

SHERIFF'S SALE

BY VIRTUE OF WRIT OF EXECUTION 87ED2003 TO ME DIRECTED BY THE COURTS, THERE WILL BE SOLD AT PUBLIC SALE, ON **8/28/2003 11:30:00 AM** AT THE **149 IVEY DRIVE IN BLOOMSBURG** COUNTY OF COLUMBIA AND STATE OF PENNSYLVANIA, THE FOLLOWING ARTICLES OF PERSONAL PROPERTY, TO WIT:

1996 CHEVROLET PICKUP REG# PD7018T
1992 DODGE PICKUP REG#YJJ4378

TOGETHER WITH ALL OTHER ARTICLES FOUND AND BELONGING TO THE DEFENDANT(S) AND NOT ENUMERATED :

SEIZED AND TAKEN INTO EXECUTION AS THE PROPERTY OF **OLIVER (FRED) KLINGER** AT 149 IVEY DRIVE, BLOOMSBURG, PA

AND TO BE SOLD BY HARRY A. ROADARMEL JR, SHERIFF OF COLUMBIA COUNTY , BLOOMSBURG, PA 17815 (570-389-5622).

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COLUMBIA COUNTY SHERIFF'S OFFICE PROCESS SERVICE ORDER

OFFICER: T. CHAMBERLAIN
DATE RECEIVED 6/27/2003

SERVICE# 1 - OF - 1 SERVICES
DOCKET # 87ED2003

PLAINTIFF MINUTEMAN SPILL RESPONSE

DEFENDANT OLIVER (FRED) KLINGER

PERSON/CORP TO SERVED
OLIVER (FRED) KLINGER
149 IVEY DRIVE
BLOOMSBURG

PAPERS TO SERVED
EXECUTION

SERVED UPON Fred

RELATIONSHIP _____ IDENTIFICATION _____

DATE 7-10-03 TIME 1440 MILEAGE _____ OTHER _____

Race ___ Sex ___ Height ___ Weight ___ Eyes ___ Hair ___ Age ___ Military ___

- TYPE OF SERVICE:
- A. PERSONAL SERVICE AT POA ___ POB ___ POE ___ CCSO ___
 - B. HOUSEHOLD MEMBER: 18+ YEARS OF AGE AT POA
 - C. CORPORATION MANAGING AGENT
 - D. REGISTERED AGENT
 - E. NOT FOUND AT PLACE OF ATTEMPTED SERVICE

F. OTHER (SPECIFY) _____

ATTEMPTS DATE	TIME	OFFICER	REMARKS
<u>7-10</u>	<u>1100</u>	<u>TC</u>	<u>LC 4554378</u>

DEPUTY TC DATE _____

8-18

28 1130

EXECUTION LEVY SHEET

PERSONAL PROPERTY LEVIED UPON

\$2,289.00

1996 Chevrolet Pickup Reg # PD 7618T
1997 Dodge pickup Reg # Y554378

HARRY A. ROADARMEL, JR.



SHERIFF OF COLUMBIA COUNTY
COURT HOUSE - P.O. BOX 380
BLOOMSBURG, PA 17815
FAX: (570) 784-0257

PHONE
(570) 389-5422

24 HOUR PHONE
(570) 784-6300

MINUTEMAN SPILL RESPONSE

Docket # 87ED2003

VS

EXECUTION

OLIVER (FRED) KLINGER

AFFIDAVIT OF SERVICE

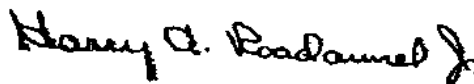
NOW, THIS THURSDAY, JULY 10, 2003, AT 2:40 PM, SERVED THE WITHIN EXECUTION UPON
OLIVER (FRED) KLINGER AT 149 IVEY DRIVE, BLOOMSBURG BY HANDING TO
OLIVER KLINGER, , A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT AND MADE
KNOWN TO THEM THE CONTENTS THEREOF.

SO ANSWERS,

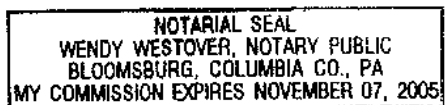
SWORN AND SUBSCRIBED BEFORE ME
THIS FRIDAY, JULY 11, 2003




NOTARY PUBLIC



X _____
SHERIFF HARRY A. ROADARMEL JR.



