

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE

Cert. No. 97-15478

OFFICE OF THE SECRETARY OF THE COMMONWEALTH

Harrisburg, September 17, 1997

Inst # 1997-32650

PENNSYLVANIA, SS:

I, Yvette Kane, Secretary of the Commonwealth of Pennsylvania,

DO HEREBY CERTIFY, That it appears by the records of this office

PATRICIA L. BACHTLE

now is, and was at the time of execution of the foregoing certificate, the duly elected and commissioned PROTHONOTARY OF THE COURT OF COMMON PLEAS, in and for the County of Bucks, in the Commonwealth of Pennsylvania, U.S.A., which is a court of law and record having a common seal, and as such officer has the legal custody of the records and the official seal thereof:

AND DO FURTHER CERTIFY, That I verily believe the seal impressed upon the attached certificate, is genuine.

10/07/1997-32650
01:38 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
041 MCD 108.50

Inst # 1997-32650



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of my Office to be affixed, the day and year above written.

Secretary of the Commonwealth

Commonwealth of Pennsylvania



BUCKS COUNTY, ss.

Among the Records and proceedings of The Court of Common Pleas in and for the County of Bucks, in the State of Pennsylvania, it is, inter alia, thus contained:

JUDGMENT DOCKET ENTRIES

NO. 96-08483

Commonwealth of Pennsylvania, County of Bucks, ss.

I, PATRICIA L. BACHILE Prothonotary

of the Court of Common Pleas, in and for the County of Bucks, in the State aforesaid, Do Certify, that the above and foregoing is a true and correct copy of the Docket Entries and Judgment hereinbefore stated case as the same remains filed and of record in said Court.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the said Court, at Doylestown, this . . . TWELTH day of . . . SEPTEMBER in the year of our Lord one thousand nine hundred . . . NINETY-SEVEN

..... *Patricia L. Bachile* Prothonotary

Commonwealth of Pennsylvania, County of Bucks, ss.

I, KENNETH G. BIEHN Judge of the Seventh Judicial

District of the Commonwealth of Pennsylvania composed of the County of Bucks in the said State, do hereby certify that the above named . PATRICIA L. BACHILE by whom the foregoing attestation was made, was, at the time of so making the same, and now is the Clerk of the said Court, duly commissioned and qualified, to all whose acts as such full faith and credit are and ought to be given, as well in Courts of judicature as elsewhere; that the seal thereto annexed is the seal of the said Court, and that the said attestation so made by him is in due form.

In Testimony Whereof, I have hereunto set my hand this . . . 12th day of A.D. 19 . . . 97

..... *Kenneth G. Biehn* Judge

Commonwealth of Pennsylvania, County of Bucks, ss.

I, PATRICIA L. BACHILE Prothonotary

of the Court of Common Pleas of said County of Bucks, in the State of Pennsylvania aforesaid, Do Hereby Certify, that the Honorable

. KENNETH G. BIEHN by whom the foregoing attestation was made and whose name is thereto subscribed, was, at the time of making thereof, and still is President Judge of the Court of Common Pleas for the County of Bucks, composing the Seventh Judicial District of Pennsylvania, duly commissioned and qualified, and to all whose acts as such full faith and credit are and ought to be given, as well in Courts of judicature as elsewhere.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at Doylestown, this . . . 12th day of . . . Sept in the year of our Lord one thousand nine hundred . . . Ninety-seven

..... *Patricia L. Bachile* Prothonotary

Docket No. 96-08483

SCALETRON INDUSTRIES LTD

VS

GUY E BOYLE

BOYLE WATER SYSTEMS

**Exemplification from the Court of
Common Pleas of Bucks County, PA.**

Real Debt \$ 9,998.16 + COSTS

Bucks County Costs

This Record 10.00

DATE: 8/04/97 OFFICE OF PROTHONOTARY BUCKS COUNTY, PA.
TIME: 14:14 CIVIL CASE DOCKET INFORMATION

PAGE 1

DOCKET # 96 08483

JUDGE
LAWLER

CLASS
ASSUMPSIT

STATUS
X

PLAINTIFF

SCALETRON INDUSTRIES LTD
53 APPLE TREE LANE
PLUMSTEADVILLE
PA 18949

VS

DEFENDANT

BOYLE
PO BOX 1747
3230 ARMSTRONG INDUSTRIAL COUR
PELHAM AL 35124

ROEGER JR

WILLIAM C

ATTYS NONE

VS

BOYLE WATER SYSTEMS
PO BOX 1747
3230 ARMSTRONG INDUSTRIAL COUR
PELHAM AL 35124

ATTYS NONE

112096 COMPLAINT IN ASSUMPSIT FILED.

VNT

\$125.50 PAID

APPEARANCE OF WILLIAM C ROEGER JR ESQ., ENTERED FOR PLAINTIFF.

VNT

DEMAND FOR DAMAGES IS LESS THAN \$50,000.00.

VNT

NOTICE TO DEFEND FILED WITH COMPLAINT.

VNT

011097 PRAECIPE TO REINSTATE COMPLAINT FILED.

JAW

EO DIE, COMPLAINT REINSTATED.

022097 AFFIDAVIT OF SERVICE COMPLAINT UPON GUY E BOYLE ON 02-05-97 FILED.

VNT

022797 MOTION TO DISMISS FILED BY DEFT GUY E. BOYLE.

JAW

032097 PRAECIPE TO ENTER JUDGMENT IN FAVOR OF PLTF AGAINST DEFT

CAM

JUDGMENT ENTERED AND DAMAGES ASSESSED AT \$9,998.16 + COSTS PD\$9.00

AFFIDAVIT OF SERVICE OF NOTICE OF INTENTION TO TAKE

CAM

JUDGMENT BY DEFAULT FILED. SENT TO GUY E BOYLE T/A BOYLE WATER SYSTEM

NOTICE MAILED IN ACCORDANCE WITH PA. R.C.P. 236 AS AMENDED.

