimile: 412-281-8264

⁵
FILED Any pd. 95.00
DEC 31 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, ARBITRATION DIVISION

Plaintiff, No.:

vs.

WILLIAM M. MOORE i/d/b/a MOORE
PRESSURE,

Defendant.

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within Twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. 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
100 South Street
Harrisburg, PA 17101
800-932-0311

HEARING NOTICE

YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place on _____, 2008, at _____ a.m./p.m. IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

DUTY TO APPEAR AT ARBITRATION HEARING

If one or more of the parties is not present at the hearing, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

NOTICE: YOU MUST RESPOND TO THIS COMPLAINT WITHIN TWENTY (20) DAYS OR A JUDGMENT FOR THE AMOUNT CLAIMED MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

IF ONE OR MORE OF THE PARTIES IS NOT PRESENT AT THE HEARING, THE MATTER MAY BE HEARD IMMEDIATELY BEFORE A JUDGE WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
THE SHERWIN-WILLIAMS COMPANY, ARBITRATION DIVISION

Plaintiff, NO.

vs.

WILLIAM M. MOORE i/d/b/a MOORE
PRESSURE,

Defendant.

COMPLAINT IN CIVIL ACTION

NOW COMES the Plaintiff, The Sherwin-Williams Company, by and through its attorneys, Joseph R. Lawrence, Esquire, Christopher J. Azzara, Esquire and Strassburger McKenna Gutnick & Gefsky, and files this Complaint in Civil Action and in support thereof states as follows:

1. The Sherwin-Williams Company ("Sherwin-Williams") is a corporation organized and existing under the laws of the State of Ohio, having an office located at 910 Sheraton Drive, Suite 400, Mars, Pennsylvania 16046 ("Plaintiff").

2. Defendant, William M. Moore i/d/b/a Moore Pressure ("Defendant") with a last known address at 1745 Treasure Lake, Dubois, Pennsylvania 15801-9046.

3. On or about April 3, 2008, Defendant signed a Commercial Credit Application with Sherwin-Williams, requesting Plaintiff to extend credit to Defendant, for the purchase of paint and related materials. A true and correct copy of the signed Commercial Credit Application is attached hereto, made apart hereof, and marked as **Exhibit "A"**.

4. Pursuant to the Commercial Credit Application, Defendant agreed to pay all costs, including attorney fees and court costs that Plaintiff incurs in the process of collecting said debt.

5. All paint and related materials were delivered to the Defendant in a satisfactory and workmanlike manner.

6. Plaintiff advanced paint and related materials and invoiced the Defendant for said materials in the amount \$2,662.61 (the "Invoice Amount"). A true and correct copy of the invoices and the statement as provided by Plaintiff to Defendant is attached hereto, made apart hereof, and marked as **Exhibit "B"**.

7. The last date that payment was due without default for any of the above referenced amounts was September 21, 2008.

8. Plaintiff has made demand on Defendant for payment of the outstanding balance. A true and correct copy of the demand letter sent by Plaintiff to Defendant is attached hereto, made apart hereof, and marked as **Exhibit "C"**.

9. Defendant defaulted on his payment obligations by failing or refusing to pay Plaintiff in full for the outstanding balance due and owing on the Invoice Amount.

10. Pursuant to the terms of the Commercial Credit Application, Plaintiff is entitled to collect interest on the past due balance at the rate of 1.5% per month totaling \$217.09 as of December 29, 2008 and continuing until judgment is entered.

11. Pursuant to the Defendant's default and the terms of the Commercial Credit Application, Plaintiff is also entitled to collect reasonable attorneys' fees which are estimated to be \$798.78 representing 30% of the unpaid balance.

12. As of December 29, 2008 the total amount due and owing Plaintiff is

Invoice:	\$2,662.61
Interest to 12/29/08:	\$ 217.09
<u>Attorney's Fees</u>	<u>\$ 798.78</u>
Total:	\$3,678.49

COUNT I

Breach of Contract

The Sherwin-Williams Company v. William M. Moore i/d/b/a Moore Pressure

13. Plaintiff incorporates Paragraphs 1 through 12 as if fully set forth herein.

14. Based on the foregoing allegations, Defendant has breached the Commercial Credit Application by failing to pay for the paint and materials advanced by the Plaintiff.

15. As a direct, proximate and foreseeable result of Defendant's breach of the Commercial Credit Application, Plaintiff has suffered damages in the form of lost profits from the loss of inventory.

WHEREFORE, the Plaintiff, The Sherwin-Williams Company, demands judgment against Defendant, William M. Moore i/d/b/a Moore Pressure in the amount of \$3,678.49 plus post-judgment interest and costs.

COUNT II

Quantum Meruit

The Sherwin-Williams Company v. William M. Moore i/d/b/a Moore Pressure

16. Plaintiff incorporates Paragraphs 1 through 15 as if fully set forth herein.

17. Defendant knowingly received the benefit of the Plaintiff's services in advancing paint and materials, under circumstances in which it was reasonable to expect Plaintiff to be compensated for said paint and materials.

18. Under the doctrine of unjust enrichment, Plaintiff is entitled to be compensated for the reasonable value of the paint and materials it advanced Defendant.

WHEREFORE, the Plaintiff, The Sherwin-Williams Company, demands judgment against Defendant, William M. Moore i/d/b/a Moore Pressure in the amount of \$3,678.49 plus post-judgment interest and costs.