X 

T. CHAMBERLAIN
DEPUTY SHERIFF

MINUTEMAN SPILL RESPONSE

vs

KLINGER

*
*
*
*
*

THE COURT OF MAGISTERIAL
DISTRICT 26-3-03

CASE # CV-20-03

Decision

AND NOW, this 16th day of May 2003, a judgement was entered for the plaintiff in the amount of \$2,289.00.

After taking in consideration all the testimony and exhibits that were offered to the court, it was the opinion of the court that Minuteman Spill Response is entitled to the amount owed.

At the court hearing, Robert Bolus Jr., Plaintiff, testified that he was dispatched to the spill site by the Columbia County 911 Center. Emergency Management and Fire Personnel were already present upon arrival to the scene. An unknown substance with an odor was reported to have been leaking from a barrel. Bolus stated that all precautions were used due to the suspicion of the substance being a hazardous material. Chemical suits, containers and absorbent pads were used at the scene to soak up and contain the unknown substance. Bolus stated that he made numerous attempts to contact Klinger to find out the identity of the substance with no response.

The defense, represented by Attorney Norton, relied on (35 P.S. 6022.210) in reference to recover of response costs. Norton argued that according to this section it indicates that "A person who causes a release of a hazardous material shall be liable for the response costs incurred by a certified hazardous material response team". The Defendant's son, Fred Klinger had testified that the contents of the barrel was unknown

at the time of the spill, but was later found to be frozen water with some type of unknown residual. Norton stated that without the substance being a hazardous material, the plaintiff should not be responsible for the clean up.

The substance (residual) had never been identified. It is believed that the majority of the substance was frozen water but the remaining substance was never identified. The court feels that the Minuteman Spill Response Team responded at the request of the emergency personnel from the scene who indicated it was an unknown substance, possibly hazardous, no other testimony or documentation proved otherwise.

Therefore, it is the court's opinion that Minuteman Spill Response should be compensated for the labor and materials that used that evening.

846

80-593/313
0345173

OLIVER F. KLINGER
SUZANNE J. KLINGER
149 IVEY DR.
FLOOMSBURG, PA 17815

DATE July 27, 2003

PAY TO


Columbia County Sheriff

\$ 2378.25

THE ORDER OF

Twenty Three Hundred Seventy Two and 25/100 DOLLARS

DOLLARS

 FIRST COLUMBIA BANK & TRUST CO.
Member FDIC

 FIRST COLUMBIA BANK & TRUST CO.
Member FDIC

Oliver F. Klinger

MEMO

⑆031305936⑆ 0345173⑆0846

*July 2003
FD*

MINUTEMAN TOWING, INC.

P.O. BOX 10
MIFFLINVILLE, PA 18631

M&T BANK
60-295/313

20481

PAY

TO THE
ORDER OF

Polombia County Sheriff

Two Hundred Dollars - only

\$ *200.00*

DOLLARS

6-27-03

MEMO

K. King



AUTHORIZED SIGNATURE

MP

Security Features. Details on back.

⑈02048⑈ ⑆03⑆302955⑆374⑆0 ⑆723⑆⑈

WRIT OF EXECUTION – (MONEY JUDGEMENTS) Rules P.R.C.P. 3101 to 3149

Phantom Spill Response
PO Box 10
Mifflinville, PA 17231

vs
Klincy Oliver (Fwd)
749 Ivy Drive
Blairsville, PA 17815

No. *2003 ED 87* Term 19.....E.D.
No. *2003 CV 704* Term 19.....J.D.
No. Term 19.....

WRIT OF EXECUTION
(MONEY JUDGEMENTS)

COMMONWEALTH OF PENNSYLVANIA, COUNTY OF *Columbia*
TO THE SHERIFF OF *Columbia* COUNTY, PENNA.

To satisfy the judgement, interest and costs against *Klincy Oliver (Fwd)*

Klincy Oliver (Fwd) Defendant (s);

- (1) You are directed to levy upon the property of the defendant (s) and to sell his, her (or their) interest therein; (Inquisition and Exemption Laws waived and Condemnation agreed to)
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of
- as Garnishee (s)
(Specifically describe property)

and to notify the Garnishee (s) that

- (a) an attachment has been issued;
- (b) the garnishee (s) is 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.
- (3) If the property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee (s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due \$.....*2,289.00*
Interest from
Total*2,289.00*
Plus costs as per endorsement hereon.

Dated *6/22/2003*
(SEAL)

Janet B. Kline
Prothonotary, Court of Common Pleas of
Columbia County, Penna.
By: *Elizabeth A. Berman*
Deputy