CAM

SENT TO GUY E BOYLE T/A BOYLE WATER SYSTEMS 3230 ARMSTRONG INDUSTRIAL

COURT P.O. BOX 1747 PELHAM AL 35124

CAM

END OF CASE

County of Bucks, S.S

I, do hereby certify that the Within
and foregoing is a true and attested copy

of docket entries

in the within entitled case as the same re-

main on file in the Court of Common Pleas

Patricia J. Gorman
Deputy Prothonotary

ROEGER, WALKER & BAHLS
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
Perkasie, PA 18944
(215) 257-3666

96008483 23-1

SCALETRON INDUSTRIES, LTD.	:	COURT OF COMMON PLEAS
PLAINTIFF	:	BUCKS COUNTY, PA
vs.	:	
	:	NO:
GUY E. BOYLE,	:	
t/a BOYLE WATER SYSTEMS	:	
DEFENDANT	:	IN ASSUMPSIT

NOTICE

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 CLAIMS 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.

BUCKS COUNTY BAR ASSOCIATION
135 EAST STATE STREET
DOYLESTOWN, PA 18901
(215) 348-9413
1(800) 273-2929


WILLIAM C. ROEGER, JR., ESQ.

ROEGER, WALKER & BAHLS
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
Perkasie, PA 18944
(215) 257-3666

SCALETRON INDUSTRIES, LTD.	:	COURT OF COMMON PLEAS
PLAINTIFF	:	BUCKS COUNTY, PA
vs.	:	
	:	NO:
GUY E. BOYLE,	:	
t/a BOYLE WATER SYSTEMS	:	
DEFENDANT	:	IN ASSUMPSIT

COMPLAINT

1. Plaintiff, Scaletron Industries, Ltd. is a Pennsylvania Corporation with its principal office located at 53 Apple Tree Lane, Plumsteadville, Bucks County, PA 18949.
2. Defendant, Guy E. Boyle, t/a Boyle Water Systems, is believed and therefore averred to be a competent adult individual trading under a fictitious name with his principal place of business located at P.O. Box 1747, 3230 Armstrong Industrial Court, Pelham, AL 35124.
3. On or about July 6, 1994, Defendant submitted a credit/dealer application in the form attached hereto as Exhibit "A".
4. This credit/dealer application was accepted by Plaintiff, and thereafter, Defendant sold products of Plaintiff with a "dealer discount".
5. On or about July 2, 1996, July 3, 1996, August 14, 1996, August 21, 1996 and August 28, 1996, invoices in the form attached hereto as Exhibits B-1, B-2, B-3, B-4 and B-5 were issued by Plaintiff to Defendant as a result of Defendant's orders for those materials.

6. These materials were shipped by Plaintiff to Defendant in the ordinary course of Plaintiff and Defendant's business.

7. Thereafter, despite Defendant's receipt of these items, Defendant has refused to remit the amounts claimed by Plaintiff resulting from Exhibits "B-1" through "B-4". Thereafter, on October 22, 1996, the invoice attached hereto as Exhibit "C" was issued by Plaintiff to Defendant.

8. The amount referred to in Exhibit "C" is unpaid as of the date of this Complaint and interest at the rate of 1.5% per month is properly charged to Defendant by Plaintiff pursuant to the terms of Exhibit "A".

9. Plaintiff has incurred reasonable attorney's fees in the amount of \$500.00 and Court costs of \$125.50 to date, and additional legal fees and expenses will be incurred in the future in this matter.

10. Despite Plaintiff's continuing demands, Defendant has failed to remit payment of the balance due on Exhibit "C". The current balance due by Plaintiff to Defendant is as follows:

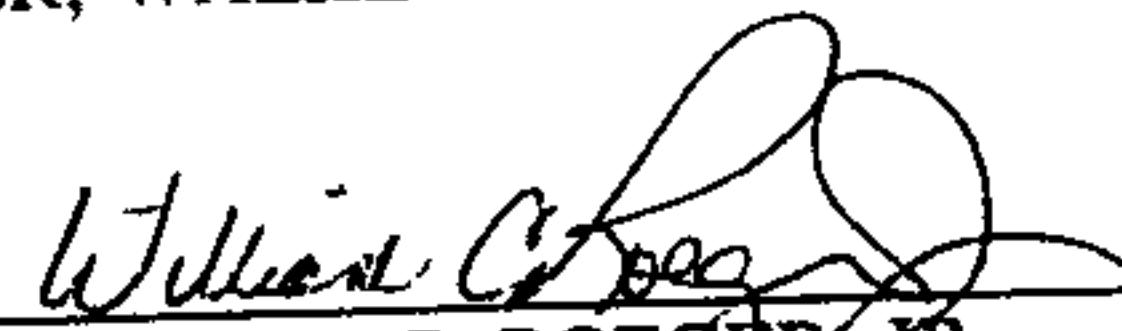
invoice amount	\$8,701.15
attorneys fees and costs	<u>625.50</u>

Total \$9,326.65

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$9,326.65, plus interest at 1.5% per month from October 22, 1996, plus attorney's fees and costs, an amount not in excess of that requiring compulsory arbitration in this jurisdiction.

