

DOCKET NO. 173

Number	Term	Year
391	February	1961

United States of America

Versus

Headwaters Construction Co., Inc.

PLEASE REFER TO
INITIALS AND NUMBER

MGJ 75920 Civil

United States Department of Justice

UNITED STATES ATTORNEY
WESTERN DISTRICT OF PENNSYLVANIA

Pittsburgh 19, Pennsylvania
June 26, 1961

Wm. T. Hagerty, Prothonotary
Clearfield County
Clearfield, Pennsylvania

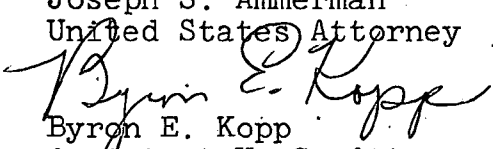
Re: Mitchell v. Headwaters
Construction Company, Inc.
No. 391 February T. 1961

Dear Sir:

We are enclosing herewith, certified copy of Motion and Order entered in the above case, to correct the name of the plaintiff on the judgment, to show it correctly as Arthur J. Goldberg, Secretary of Labor, U. S. Department of Labor, rather than as United States of America as originally shown.

Yours very truly,

Joseph S. Ammerman
United States Attorney


Byron E. Kopp
Assistant U. S. Attorney

Enc.

IN THE UNITED STATES COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

James P. Mitchell, Secretary of Labor, United States Department of Labor	}	Civil
vs.		Action
Headwaters Construction Co., Inc.		No. 61-11

MOTION FOR SUBSTITUTION
OF PARTY PLAINTIFF

It having been satisfactorily shown to this Court that Arthur J. Goldberg is the duly appointed and qualified Secretary of Labor, United States Department of Labor, and that as such Secretary he has succeeded to all of the rights, duties and prerogatives of James P. Mitchell, heretofore appearing as the Secretary of Labor of the United States Department of Labor, and the plaintiff in this cause, and it appearing that there is substantial need for continuing and maintaining the above-entitled action, it is hereby moved that Arthur J. Goldberg, Secretary of Labor, United States Department of Labor, be substituted as plaintiff herein, in the place and stead of James P. Mitchell, formerly Secretary of Labor, United States Department of Labor.

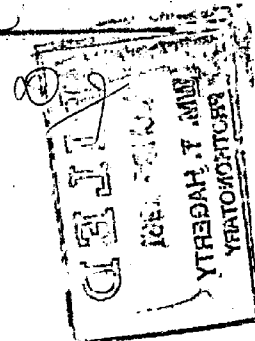
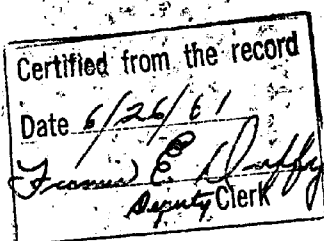
Further, it appearing that default judgment was entered of record in favor of The United States of America, plaintiff, it is hereby moved, pursuant to Rule 60 (a) of the Federal Rules of Civil Procedure, that said clerical mistake in the name of the plaintiff be corrected by substituting as plaintiff, the said Arthur J. Goldberg,

Secretary of Labor, United States Department of
Labor.

Joseph S. Ammerman
United States Attorney
181 *Byron E. Kopp*
Byron E. Kopp
Assistant U. S. Attorney

ORDER

And now, this *23rd* day of June, 1961,
the foregoing Motion having been presented, it is
hereby ordered, adjudged and decreed that Arthur J.
Goldberg, Secretary of Labor, United States Department
of Labor, be and hereby is substituted as plaintiff in
the within action, and that the clerical mistake in
naming The United States of America as plaintiff in
the default judgment entered herein be corrected by
substituting the said Arthur J. Goldberg, Secretary of
Labor, United States Department of Labor, as plaintiff.



PLEASE REFER TO
INITIALS AND NUMBER
75920 BEK:bc

United States Department of Justice

UNITED STATES ATTORNEY
WESTERN DISTRICT OF PENNSYLVANIA
Pittsburgh 19, Pennsylvania
March 29, 1961

282 Feb. 1961

William T. Hagerty, Prothonotary
Clearfield County
Clearfield, Pennsylvania

Re: United States of America
vs. Headwaters Construction Co. Inc.
Civil Action No. 61-11

Dear Sir:

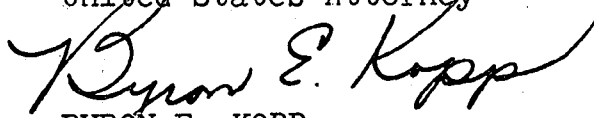
Enclosed herewith please find Judgment Roll
in the above case for entrance upon your records.

Will you please mail your bill to this office,
showing thereon the section of law under which you are
entitled to the fee.

The United States of America is not required
to pay any tax.

Very truly yours,

HUBERT I. TEITELBAUM
United States Attorney


BYRON E. KOPP
Assistant U. S. Attorney

Enclosure

In the United States District Court

For the Western District of Pennsylvania

UNITED STATES OF AMERICA

vs.

HEADWATERS CONSTRUCTION CO., INC.

No. 61-11 Civil Action

JUDGMENT ROLL

AND NOW, this 28th day of March, upon filing of Praecipe for Judgment and Affidavit of Amount Due on March 28, 1961, Judgment is hereby entered in favor of the plaintiff, United States of America, and against the defendant, Headwaters Construction Co., Inc., in the sum of \$591.11 together with interest and costs of suit.

JAMES H. WALLACE, JR.
Clerk

Certified from the record this
28th day of March, 1961.

James H. Wallace, Jr.

[illegible]

NOVO . 19-22 11-78 . c.

FILED
MAR 30 1961
WM. T. HAGERTY
PROTHONOTARY

449-2/92

391 Feb 1961