Respectfully Submitted,

STRASSBURGER McKENNA
GUTNICK & GEFSKY

By: 

Joseph R. Lawrence, Esq.

Pa. I.D. No. 65709

Christopher J. Azzara, Esq.

PA I.D. No. 204114

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)
Counsel for Plaintiff

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 3507-6**

PAGE 1 OF 1
PO# FRAGLE

DATE: 07/17/2008
TIME: 11:44 AM

2-0100
E81/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

TERMS: NET PAYMENT DUE ON AUG. 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-59949	GALLON	640359949	DCKSCPESSTN&SLRRMV	2	16.99	33.98

Thank You
receipt required for refund

SUBTOTAL 33.98
6.000% SALES TAX: 1-391580102 2.04
CHARGE \$36.02

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

EXHIBIT

B

tabbles

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**
No. 3498-8

PAGE 1 OF 1
PO# FRAGEL

DATE: 07/17/2008
TIME: 10:25 AM

2-0100
E23/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON AUG. 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-59931	GALLON		DCKSCPE\$REVIVE CLN	4	14.59 *	58.36
*****			MFG NBR:0.01612068			
165-1124	EACH	463-000	3M463-000- SNDBLST S	1	9.32	9.32
165-1090	EACH	423-080	3M423-080- SNDBLST P	1	8.49	8.49

Thank You
receipt required for refund

SUBTOTAL 76.17
6.000% SALES TAX:1-391580102 4.57
CHARGE \$80.74

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 3448-3**

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

PAGE 1 OF 1
PO# FRAGLE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

DATE: 07/16/2008
TIME: 9:09 AM

2-0100
E81/10902

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON AUG. 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
821-8034	EACH	2090-2A	2090 TAPE 2" SHR	1	6.95 *	6.95
145-2424	EACH	SHW002	9X12 2MIL DROP	1	3.79 *	3.79
161-3413	EACH	24100M	PROGRADE 6PK SPG MD	1	14.38	14.38

Thank You
receipt required for refund

SUBTOTAL 25.12
6.000% SALES TAX:1-391580102 1.51
CHARGE \$26.63

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 5930-0

PAGE 1 OF 1
PO# MEYERS

DATE: 07/10/2008
TIME: 9:21 AM

2-0100
E81/14942

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

TERMS: NET PAYMENT DUE ON AUG. 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-59279	5 GAL	A15T15	DKSCPS WB STN TNT B	5	26.38	131.90
			COLOR: SW3511 CEDAR BARK			
			BAC BLEND-A-COLOR OZ 32 64 128			
			B1 BLACK - 30 - -			
			R2 MAROON - 35 - -			
			Y3 DEEP GOLD 4 17 - -			
			FORMULA BOOK			

Thank You
receipt required for refund

SUBTOTAL 131.90
6.000% SALES TAX:1-391580102 7.92
CHARGE \$139.82

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 5905-2**

PAGE 1 OF 1
PO# FLAGEL

DATE: 07/08/2008
TIME: 11:24 AM

2-0100
E23/14942

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

TERMS: NET PAYMENT DUE ON AUG. 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-59949	GALLON	640359949	DCKSCPESSTN&SLRRMV	4	16.99	67.96
182-0588	3 INCH	10774130	ECONOMY BRUSH 3"	2	3.93	7.86
150-2384	5 QT	50SW	PLS PL SW LOGO 5QT	2	2.90	5.80

Thank You
receipt required for refund

SUBTOTAL 81.62
6.000% SALES TAX:1-391580102 4.90
CHARGE \$86.52

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 3128-1

PAGE 1 OF 1
PO# FRAGLE

DATE: 07/08/2008
TIME: 9:45 AM

2-0100
E81/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON AUG. 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-59949	GALLON	640359949	DCKSCPE3STN&SLRRMV	2	17.99 *	35.98

Thank You
receipt required for refund

SUBTOTAL 35.98
6.000% SALES TAX:1-391580102 2.16
CHARGE \$38.14

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 5743-7**

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

PAGE 1 OF 1
PO# CAYMON LANDING

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

DATE: 06/20/2008
TIME: 9:16 AM

2-0100
E81/14942

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-89185	5 GAL	A82W151	A100 LTX SA EXTRA COLOR: SW6085 SIMPLIFY BEIGE	5	25.26	126.30
BAC BLEND-A-COLOR OZ 32 64 128						
B1 BLACK - 31 - 1						
R2 MAROON - 15 -						
Y3 DEEP GOLD 2 2 - 1						
SHER-COLOR FORMULA						
588-3889	EACH	243161	GUARD RAC 5	1	24.21	24.21
181-0019	2 INCH	99999	PROVAL 2" A/S	2	5.99 *	11.98
220-4394	EACH	651-417	PERFORMER REV TIP417	1	19.99	19.99
180-2578	4 INCH	10257840	16" FRM/4" FAB COV	1	5.25	5.25
180-2503	4 INCH	10250340	4" FAB CVR SM 2PK	1	3.79 *	3.79