ROEGER, WALKER & BAHLS

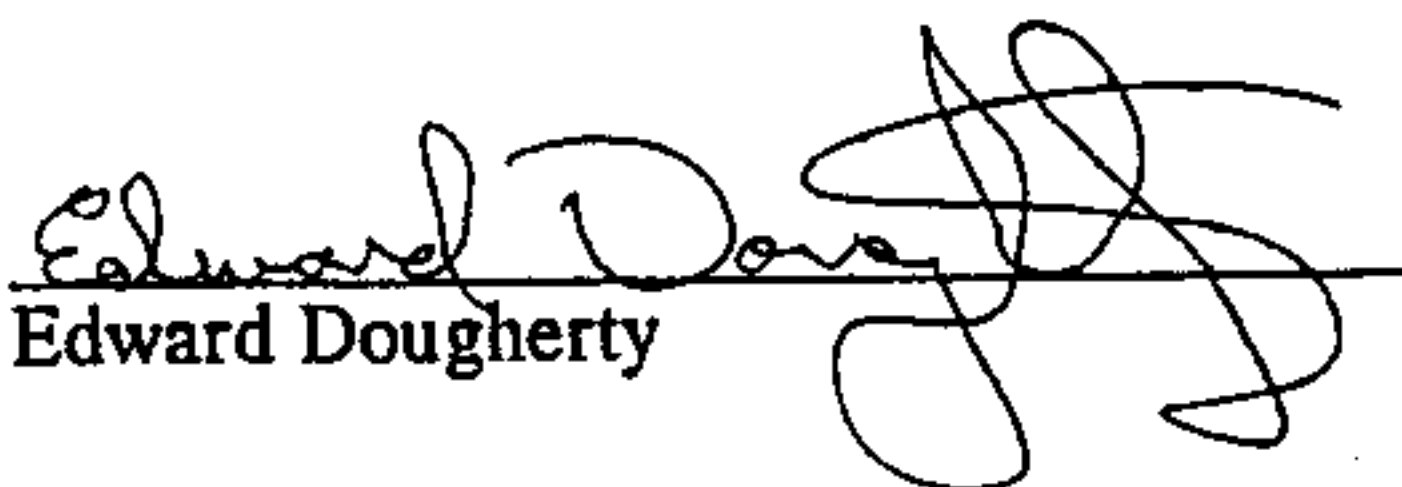
BY:


WILLIAM C. ROEGER, JR.

VERIFICATION

I, EDWARD DOUGHERTY, an officer of Scaleton Industries, Ltd., state that I am authorized to make this Verification on behalf of the Corporation, and that the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief.

The foregoing statement is made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.


Edward Dougherty

Scaleton, Inc.

MANUFACTURERS
DIGITAL SCALES
CUSTOM SCALES

CREDIT/DEALER APPLICATION

CUSTOMER _____

DEALER BOYLE WATER SYSTEMS PHONE 205-664-1094

ADDRESS 100 SPINNAKER LANE CORP. _____

ALABASTER AL 35007 PARTNERSHIP _____

PROPRIETORSHIP X

PRINCIPALS NAMES Guy Boyle

NATURE OF BUSINESS Manufacturer of Equipment for Water Ind.

NUMBER OF EMPLOYEES SALES _____ SERVICE _____ BOTH _____

BILLING ADDRESS IF DIFFERENT P.O. Box 1891

ALABASTER AL 35007

TRADE REFERENCES

1. NAME HYDRO INTR. INC FAX (215) 536-4442

PHONE (215) 538-1367

ADDRESS P.O. Box 615 QUAKER TOWN PA. 18951

FAX (205) 942-7956

2. NAME GRAINGER PHONE 942 6741 AREA CODE (205)

ADDRESS 785 W. OXMOOR ROAD BHM AL 35209-6331

FAX (205) 951-4599

3. NAME INDUSTRIAL ELECTRIC SUPPLY CO. PHONE (205) 951-4601

ADDRESS 2812 S. 5th AV. BHM AL 35210-1210

BANK REFERENCES

NAME FIRST ALABAMA BANK CONTACT WENDY METHENY

ADDRESS 1944 Hwy 31 S. PHONE 326 7940

BHM AL 35244 ACCOUNT # 03-4003-6153

RELATED PRODUCTS SOLD

CHLORINATOR X DIALER _____
 SCALES X MANUFACTURER X ...
 QUANTITY (Past 12 months) Started Business 4-11-94
 ONE TON SCALES NONE
 DUAL CYLINDER 1

All statements made herein are true and accurate to the best of our knowledge. We authorize Scaletron, Inc. to make any and all inquiries necessary for action on this credit application. All information is to be held in the strictest confidence.

In consideration of the extension of these terms by Scaletron, Inc. to the Buyer, the Buyer hereby agrees to promptly pay all bills in accordance with the terms expressed on the invoice. The Buyer further agrees that if the merchandise ordered remains unpaid past the invoice due date, the balance so remaining unpaid shall bear interest at the lesser of the rate of 1.5% per month or the maximum rate permitted by applicable law, until paid. In the event that any suit or action is instituted to collect the amount due, whether principle or interest or both, the Buyer agrees to pay, in addition to the amount owed, all legal fees and collection agency fees incurred, including a reasonable sum for attorney's fees.

DATE THIS 6th DAY OF July 1994

SIGNED Guy Boyle TITLE _____
 (MUST BE SIGNED BY OWNER, PARTNER, OR OFFICER LISTED ABOVE)

Guy Boyle
 (TYPE OR PRINT NAME ABOVE)

DATE THIS 6th DAY OF July 1994

SIGNED _____ TITLE _____
 (MUST BE SIGNED BY OWNER, PARTNER, OR OFFICER LISTED ABOVE)

 (TYPE OR PRINT NAME ABOVE)

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

Invoice

1861

TO: BOYLE WATER SYSTEMSP.O. Box 1747Pelham, Al. 35124

DATE

-7-2-96

ORDER NO.

069632

SHIP TO

CENTRE WATER WORKS130 South River St.Centre, Al. 35960

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	7-2-96	FRT.		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Model 3002 Dual Ton Cylinder Scale		
	Serial No. 2170		\$3,450.00
1	Lifting bar		\$ 385.00
	TOTAL MATERIAL.....		\$3,835.00
		LESS 25% DISCOUNT	\$ 958.75
			\$2,876.25
	SHIPPING & HANDLING.....		\$ 167.76
	TOTAL DUE THIS INVOICE.....		\$3,044.01

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949(215) 766-2670
FAX: (215) 766-2672

O: BOYLE WATER

P.O. Box 1747

Pelham, AL 35124

Invoice

1871

DATE

7-3-96

ORDER NO.

