HEIDI C. LANZENDORFER, Plaintiff, v. PHILIP BARBERA and MARILYN BARBERA, Husband and Wife, PHILIP BARBERA, JR., and BARBERA'S, INC. Defendants.	IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA CIVIL ACTION-LAW No. 2017-1035 **PRAECIPE TO ENTER JUDGMENT** Filed on behalf of Plaintiff. COUNSEL OF RECORD FOR PARTY: RONALD P. CARNEVALI, JR., ESQUIRE I.D. NO. 47733 TOBY D. MCILWAIN, ESQUIRE I.D. NO. 316074 SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC 1067 MENOHER BOULEVARD JOHNSTOWN, PENNSYLVANIA 15905 (814) 536-0735 **JURY TRIAL DEMANDED**

FILED FOR RECORD
2017 MAY 19 AM 10: 23
PROTHONOTARY
CAMBRIA COUNTY, PA

HEIDI C. LANZENDORFER,	:	IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA
Plaintiff,	:	CIVIL ACTION-LAW
v.	:	No. 2017-1035
PHILIP BARBERA and MARILYN BARBERA, Husband and Wife, PHILIP BARBERA, JR., and BARBERA'S, INC.	:	
Defendants.	:	

FILED FOR RECORD
2017 MAY 19 AM 10: 23
PROTHONOTARY
CAMBRIA COUNTY, PA

PRAECIPE TO ENTER JUDGMENT

To the Prothonotary:

Please enter judgment of default in favor of Plaintiff, Heidi C. Lanzendorfer, and against Defendant, Marilyn Barbera, for Defendant's failure to plead to the Complaint in Civil Action within the required time. The Complaint contains a Notice to Defend within twenty (20) days from the date of service thereof. Defendant was served with the Complaint in Civil Action on April 7, 2017, and Defendant's responsive pleading was due to be filed on April 27, 2017.

Attached as Exhibit "A" is a copy of Plaintiff's written Notice of Intention to File Praecipe for Entry of Default Judgment, which I certify was mailed by regular mail to Defendant at her last known address on May 5, 2017, which is at least ten (10) days prior to the filing of this Praecipe.

Please assess damages in the amount of Nine Thousand Dollars ($9,000.00), being the amount demanded in the Complaint, plus treble damages, and attorney's fees and costs.

Respectfully submitted,

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC

Ronald P. Carnevali, Jr., Esquire
I.D. No. 47733
Toby D. McIlwain, Esquire
I.D. No. 316074

1067 Menoher Boulevard
Johnstown, Pennsylvania 15905
(814) 536-0735 (telephone)
(814) 539-1423 (facsimile)

EXHIBIT “A”

HEIDI C. LANZENDORFER, Plaintiff, v. PHILIP BARBERA and MARILYN BARBERA, Husband and Wife, PHILIP BARBERA, JR., and BARBERA'S, INC. Defendants.	IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA CIVIL ACTION-LAW No. 2017-1035 **10-DAY DEFAULT NOTICE** Filed on behalf of Plaintiff. COUNSEL OF RECORD FOR PARTY: RONALD P. CARNEVALI, JR., ESQUIRE I.D. NO. 47733 TOBY D. MCILWAIN, ESQUIRE I.D. NO. 316074 SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC 1067 MENOHER BOULEVARD JOHNSTOWN, PENNSYLVANIA 15905 (814) 536-0735 **JURY TRIAL DEMANDED**

HEIDI C. LANZENDORFER, Plaintiff, v. PHILIP BARBERA and MARILYN BARBERA, Husband and Wife, PHILIP BARBERA, JR., and BARBERA'S, INC. Defendants.	IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA CIVIL ACTION-LAW No. 2017-1035 **JURY TRIAL DEMANDED**

10-DAY DEFAULT NOTICE

To: Marilyn Barbera
135 Belmont Street
Johnstown, Pennsylvania 15904

Date of Notice: May 5, 2017

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY 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 YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, 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.

LAUREL LEGAL SERVICES, INC.
225-227 FRANKLIN STREET
SUITE 400 FRANKLIN CENTER
JOHNSTOWN, PENNSYLVANIA 15901-2524
TELEPHONE NUMBER: (814) 536-8917

Respectfully submitted,

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC

Ronald P. Carnevali, Jr., Esquire
I.D. No. 47733
Toby D. McIlwain, Esquire
I.D. No. 316074

1067 Menoher Boulevard
Johnstown, Pennsylvania 15905
(814) 536-0735 (telephone)
(814) 539-1423 (facsimile)
Attorneys for Plaintiff,
Heidi C. Lanzendorfer

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 5th day of May, 2017, a true and correct copy of the foregoing 10-Day Default Notice was forwarded via first-class mail, postage pre-paid, to the following persons:

Philip Barbera and Marilyn Barbera
135 Belmont Street
Johnstown, Pennsylvania 15904
Defendants

Philip Barbera, Jr.
135 Belmont Street
Johnstown, Pennsylvania 15904
Defendant

Barbera, Inc.
135 Belmont Street
Johnstown, Pennsylvania 15904
Defendant

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC

Ronald P. Carnevali, Jr., Esquire
I.D. No. 47733
Toby D. McIlwain, Esquire
I.D. No. 316074

1067 Menoher Boulevard
Johnstown, Pennsylvania 15905
(814) 536-0735 (telephone)
(814) 539-1423 (facsimile)
Attorneys for Plaintiff,
Heidi C. Lanzendorfer

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:
Spence, Custer, Saylor, Wolfe & Rose, LLC
1067 Menoher Boulevard
Johnstown, Pennsylvania 15905

To:
Marilyn Barbera
135 Belmont Street
Johnstown, Pennsylvania 15904

PS Form 3817, April 2007 PSN 7530-02-000-9065

MAY - 5 2017
USPS

UNITED STATES POSTAGE
PITNEY BOWES
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MAY 05 2017
MAILED FROM ZIP CODE 15905

CERTIFICATE OF SERVICE

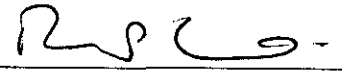
I, the undersigned, hereby certify that on the 16th day of May, 2017, a true and correct copy of the foregoing Praecipe to Enter Judgment was forwarded via first-class mail, postage pre-paid, to the following persons:

Philip Barbera and Marilyn Barbera
135 Belmont Street
Johnstown, Pennsylvania 15904
Defendants

Philip Barbera, Jr.
135 Belmont Street
Johnstown, Pennsylvania 15904
Defendant

Barbera, Inc.
135 Belmont Street
Johnstown, Pennsylvania 15904
Defendant

SPENCE, CUSTER, SAYLOR, WOLFE & ROSE, LLC



Ronald P. Carnevali, Jr., Esquire
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Attorneys for Plaintiff,
Heidi C. Lanzendorfer