Thank You
receipt required for refund

SUBTOTAL 191.52
6.000% SALES TAX: 1-391580102 11.50
CHARGE \$203.02

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 2292-6**

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

PAGE 1 OF 1
PO# CAYMAN LANDING

DATE: 06/17/2008
TIME: 9:03 AM

2-0100
E41/10902

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6405-14915	GALLON	A82W51	A100 LTX SA EXTRA COLOR: SW6085 SIMPLIFY BEIGE BAC BLEND-A-COLOR OZ 32 64 128 B1 BLACK - 7 - - R2 MAROON - 2 1 1 Y3 DEEP GOLD - 12 - 1 SHER-COLOR FORMULA DISCOUNT (\$)	5	26.76 *	133.80 -7.50
6403-99747	5 GAL	A82W153	REMEDY #5-35777-12089-2 A100 LTX SA DEEP COLOR: SW6088 NUTHATCH BAC BLEND-A-COLOR OZ 32 64 128 B1 BLACK 6 59 - 1 N1 RAW UMBER 12 1 - - R2 MAROON 4 7 - - Y3 DEEP GOLD 14 58 - 1 SHER-COLOR FORMULA	20	25.26	505.20
180-7023	EACH	997023000	SH WIRE BRUSH	1	3.66	3.66
906-0799	EACH	SB619	WIRE BRUSH 6X19	1	3.89 *	3.89
173-4953	4 INCH	10495340	SPECIALTY COVER 4"	4	3.92 *	15.68

Thank You
receipt required for refund

SUBTOTAL 654.73
6.000% SALES TAX:1-391580102 39.29
CHARGE \$694.02

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CASH
INVOICE**
No. 2275-1

PAGE 1 OF 1
PO# ULERY

DATE: 06/16/2008
TIME: 4:37 PM

2-0100
E41/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-59261	GALLON	A15T15	DKSCPS WB STN TNT B	2	26.99 *	53.98
			COLOR: SW3505 YANKEE BARN			
			BAC BLEND-A-COLOR OZ 32 64 128			
			B1 BLACK - 14 - -			
			L1 BLUE - 4 - -			
			R2 MAROON - 14 - -			
			FORMULA BOOK			
180-4459	9 INCH	10445990	1/2" KNIT 6PK RLR	1	9.99 *	9.99

Thank You
receipt required for refund

SUBTOTAL 63.97
6.000% SALES TAX:1-391580102 3.84
MASTERCARD -67.81
C/C# XXXX-XXXX-XXXX-5410
AUTH # 03581B
TOTAL \$67.81

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 2148-0

PAGE 1 OF 1
PO#

DATE: 06/13/2008
TIME: 8:44 AM

2-0100
E81/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
400-0733	EACH	3953WH	36 WH PAINT SHORT	2	15.61 *	31.22N
*****			DISCOUNT (\$)			-9.24
*****			REMEDY #5-35777-12089-2			
*****			10.99 ON ALL OTHER SIZES			
6403-89185	5 GAL	A82W151	A100 LTX SA EXTRA	5	25.26	126.30
*****			SIMPLIFY BEIGE			

Thank You
receipt required for refund

SUBTOTAL 148.28
6.000% SALES TAX:1-391580102 7.58
CHARGE \$155.86

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 2113-4

PAGE 1 OF 1
PO# CAYMAN LANDING

DATE: 06/12/2008
TIME: 12:59 PM

2-0100
E41/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-99747	5 GAL	A82W153	A100 LTX SA DEEP	5	25.26	126.30
			COLOR: SW6088 NUTHATCH			
			BAC BLEND-A-COLOR OZ 32 64 128			
			B1 BLACK 6 59 - 1			
			N1 RAW UMBER 12 1 - -			
			R2 MAROON 4 7 - -			
			Y3 DEEP GOLD 14 58 - 1			
			SHER-COLOR FORMULA			
173-1785	9 INCH	10178590	CS SOFT WOVEN 1/2*	2	3.25 *	6.50

Thank You
receipt required for refund

SUBTOTAL 132.80
6.000% SALES TAX:1-391580102 7.97
CHARGE \$140.77

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 2053-2

PAGE 1 OF 1
PO# CAYMAN LANDING

DATE: 06/11/2008
TIME: 11:35 AM

2-0100
E41/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-99747	5 GAL	A82W153	A100 LTX SA DEEP COLOR: SW6088 NUTHATCH BAC BLEND-A-COLOR OZ 32 64 128 B1 BLACK 6 59 - 1 N1 RAW UMBER 12 1 - - R2 MAROON 4 7 - - Y3 DEEP GOLD 14 58 - 1 SHER-COLOR FORMULA	5	25.26	126.30
180-1505	4 INCH	99748540	4 WIRE CAGE FRAME	2	2.19 *	4.38
280-2874	EACH	GSM-10	MINI GLASS SCRAPER	1	.81	.81

Thank You
receipt required for refund

SUBTOTAL 131.49
6.000% SALES TAX: 1-391580102 7.89
CHARGE \$139.38

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 5588-6

PAGE 1 OF 1
PO# CAYMON LANDING

DATE: 06/06/2008
TIME: 8:48 AM

2-0100
E81/14942

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
220-2570	EACH	782-220	PERFMR FLTR100MSH	1	13.49	13.49
998-9864	EACH	43430	5 GAL PAINT MIXER	1	9.74	9.74
966-3436	EACH	ANB-2	DRPCLTH BTYL2 4X15	2	12.61	25.22
178-1699	11 OZ	WL1100A	1100A PREM CAULK	1	1.89	1.89
153-0823	EACH	66-0445	WINDOW SCRPR & 5 BLD	1	2.93	2.93
161-3017	EACH		CONTR BR-ROL CLEANER	1	4.16	4.16