079634

SHIP TO

BOYLE WATER

3230 Armstrong Ind. Court

Pelham, AL 35124

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	7-3-96	UPS		Net 30 Days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	2350 Dual Cylinder Electronic Scale SN: 1564	\$1,350.00	\$1,350.00
		LESS 35% DISCOUNT	\$ 472.50
			\$ 877.50
	SHIPPING AND HANDLING.....		\$ 19.72
	TOTAL DUE THIS INVOICE.....		\$ 897.22

#19

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949(215) 766-2670
FAX: (215) 766-2672

Boyle Water

P.O. Box 1747

Pelham, Pa. 35114

Invoice

1918

DATE

8-14-96

ORDER NO.

Blanket

SHIP TO

BOYLE WATER

3230 Armstrong Industrial Ct.

Pelham, Al. 35124

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	8-14-96	UPS		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
3	Model 2330 Mechanical Dual Cylinder Scales Serial No. 1328, 1329, 1330	\$1,050.00 LESS 35% DISCOUNT.	\$3,150.00 \$1,102.50
	TOTAL MATERIAL.....		\$2,047.50
	SHIPPING & HANDLING.....		\$ 74.28
	TOTAL DUE THIS INVOICE.....		\$2,121.78
? ***#20-21-22 AGAINST BLANKET ORDER***			

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

TO: BOYLE WATER

P.O. Box 1747

Pelham, Al. 35124

Invoice**1927**

DATE	ORDER NO.
8-21-96	Blanket
SHIP TO	
BOYLE WATER	
3230 Armstrong Ind. Court	
Pelham, Al. 35124	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	8-21-96	UPS		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Model 2300 Digital Dual Cylinder Scale Serial No. 1589		\$1,350.00
1	Model 2350 Digital Dual Cylinder Scale Serial no. 1585 (SENT UNDER INVOICE #1909 CROSS BAR, PARTS KIT AND POST SENT WITH SERIAL NO. 1589		\$1,350.00
			\$2,700.00
		LESS 35% DISCOUNT	\$ 945.00
	TOTAL MATERIAL.....		\$1,755.00
	SHIPPING & HANDLING.....		\$ 39.44
	TOTAL DUE THIS INVOICE.....		\$1,794.44
	#23 & 24 against blanket order		

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

BOYLE WATER

P.O. 1747

Pelham, Al. 35124

Invoice

1943

DATE 8-28-96	ORDER NO. 089644
SHIP TO WATER & WASTE SPECIALTIES	
5821 I-10 Industrial Parkway ...	
Theodore, Al. 35582	

LES PERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	8-28-96	UPS		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Model 2310 Single Cylinder Scale Serial NO. 1586		\$ 795.00
		less 25% discount	\$ 198.75
	TOTAL MATERIAL.....		\$ 596.25
	SHIPPING & HANDLING.....		\$ 12.24
	TOTAL DUE THIS INVOICE.....		\$ 608.49

Thank You!

DUPLICATE

EXHIBIT "C"

SCALETRON INDUSTRIES, LTD.53 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949(215) 766-2670
FAX: (215) 766-2672

TO: BOYLE WATER

P.O. Box 1747

Pelham, Al. 35124

Invoice

2001

DATE 10-22-96	ORDER NO.
SHIP TO	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
				Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL																												
	The following Invoices are past due and subject to 1.5% interest per month. The totals have been computed as of 10-22-96.																														
	<table><tr><th>INVOICE #</th><th>INVOICE DATE</th><th>ORIGINAL INVOICE AMOUNT</th><th>TOTAL DUE WITH INTEREST</th></tr><tr><td>1861</td><td>7-2-96</td><td>\$3,044.01</td><td>\$3,167.29</td></tr><tr><td>1871</td><td>7-3-96</td><td>\$ 897.22</td><td>\$ 933.56</td></tr><tr><td>1918</td><td>8-14-96</td><td>\$2,121.78</td><td>\$2,163.15</td></tr><tr><td>1927</td><td>8-21-96</td><td>\$1,794.44</td><td>\$1,821.36</td></tr><tr><td>1943</td><td>8-28-96</td><td>\$ 608.49</td><td>\$ 615.79</td></tr><tr><td colspan="3">TOTAL DUE AS OF 10-22-96.....</td><td>\$8,701.15</td></tr></table>	INVOICE #	INVOICE DATE	ORIGINAL INVOICE AMOUNT	TOTAL DUE WITH INTEREST	1861	7-2-96	\$3,044.01	\$3,167.29	1871	7-3-96	\$ 897.22	\$ 933.56	1918	8-14-96	\$2,121.78	\$2,163.15	1927	8-21-96	\$1,794.44	\$1,821.36	1943	8-28-96	\$ 608.49	\$ 615.79	TOTAL DUE AS OF 10-22-96.....			\$8,701.15		
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ORIGINAL

Thank You!

ROEGER, WALKER & BAHLs
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
Perkasie, PA 18944
(215) 257-3666

SCALETRON INDUSTRIES, LTD.
PLAINTIFF

vs.

GUY E. BOYLE,
t/a BOYLE WATER SYSTEMS
DEFENDANT

COURT OF COMMON PLEAS
BUCKS COUNTY, PA

NO: 96008483-23-1

IN ASSUMPSIT

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint for the above-captioned action pursuant to Rule 401 (b)(1)
of the Pennsylvania Rules of Civil Procedure.

ROEGER, WALKER & BAHLs

BY: S/
William C. Roeger, Jr., Esquire
Attorney for Plaintiff
Attorney I.D. #18435

1/10/97
RECEIVED
Dahlman Laccia
DEPT. OF COMMON PLEAS

ROEGER, WALKER & BAHL
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
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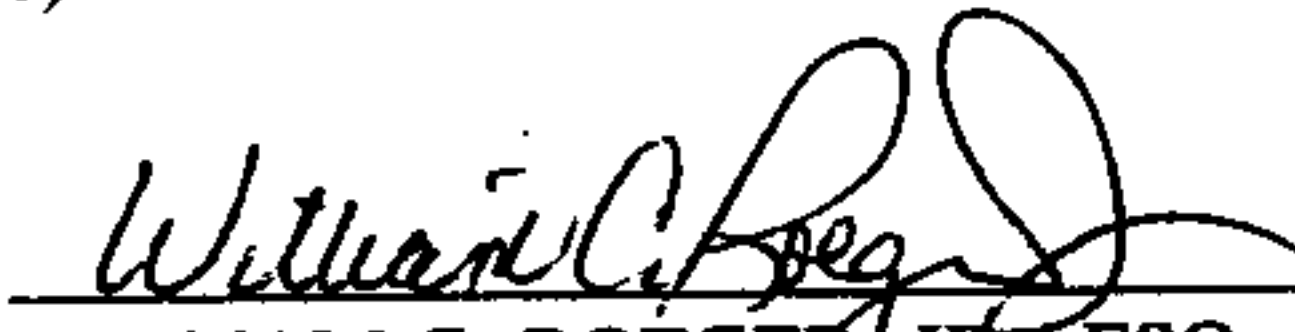
SCALETRON INDUSTRIES, LTD.	:	COURT OF COMMON PLEAS
PLAINTIFF	:	BUCKS COUNTY, PA
vs.	:	
	:	NO:
GUY E. BOYLE,	:	
t/a BOYLE WATER SYSTEMS	:	
DEFENDANT	:	IN ASSUMPSIT

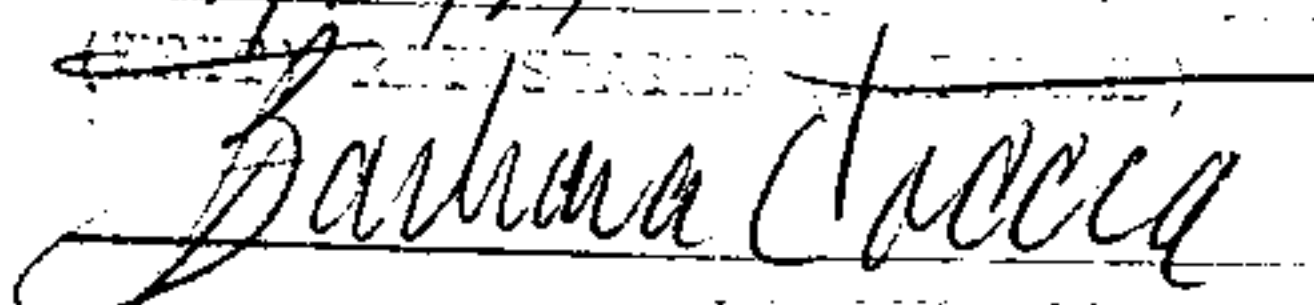
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(215) 348-9413
1(800) 273-2929


WILLIAM C. ROEGER, JR., ESQ.

1/10/97

Barbara Caccia

60-00117-0210135

ROEGER, WALKER & BAHL
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
Perkasie, PA 18944
(215) 257-3666

SCALETRON INDUSTRIES, LTD.	:	COURT OF COMMON PLEAS
PLAINTIFF	:	BUCKS COUNTY, PA
vs.	:	
	:	NO:
GUY E. BOYLE,	:	
t/a BOYLE WATER SYSTEMS	:	
DEFENDANT	:	IN ASSUMPSIT

COMPLAINT

1. Plaintiff, Scaleton Industries, Ltd. is a Pennsylvania Corporation with its principal office located at 53 Apple Tree Lane, Plumsteadville, Bucks County, PA 18949.
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5. On or about July 2, 1996, July 3, 1996, August 14, 1996, August 21, 1996 and August 28, 1996, invoices in the form attached hereto as Exhibits B-1, B-2, B-3, B-4 and B-5 were issued by Plaintiff to Defendant as a result of Defendant's orders for those materials.

6. These materials were shipped by Plaintiff to Defendant in the ordinary course of Plaintiff and Defendant's business.

7. Thereafter, despite Defendant's receipt of these items, Defendant has refused to remit the amounts claimed by Plaintiff resulting from Exhibits "B-1" through "B-4". Thereafter, on October 22, 1996, the invoice attached hereto as Exhibit "C" was issued by Plaintiff to Defendant.

8. The amount referred to in Exhibit "C" is unpaid as of the date of this Complaint and interest at the rate of 1.5% per month is properly charged to Defendant by Plaintiff pursuant to the terms of Exhibit "A".

9. Plaintiff has incurred reasonable attorney's fees in the amount of \$500.00 and Court costs of \$125.50 to date, and additional legal fees and expenses will be incurred in the future in this matter.

10. Despite Plaintiff's continuing demands, Defendant has failed to remit payment of the balance due on Exhibit "C". The current balance due by Plaintiff to Defendant is as follows:

invoice amount	\$8,701.15
attorneys fees and costs	<u>625.50</u>
Total	\$9,326.65

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$9,326.65, plus interest at 1.5% per month from October 22, 1996, plus attorney's fees and costs, an amount not in excess of that requiring compulsory arbitration in this jurisdiction.