Thank You
receipt required for refund

SUBTOTAL 57.43
6.000% SALES TAX:1-391580102 3.45
CHARGE \$60.88

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**
No. 1865-0

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

PAGE 1 OF 1
PO# LADDER

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

DATE: 06/06/2008
TIME: 8:55 AM

2-0100
E23/10902

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
400-2440	EACH	6212	12' FG STP T-IA 6212	1	286.84	286.84
			DISCOUNT (\$)			-71.84
*****			REMEDY #5-35777-12091-5			
*****			LADDER SALE			

Thank You
receipt required for refund

SUBTOTAL 215.00
6.000% SALES TAX: 1-391580102 12.90
CHARGE \$227.90

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 5543-1**

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

PAGE 1 OF 1
PO# HOSE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

DATE: 06/03/2008
TIME: 12:04 PM

2-0100
E41/14942

(814) 603-0311

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
220-9229	EACH	826079	FLEXPRO HOSE 1/4X50	1	50.65	50.65

Thank You
receipt required for refund

SUBTOTAL 50.65
6.000% SALES TAX:1-391580102 3.04
CHARGE \$53.69

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE
No. 1733-0**

PAGE 1 OF 1
PO# CAYMAN LANDING

DATE: 06/02/2008
TIME: 7:02 PM

2-0100
E11/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

* INDICATES SALE PRICE

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
6403-33654	5 GAL	A82W53	A100 LTX SA DEEP COLOR: SW6088 NUTHATCH BAC BLEND-A-COLOR OZ 32 64 128 W1 WHITE - 42 1 - B1 BLACK 8 29 - - N1 RAW UMBER - 7 1 - R2 MAROON 4 7 - - Y3 DEEP GOLD 14 40 1 1 SHER-COLOR FORMULA	10	25.26	252.60
6405-14923	5 GAL	A82W51	A100 LTX SA EXTRA COLOR: SW6085 SIMPLIFY BEIGE BAC BLEND-A-COLOR OZ 32 64 128 B1 BLACK - 35 - - R2 MAROON - 13 1 1 Y3 DEEP GOLD - 61 - 1 SHER-COLOR FORMULA	10	25.26	252.60
151-8331	11 OZ	WL0955A	SIL AC LTX CLRC955A	4	3.81	15.24
180-4657	7 INCH	10465770	C.S. 7" KNIT RLR CVR	2	3.53	7.06
170-5938	4 INCH	10593840	1/2" PRO VAL TRIM	4	3.79	15.16

Thank You
receipt required for refund

SUBTOTAL 542.66
6.000% SALES TAX: 1-391580102 32.56
CHARGE \$575.22

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL

THE SHERWIN-WILLIAMS CO.
980 BEAVER DR
DU BOIS PA 15801 2514

REPRINTED
DOCUMENT



SHERWIN-WILLIAMS.

Visit www.sherwin-williams.com
Store 1174
(814) 371-7780

**CHARGE
INVOICE**

No. 1685-2

PAGE 1 OF 1
PO# SKI LODGE

DATE: 06/02/2008
TIME: 8:51 AM

2-0100
E81/10902

ACCOUNT: 4221-7890-5

JOB 01 MOORE PRESSURE

MOORE PRESSURE
1745 TREASURE LK
DU BOIS PA 15801 9046

(814) 603-0311

TERMS: NET PAYMENT DUE ON JULY 20TH

SALES NUMBER	SIZE	PRODUCT	DESCRIPTION	QTY	PRICE	VALUE
173-4300	9 INCH	10430090	CS RLR CVR-LTX 1/2"	1	3.77	3.77

Thank You
receipt required for refund

SUBTOTAL 3.77
6.000% SALES TAX: 1-391580102 0.23
CHARGE \$4.00

MERCHANDISE RECEIVED IN GOOD ORDER BY:

BILL



STATEMENT OF ACCOUNT

REPRINTED
DOCUMENT

THE SHERWIN-WILLIAMS CO.
ACCOUNTS RECEIVABLE DEPT.
980 BEAVER DR
DU BOIS, PA 15801-2514

MOORE PRESSURE
1745 TREASURE LK
DU BOIS, PA 15801-9046

CUSTOMER NUMBER: 4221-7890-5

REMITTANCE ADVICE
CUSTOMER NO. 4221-7890-5
JOB NUMBER: 01 1174 / 00092

JOB NUMBER: 01

JOB NAME: MOORE PRESSURE

PAYMENT TERMS: NET 20TH PROX

DUE DATE
10/20/2008

PLEASE PAY
\$2,662.61

IF YOU HAVE ANY QUESTIONS CONCERNING YOUR ACCOUNT, PLEASE CALL 814-371-7780

ACCOUNT SUMMARY PAST DUE AMOUNTS MUST BE PAID IMMEDIATELY

PREVIOUS BALANCE: \$2,662.61
CURRENT MONTH CHARGES: \$0.00
CURRENT MONTH PAYMENTS: \$0.00
CURRENT MONTH STORE CREDITS: \$0.00
CURRENT MONTH OTHER DEBITS: \$0.00
CURRENT MONTH OTHER CREDITS: \$0.00
ACCOUNT BALANCE: \$2,662.61
CURRENT DUE: \$0.00
PAST DUE 1-30 DAYS: \$0.00
PAST DUE 31-60 DAYS: \$407.87
PAST DUE 61-90 DAYS: \$2,254.74
PAST DUE OVER 90 DAYS: \$0.00
NET AMOUNT DUE: \$2,662.61

NET AMOUNT DUE: \$2,662.61

AMOUNT PAID	
CHECK NO.	