ROEGER, WALKER & BAHL

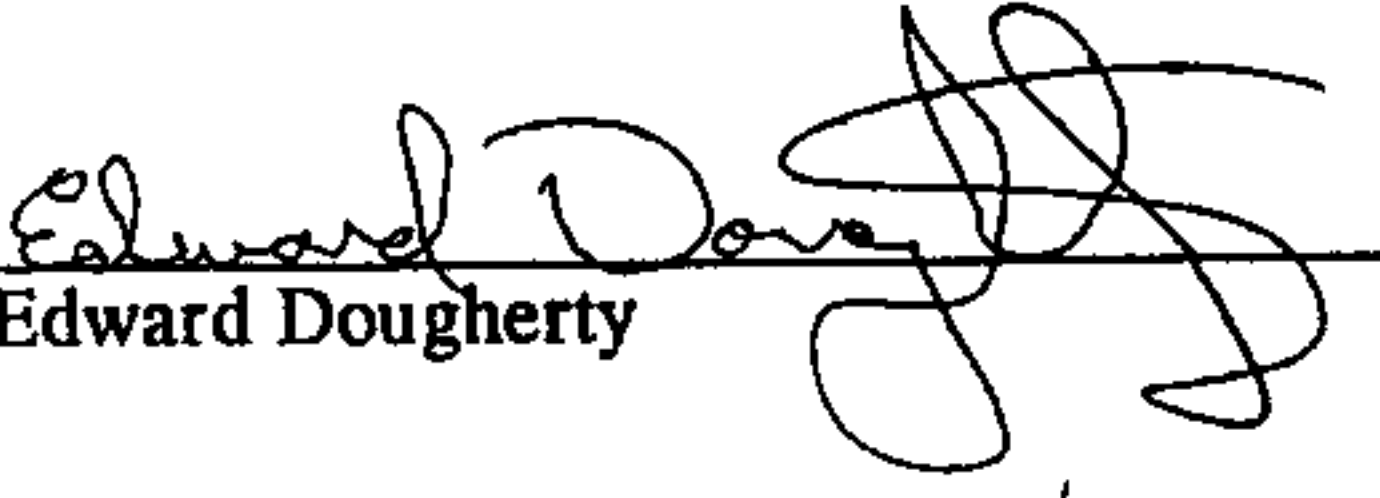
BY:


WILLIAM C. ROEGER, JR.

VERIFICATION

I, EDWARD DOUGHERTY, an officer of Scaleton Industries, Ltd., state that I am authorized to make this Verification on behalf of the Corporation, and that the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief.

The foregoing statement is made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.


Edward Dougherty

Scalettron, Inc.

MANUFACTURERS
DIGITAL SCALES
CUSTOM SCALES

CREDIT/DEALER APPLICATION

CUSTOMER _____

DEALER BOYLE WATER SYSTEMS PHONE 205-664-1094

ADDRESS 100 SPINNAKER LANE CORP. _____

ALABASTER AL 35007 PARTNERSHIP _____

PROPRIETORSHIP X

PRINCIPALS NAMES Guy Boyle

NATURE OF BUSINESS Manufacturer of Equipment for Water Ind.

NUMBER OF EMPLOYEES SALES _____ SERVICE _____ BOTH _____

BILLING ADDRESS IF DIFFERENT P.O. Box 1891

ALABASTER AL 35007

TRADE REFERENCES

1. NAME HYDRO INTR. INC PHONE (215) 538-1367

ADDRESS P.O. Box 615 QUAKER TOWN PA. 18951

2. NAME GRAINGER PHONE 942 6741 AREA CODE (205)

ADDRESS 185 W. OXMOOR ROAD BHM AL 35209-6331

3. NAME INDUSTRIAL ELECTRIC SUPPLY CO. PHONE (205) 951-4601

ADDRESS 2812 S. 5th AV. BHM AL 35210-1210

BANK REFERENCES

NAME FIRST ALABAMA BANK CONTACT WENDY METHENY

ADDRESS 1944 Hwy 31 S. PHONE 326 7940

BHM AL 35244 ACCOUNT # 03-4003-6153

RELATED PRODUCTS SOLD

CHLORINATOR X DIALER _____
 SCALES X MANUFACTURER X
 QUANTITY (Past 12 months) Started Business 4-11-94
 ONE TON SCALES NONE
 DUAL CYLINDER 1

All statements made herein are true and accurate to the best of our knowledge. We authorize Scaletron, Inc. to make any and all inquiries necessary for action on this credit application. All information is to be held in the strictest confidence.

In consideration of the extension of these terms by Scaletron, Inc. to the Buyer, the Buyer hereby agrees to promptly pay all bills in accordance with the terms expressed on the invoice. The Buyer further agrees that if the merchandise ordered remains unpaid past the invoice due date, the balance so remaining unpaid shall bear interest at the lesser of the rate of 1.5% per month or the maximum rate permitted by applicable law, until paid. In the event that any suit or action is instituted to collect the amount due, whether principle or interest or both, the Buyer agrees to pay, in addition to the amount owed, all legal fees and collection agency fees incurred, including a reasonable sum for attorney's fees.

DATE THIS 6th DAY OF July 1994

SIGNED Guy Boyle TITLE _____
 (MUST BE SIGNED BY OWNER, PARTNER, OR OFFICER LISTED ABOVE)

Guy Boyle
 (TYPE OR PRINT NAME ABOVE)

DATE THIS 6th DAY OF July 1994

SIGNED _____ TITLE _____
 (MUST BE SIGNED BY OWNER, PARTNER, OR OFFICER LISTED ABOVE)

 (TYPE OR PRINT NAME ABOVE)

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

TO: BOYLE WATER SYSTEMS

P.O. Box 1747

Pelham, Al. 35124

Invoice**1861**

DATE -7-2-96	ORDER NO. 069632
SHIP TO CENTRE WATER WORKS	
130 South River St. Centre, Al., 35960	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	7-2-96	FRT.		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Model 3002 Dual Ton Cylinder Scale		
	Serial No. 2170		\$3,450.00
1	Lifting bar		\$ 385.00
	TOTAL MATERIAL.....		\$3,835.00
	LESS 25% DISCOUNT.....		\$ 958.75
			\$2,876.25
	SHIPPING & HANDLING.....		\$ 167.76
	TOTAL DUE THIS INVOICE.....		\$3,044.01

DUPLICATE

Thank You!