PLEASE RETURN THIS REMITTANCE ADVICE
WITH YOUR PAYMENT IN THE ENCLOSED
ENVELOPE.

THANK YOU FOR YOUR PAYMENT

ACCOUNT DETAIL

DATE	TYPE	STORE	REF NO	P.O. NUMBER/JOB DESC	AMOUNT	SUBTOTAL
06/02/2008	CHARGE	1174	16852	SKI LODGE	\$4.00	
06/02/2008	CHARGE	1174	17330	CAYMAN LANDING	\$575.22	
06/03/2008	CHARGE	1174	55431	HOSE	\$53.69	
06/06/2008	CHARGE	1174	55886	CAYMAN LANDING	\$60.88	
06/06/2008	CHARGE	1174	18650	LADDER	\$227.90	
06/11/2008	CHARGE	1174	20532	CAYMAN LANDING	\$139.38	
06/12/2008	CHARGE	1174	21134	CAYMAN LANDING	\$140.77	
06/13/2008	CHARGE	1174	21480	CAYMAN LANDING	\$155.86	
06/17/2008	CHARGE	1174	22926	CAYMAN LANDING	\$694.02	
06/20/2008	CHARGE	1174	57437	CAYMAN LANDING	\$203.02	
07/08/2008	CHARGE	1174	59052	FLAGEL	\$86.52	
07/08/2008	CHARGE	1174	31281	FRAGLE	\$38.14	
07/10/2008	CHARGE	1174	59300	MEYERS	\$139.82	
07/16/2008	CHARGE	1174	34483	FRAGLE	\$26.63	
07/17/2008	CHARGE	1174	35076	FRAGLE	\$36.02	
07/17/2008	CHARGE	1174	34988	FRAGEL	\$80.74	
						\$2,662.61

PLEASE CHECKMARK
ITEMS PAID IN FULL
OR ENTER AMOUNT PAID

REF NO	AMOUNT	
16852	\$4.00	
17330	\$575.22	
55431	\$53.69	
55886	\$60.88	
18650	\$227.90	
20532	\$139.38	
21134	\$140.77	
21480	\$155.86	
22926	\$694.02	
57437	\$203.02	
59052	\$86.52	
31281	\$38.14	
59300	\$139.82	
34483	\$26.63	
35076	\$36.02	
34988	\$80.74	

cazzara@smgglaw.com

November 3, 2008

VIA CERTIFIED MAIL – 7006 3450 0001 4740 3554

William Moore
i/d/b/a Moore Pressure
1745 Treasure Lake
Du bois, PA 15801-9046

Re: The Sherwin-Williams Company
Account No.: 4221-7890-5
Our File No.: 11091-56



Strassburger McKenna
Gutnick & Gefsky

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

412-281-5423 phone
412-281-8264 fax

www.smgglaw.com

Dear Mr. Moore:

This office has been retained to represent The Sherwin-Williams Company in connection with the collection of all the amounts due on the above-referenced account. According to our records, the outstanding balance of the account is \$2,662.61. This amount is exclusive of attorneys' fees and interest.

This letter shall serve as formal demand for payment of the above-referenced amount. All checks should be made payable to The Sherwin-Williams Company and sent to the address listed above. Both this office and The Sherwin-Williams Company desire to reach an amicable resolution of this matter. Therefore, please contact me immediately upon your receipt of this letter to discuss mutually acceptable arrangements for repayment of the amount due.

If an acceptable repayment agreement is not reached in the near future, an action will be commenced seeking recovery of these amounts as well as recoverable interest, attorney fees, and other costs of bringing the action.

I look forward to hearing from you and working with you to quickly resolve the situation.

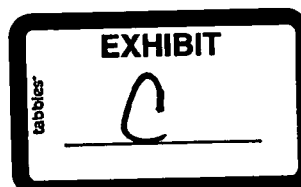
Very truly yours,

A handwritten signature in black ink, appearing to read 'Christopher J. Azzara'. The signature is fluid and cursive, with a large loop at the end.

Christopher J. Azzara

CJA/rdl

Cc: Troy Danielson



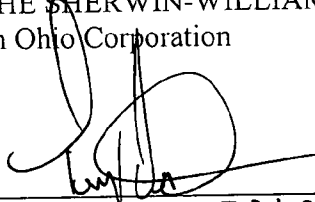
VERIFIED STATEMENT

I, Troy Danielson, duly authorized representative of The Sherwin-Williams Company hereby verify that statements set forth in the foregoing Complaint in Civil Action are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