SCALETRON INDUSTRIAL, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

TO: BOYLE WATER

P.O. Box 1747

Pelham, AL 35124

Invoice**1871**

DATE - 7-3-96	ORDER NO. 079634
SHIP TO BOYLE WATER	
3230 Armstrong Ind. Court	
Pelham, AL 35124	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	7-3-96	UPS		Net 30 Days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	2350 Dual Cylinder Electronic Scale SN: 1564	\$1,350.00	\$1,350.00
		LESS 35% DISCOUNT	\$ 472.50
			\$ 877.50
	SHIPPING AND HANDLING.....		\$ 19.72
	TOTAL DUE THIS INVOICE.....		\$ 897.22

#19

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670

FAX: (215) 766-2672

TO: **Doyle Water**

P.O. Box 1747

Pelham, Pa. 35124

Invoice

1918

DATE 8-14-96	ORDER NO. Blanket
SHIP TO DOYLE WATER	
3230 Armstrong Industrial Ct.	
Pelham, Al. 35124	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
>	8-14-96	UPS		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
3	Model 2330 Mechanical Dual Cylinder Scales Serial No. 1328,1329,1330	\$1,050.00 LESS 35% DISCOUNT.	\$3,150.00 \$1,102.50
	TOTAL MATERIAL.....		\$2,047.50
	SHIPPING & HANDLING.....		\$ 74.28
	TOTAL DUE THIS INVOICE.....		\$2,121.78
	? ***#20-21-22 AGAINST BLANKET ORDER***		

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670

FAX: (215) 766-2672

TO: **BOYLE WATER**

P.O. Box 1747

Pelham, Al. 35124

Invoice

1927

DATE 8-21-96	ORDER NO. Blanket
SHIP TO BOYLE WATER	
3230 Armstrong Ind. Court	
Pelham, Al. 35124	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
>	8-21-96	UPS		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Model 2300 Digital Dual Cylinder Scale Serial No. 1589		\$1,350.00
1	Model 2350 Digital Dual Cylinder Scale Serial no. 1585 (SENT UNDER INVOICE #1909 CROSS BAR, PARTS KIT AND POST SENT WITH SERIAL NO. 1589		\$1,350.00
			\$2,700.00
		LESS 35% DISCOUNT.	\$ 945.00
	TOTAL MATERIAL.....		\$1,755.00
	SHIPPING & HANDLING.....		\$ 39.44
	TOTAL DUE THIS INVOICE....		\$1,794.44
	#23 & 24 against blanket order		

DUPLICATE

Thank You!

SCALETRON INDUSTRIES, LTD.

39 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

TO: BOYLE WATER

P.O. 1747

Pelham, Al. 35124

Invoice**1943**

DATE 8-28-96	ORDER NO. 089644
SHIP TO WATER & WASTE SPECIALTIES	
5821 I-10 Industrial Parkway ...	
Theodore, Al. 36582	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
	8-28-96	UPS		Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Model 2310 Single Cylinder Scale Serial NO. 1586		\$ 795.00
		less 25% discount...	\$ 198.75
	TOTAL MATERIAL.....		\$ 596.25
	SHIPPING & HANDLING.....		\$ 12.24
	TOTAL DUE THIS INVOICE.....		\$ 608.49

SU

DUPLICATE

P

Thank You!

EXHIBIT "C"

SCALETRON INDUSTRIES LTD.

53 Apple Tree Lane
P.O. Box 365
PLUMSTEADVILLE, PENNSYLVANIA 18949

(215) 766-2670
FAX: (215) 766-2672

TO: BOYLE WATER

P.O. Box 1747

Pelham, Al. 35124

Invoice

2001

DATE 10-22-96	ORDER NO.
SHIP TO	

SALESPERSON	DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
>				Net 30 days

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL																												
	The following Invoices are past due and subject to 1.5% interest per month. The totals have been computed as of 10-22-96.																														
	<table><tr><th>INVOICE #</th><th>INVOICE DATE</th><th>ORIGINAL INVOICE AMOUNT</th><th>TOTAL DUE WITH INTEREST</th></tr><tr><td>1861</td><td>7-2-96</td><td>\$3,044.01</td><td>\$3,167.29</td></tr><tr><td>1871</td><td>7-3-96</td><td>\$ 897.22</td><td>\$ 933.56</td></tr><tr><td>1918</td><td>8-14-96</td><td>\$2,121.78</td><td>\$2,163.15</td></tr><tr><td>1927</td><td>8-21-96</td><td>\$1,794.44</td><td>\$1,821.36</td></tr><tr><td>1943</td><td>8-28-96</td><td>\$ 608.49</td><td>\$ 615.79</td></tr><tr><td colspan="3">TOTAL DUE AS OF 10-22-96.....</td><td>\$8,701.15</td></tr></table>	INVOICE #	INVOICE DATE	ORIGINAL INVOICE AMOUNT	TOTAL DUE WITH INTEREST	1861	7-2-96	\$3,044.01	\$3,167.29	1871	7-3-96	\$ 897.22	\$ 933.56	1918	8-14-96	\$2,121.78	\$2,163.15	1927	8-21-96	\$1,794.44	\$1,821.36	1943	8-28-96	\$ 608.49	\$ 615.79	TOTAL DUE AS OF 10-22-96.....			\$8,701.15		
INVOICE #	INVOICE DATE	ORIGINAL INVOICE AMOUNT	TOTAL DUE WITH INTEREST																												
1861	7-2-96	\$3,044.01	\$3,167.29																												
1871	7-3-96	\$ 897.22	\$ 933.56																												
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1927	8-21-96	\$1,794.44	\$1,821.36																												
1943	8-28-96	\$ 608.49	\$ 615.79																												
TOTAL DUE AS OF 10-22-96.....			\$8,701.15																												

ORIGINAL

Thank You!