THE SHERWIN-WILLIAMS COMPANY
an Ohio Corporation

Date: _____

12/22/08



Troy Danielson

District Credit Manager

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2473-CD

THE SHERWIN-WILLIAMS COMPANY
vs
WILLIAM M. MOORE i/d/b/a MOORE PRESSURE
COMPLAINT

SERVICE # 1 OF 1

FILED

SERVE BY: 01/30/2009 HEARING: PAGE: 105106

DEFENDANT: WILLIAM M. MOORE i/d/b/a MOORE PRESSURE 603-0311
ADDRESS: 1745 TREASURE LAKE
DUBOIS, PA 15801
ALTERNATE ADDRESS 911 SAYS: SEC 14B LOT 495 & 496 IN NAME OF "GOOD"

JAN 29 2009
0/9:40/w
William A. Shaw
Prothonotary/Clerk of Courts

SERVE AND LEAVE WITH: DEFENDANT/AAR/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS _____

SHERIFF'S RETURN

NOW, 01-26-09 AT 11:10 (AM) PM SERVED THE WITHIN

COMPLAINT ON WILLIAM M. MOORE i/d/b/a MOORE PRESSURE, DEFENDANT

BY HANDING TO William M. Moore 1 DEFENDANT

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

ADDRESS SERVED Dubois Mall Parking Lot. Dubois, PA. 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR WILLIAM M. MOORE i/d/b/a MOORE PRESSURE

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO WILLIAM M. MOORE i/d/b/a MOORE PRESSURE

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Mark A. Coverlet
Deputy Signature

Mark A. Coverlet
Print Deputy Name

FILED

JAN 29 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, ARBITRATION DIVISION

Plaintiff,

No. 08-2473-CD

v.

WILLIAM M. MOORE, i/d/b/a MOORE
PRESSURE,

Defendant.

**PRAECIPE TO ENTER DEFAULT
JUDGMENT**

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709
jlawrence@smgglaw.com

Christopher J. Azzara, Esquire
Pa. I.D. No. 204114
cazzara@smgglaw.com

STRASSBURGER McKENNA
GUTNICK & GEFSKY

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Firm No. 278

Telephone: (412) 281-5423
Facsimile: (412) 281-8264

FILED Any pd. 20.00
MAR 03 2009 11:38 AM Notice to Def.
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, ARBITRATION DIVISION

Plaintiff,

No. 08-2473-CD

v.

WILLIAM M. MOORE, i/d/b/a MOORE
PRESSURE,

Defendant.

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter a default judgment against Defendant, William M. Moore, i/d/b/a
Moore Pressure, in the amount of:

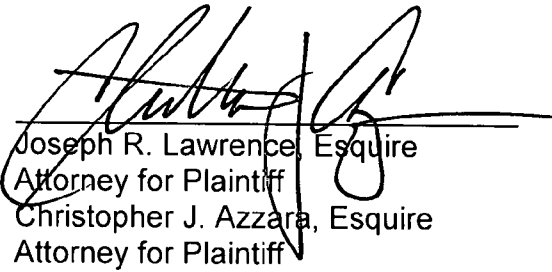
Principal:	\$2,662.61
Interest from 8/21/08--3/03/09:	\$ 307.05
<u>Attorneys Fees:</u>	<u>\$ 857.58</u>
Total:	\$3,827.24

The Notice of Intention to Enter Judgment by Default was sent to Defendant on
February 19, 2009 by Certificate of Mailing, First Class Mail, postage prepaid and there
has been no response filed since that date. A true and correct copy of the Notice is
attached hereto, made a part hereof, and marked as Exhibit "A".

STRASSBURGER MCKENNA
GUTNICK & GEFSKY

DATE: March 3, 2009

By



Joseph R. Lawrence, Esquire
Attorney for Plaintiff
Christopher J. Azzara, Esquire
Attorney for Plaintiff

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, ARBITRATION DIVISION

Plaintiff,

No. 08-2473-CD

v.

WILLIAM M. MOORE, i/d/b/a MOORE
PRESSURE,

Defendant.

TEN DAY NOTICE

Filed on Behalf of: Plaintiff
The Sherwin-Williams Company

Counsel of Record for This
Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709
jlawrence@smgglaw.com

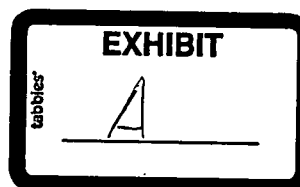
Christopher J. Azzara, Esquire
Pa. I.D. No. 204114
cazzara@smgglaw.com

STRASSBURGER McKENNA
GUTNICK & GEFSKY

Four Gateway Center
Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

Firm No. 278

Telephone: (412) 281-5423
Facsimile: (412) 281-8264



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN-WILLIAMS COMPANY, ARBITRATION DIVISION

Plaintiff,

No. 08-2473-CD

v.

WILLIAM M. MOORE, i/d/b/a MOORE
PRESSURE,

Defendant.

Date of Notice: February 19, 2009

To: William M. Moore i/d/b/a Moore Pressure
1745 Treasure Lake
Dubois, PA 15801-9046

TEN DAY NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

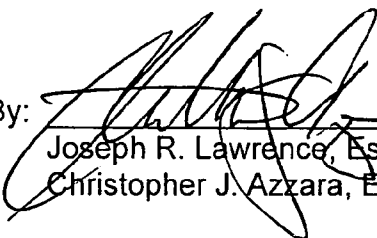
YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
The Pennsylvania Bar Association
100 South Street
Harrisburg, PA 17101
(800) 932-0311

STRASSBURGER McKENNA
GUTNICK & GEFSKY

By:



Joseph R. Lawrence, Esquire
Christopher J. Azzara, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff

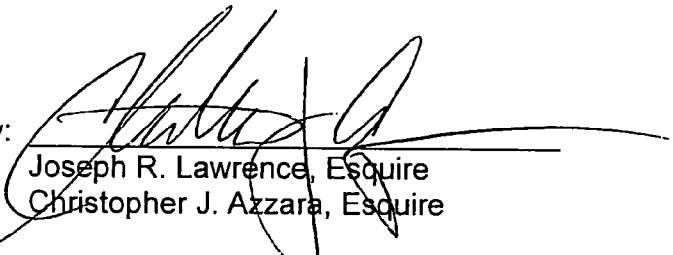
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
Ten Day Notice was served by First Class Mail, U.S. Mail, postage prepaid, this 19th
day of February, 2009, on the following:

William M. Moore i/d/b/a Moore Pressure
1745 Treasure Lake
Dubois, PA 15801-9046

STRASSBURGER McKENNA
GUTNICK & GEFSKY

By:


Joseph R. Lawrence, Esquire
Christopher J. Azzara, Esquire

Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (Fax)

Counsel for Plaintiff



UNITED STATES
POSTAL SERVICE®

Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.
This form may be used for domestic and international mail.

From: Strassburger McKenna Gutnick & Gelsky
Attn: Rebecca Lewis
444 Liberty Ave Ste 2200
Pittsburgh PA 15222
To: William M. Moore i/d/b/a Moore Pressure
1745 Treasure Lake
Dubois PA 15801-9046

0000



\$1.10

U.S. POSTAGE
PAID
PITTSBURGH, PA
15222
FEB 19, 2009
AMOUNT
00069650-22

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Sherwin-Williams Company

Vs.

No. 2008-02473-CD

William M. Moore i/d/b/a Moore Pressure

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$3,827.24 on March 3, 2009.

William A. Shaw
Prothonotary



William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN WILLIAMS COMPANY,
an Ohio corporation,

Plaintiff,

v.

WILLIAM M. MOORE i/d/b/a MOORE
PRESSURE,

Defendant,

v.

TIMBERLAND FEDERAL CREDIT
UNION,

Garnishee.

CIVIL DIVISION

Case No.: 08-2473-CD

TYPE OF PLEADING:

**PRAECIPE FOR WRIT OF EXECUTION
AGAINST WILLIAM MOORE i/d/b/a
MOORE PRESSURE and GARNISHEE
TIMBERLAND FEDERAL CREDIT
UNION**

FILED ON BEHALF OF:

THE SHERWIN-WILLIAMS COMPANY,
Plaintiff

Counsel for this Party:

Joseph R. Lawrence, Esquire
Pa. I.D. No. 65709

Christopher J. Azzara, Esquire
Pa I.D. No. 204114

STRASSBURGER McKENNA
GUTNICK & GEFSKY
Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222

jlawrence@smgglaw.com
cazzara@smgglaw.com

TELEPHONE: (412) 281-5423
FACSIMILE: (412) 281-8264

FILED

MAR 26 2009

William A. Shaw
Prothonotary/Clerk of Courts

icc@lewis

to Sheriff

Atty pd: 20.00

(60)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN WILLIAMS COMPANY,
an Ohio corporation,

CIVIL DIVISION

Plaintiff,

Case No.: 08-2473-CD

v.

WILLIAM M. MOORE i/b/d/a MOORE
PRESSURE,

Defendant,

v.

TIMBERLAND FEDERAL CREDIT
UNION,

Garnishee.

**PRAECIPE FOR WRIT OF EXECUTION AGAINST WILLIAM MOORE i/d/b/a MOORE
PRESSURE and GARNISHEE TIMBERLAND FEDERAL CREDIT UNION**

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter:

1. Directed to the Sheriff of Clearfield County;
2. Against William M. Moore i/d/b/a Moore Pressure;
3. Against Timberland Federal Credit Union;
4. Judgment Amount \$3,827.24

Plus Interest at a rate of 18.00% per annum
From 03/04/09 to 03/25/09 \$ 36.62

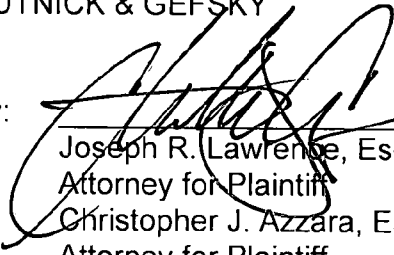
SUBTOTAL: **\$3,863.86**

Costs (to be added by Prothonotary): \$ 135.00 Prothonotary costs

STRASSBURGER MCKENNA
GUTNICK & GEFSKY

Dated: March 24, 2009

By:



Joseph R. Lawrence, Esquire
Attorney for Plaintiff
Christopher J. Azzara, Esquire
Attorney for Plaintiff

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
The Pennsylvania Bar Association
100 South Street
Harrisburg, PA 17101
(800) 832-0311**

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 and equipment.
4. Tools of the trade, such as carpenter's tools.
5. Most wages and unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran and armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THE SHERWIN WILLIAMS COMPANY,
an Ohio corporation,

ARBITRATION DIVISION

NO. 08-2473-CD

Plaintiff,

v.

WILLIAM M. MOORE i/b/d/a MOORE
PRESSURE,

Defendant,

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 to 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 North Second Street
Clearfield, PA 16830
814-765-2641**

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.

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Sherwin-Williams Company

Vs.

NO.: 2008-02473-CD

William M. Moore i/d/b/a Moore Pressure

Timberland Federal Credit Union
Garnishee

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against SHERWIN-WILLIAMS COMPANY, Plaintiff(s) from WILLIAM M. MOORE i/d/b/a MOORE PRESSURE, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
Timberland Federal Credit Union as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL:.....\$3,827.24
INTEREST at a rate of 18.00% per annum
from 03/04/09 to 03/25/09:.....\$36.62
ATTY'S COMM: \$
DATE: 3/26/2009

PROTH. COSTS PAID:....\$135.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Requesting Party: Christopher J. Azzara, Esq.
Four Gateway Center, Ste. 2200
444 Liberty Ave.
Pittsburgh, PA 15222
(412) 281-5423

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105106
NO: 08-2473-CD
SERVICES 1
COMPLAINT

PLAINTIFF: THE SHERWIN-WILLIAMS COMPANY
vs.
DEFENDANT: WILLIAM M. MOORE i/d/b/a MOORE PRESSURE

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	STRASSBURGER	2131	10.00
SHERIFF HAWKINS	STRASSBURGER	2131	39.32

S FILED
03:07pm
JUN -2 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2009

So Answers,

Chester A. Hawkins

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20953
NO: 08-2473-CD

PLAINTIFF: THE SHERWIN WILLIAMS COMPANY, AN OHIO CORPORATION

vs.

DEFENDANT: WILLIAM M. MOORE I/D/B/A MOORE PRESSURE

Execution PERSONAL PROPERTY / INTERROGATORIES

SHERIFF RETURN

DATE RECEIVED WRIT: 3/26/2009

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 3/26/2012

5
FILED
01 10:57 AM
MAR 26 2012

William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

4/9/2009 @ 12:45 PM SERVED WILLIAM M. MOORE I/D/B/A MOORE PRESSURE
SERVED WILLIAM M. MOORE I/D/B/A MOORE PRESSURE, DEFENDANT AT THE DUBOIS MALL PARKING LOT,
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO WILLIAM M. MOORE

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND BY MAKING KNOWN TO HIM THE CONTENTS THEREOF.

4/2/2009 @ 12:50 PM SERVED TIMERLAND FEDERAL CREDIT UNION
SERVED TIMERLAND FEDERAL CREDIT UNION, GARNISHEE, BY HANDING TO ALISHA COWDER, TELLER FOR
TIMERLAND FEDERAL CREDIT UNION AT HER PLACE OF EMPLOYMENT TIMBERLAND FEDERAL CREDIT
UNION, 821 BEAVER DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE.

@ SERVED
NOW, MARCH 26, 2012 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20953

NO: 08-2473-CD

PLAINTIFF: THE SHERWIN WILLIAMS COMPANY, AN OHIO CORPORATION

vs.

DEFENDANT: WILLIAM M. MOORE I/D/B/A MOORE PRESSURE

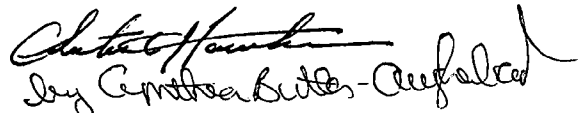
Execution PERSONAL PROPERTY / INTERROGATORIES

SHERIFF RETURN

SHERIFF HAWKINS \$111.38

SURCHARGE \$30.00 PAID BY ATTORNEY

So Answers,



Chester A. Hawkins
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Sherwin-Williams Company

Vs.

NO.: 2008-02473-CD

William M. Moore i/d/b/a Moore Pressure

Timberland Federal Credit Union
Garnishee

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against SHERWIN-WILLIAMS COMPANY, Plaintiff(s) from WILLIAM M. MOORE i/d/b/a MOORE PRESSURE, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
Timberland Federal Credit Union as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL:.....\$3,827.24
INTEREST at a rate of 18.00% per annum
from 03/04/09 to 03/25/09:.....\$36.62
ATTY'S COMM: \$
DATE: 3/26/2009

PROTH. COSTS PAID:....\$135.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 26th day
of March A.D. 2009
At 3:05 A.M./P.M.

Christopher A. Azzara
Sheriff Dy Cynthia Butler-Orphalau

Requesting Party: Christopher J. Azzara, Esq.
Four Gateway Center, Ste. 2200
444 Liberty Ave.
Pittsburgh, PA 15222
(412) 281-5423

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME WILLIAM M. MOORE I/D/B/A MOORE PRESSURE

NO. 08-2473-CD

NOW, March 26, 2012, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of William M. Moore I/D/B/A Moore Pressure to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR	9.00
SERVICE	9.00
MILEAGE	20.90
LEVY	
MILEAGE	20.90
POSTING	
HANDBILLS	
COMMISSION	0.00
POSTAGE	1.68
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	9.00
ADD'L POSTING	
ADD'L MILEAGE	20.90
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$111.38

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	3,827.24
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	30.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	36.62
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$4,140.24
COSTS:	
ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	111.38
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$246.38
TOTAL COSTS	\$4,140.24

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

FILED

MAR 26 2012

William A. Shaw
Prothonotary/Clerk of Courts