ROEGER, WALKER & BAHLS
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
Perkasie, PA 18944
(215) 257-3666

SCALETRON INDUSTRIES, LTD.	:	COURT OF COMMON PLEAS
PLAINTIFF	:	BUCKS COUNTY, PA
vs.	:	
	:	NO: 96008483-23-1
GUY E. BOYLE,	:	
t/a BOYLE WATER SYSTEMS	:	
DEFENDANT	:	IN ASSUMPSIT

AFFIDAVIT OF SERVICE

Jeff Brown deposes and states that he is an adult individual over the age of 21; that he personally served a true and correct copy of a Civil Complaint in the above-captioned matter on Guy E. Boyle, the Defendant named in said document at 3230 Armstrong Industrial Park, Perkasie, by handing to or leaving with said Defendant a true and correct copy of the above-named document, after he identified Guy E. Boyle. This service was made on February 5th, 1997, at 10:00 A.M.

This unsworn statement is made subject to the penalties of 18 Pa. C.S. Section 4094 relating to unsworn falsification to authorities.

Jeff Brown
Jeff Brown

1997 FEB 15 10:57

BUCKS COUNTY COURT
BUCKS COUNTY, PA.

FEB. 21, 1997

Re: Scaleton Industries, Ltd. vs. Guy E. Boyle t/a Boyle Water Systems
Case # 96008483

Motion to Dismiss

1. The plaintiff, Scaleton Industries, Ltd. a Pennsylvania corporation of 53 Apple Tree Lane, Bucks County, PA 18949 has filed a complaint Against Guy E. Boyle an individual who resides in Shelby County, ALABAMA presumably in error.

2. The document listed as exhibit "A" is indeed a Credit/ Dealership Application, but the agreement is between Guy E. Boyle and " Scaleton, Inc." of 39 Apple Tree Lane, Bucks County, PA 18949 dated July 6, 1994 and not the litigant Scaleton Industries, Ltd. of 53 Apple Tree Lane, Bucks County, PA 18949.

3. I Guy E. Boyle the listed defendant contend I have not entered into a contractual agreement with Scaleton Industries, Ltd. of 53 Apple Tree Lane, Bucks County, PA 18949.

4. I Guy E. Boyle ask the court to consider the plaintiff's Exhibit "A" Which is a matter of record as proof of the aforementioned statement and also for the courts consideration all other documents between myself and Scaleton, Inc. which are two documents dated November 1995, approximately 14 months after original document.

5. In conclusion, I Guy E. Boyle ask the Court Of Bucks County, PA to grant this Motion to Dismiss this case against me for the evidence presented which is a matter of record submitted by the plaintiff as Exhibit "A".

encl : (1) Plaintiffs' exhibit "A"
(2) "Discount Schedule"
(3) Purchase order to Scaleton, Inc.

Sincerely,

Guy E Boyle

RECEIVED
PROthonotary
BUCKS COUNTY

97 FEB 27 AM 11:22

VERIFICATION

I, Guy E. Boyle, an individual doing business as /dba/ Boyle Water Systems, verify that the facts set forth in the foregoing Motion To Dismiss are true and correct to the best of my knowledge, information and belief.

Guy E Boyle 2/21/97
Guy E BOYLE

ROEGER, WALKER & BAHL
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
P.O. Box 259
Perkasie, PA 18944
(215) 257-3666

SCALETRON INDUSTRIES, LTD. : COURT OF COMMON PLEAS
PLAINTIFF : BUCKS COUNTY, PA
vs. :
: NO: 96008483-23-1
GUY E. BOYLE, :
t/a BOYLE WATER SYSTEMS :
DEFENDANT : IN ASSUMPSIT

RECEIVED
PROTHONOTARY
OF BUCKS COUNTY
97 MAR 20 AM 11:35

PRAECIPE TO ENTER JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff, Scaleton Industries, Ltd. and against the Defendant, Guy E. Boyle, t/a Boyle Water Systems in the amount of Nine Thousand Nine Hundred Ninety-eight Dollars and Sixteen Cents (\$9,998.16), plus attorneys fees, interest and costs of suit for failure of Defendant to file a response to the Complaint in the above referenced matter.

Notice in accordance with Pennsylvania Rule of Civil Procedure 237.5 dated February 26, 1997 is attached hereto.

ROEGER, WALKER, CASSEL & HOLKO

BY: S
William C. Roeger, Jr., Esquire
Attorney I.D. No. 18435
Attorney for Plaintiff

ROEGER, WALKER & BAHLs
BY: WILLIAM C. ROEGER, JR., ESQ.
Atty. I.D. #18435
210 W. Walnut Street
P. O. Box 259
Perkasie, PA 18944
(215) 257-3666

SCALETRON INDUSTRIES, LTD.
Plaintiff

vs.

GUY E. BOYLE,
t/a BOYLE WATER SYSTEMS
Defendant

COURT OF COMMON PLEAS
BUCKS COUNTY, PA

NO. 96008483-23-1

IN ASSUMPSIT

TO: Guy E. Boyle, t/a
Boyle Water Systems
3230 Armstrong Industrial Park
P.O. Box 1747
Pelham, AL 35124

DATE: February 26, 1997

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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 FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

BUCKS COUNTY BAR ASSOCIATION
135 EAST STATE STREET
DOYLESTOWN, PA 18901
(215) 348-9413 OR 1-800-479-8585

5/
WILLIAM C. ROEGER, JR., ESQUIRE
Attorney for Plaintiff

U.S. POSTAL SERVICE		CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER			
Received From:			
Roeger, Walker, Cassel & Holko			
P.O. Box 259			
Perkasie, PA 18944			
One piece of ordinary mail addressed to:			
Guy E. Boyle, t/a Boyle Water Systems			
3230 Armstrong Industrial Court			
P.O. Box 1747			
Pelham, AL 35124			

Affix fee here in stamps or meter postage and post mark. Inquire of Postmaster for current fee.



PS Form 3817, Mar. 1989

Inst # 1997-32650

Inst # 1997-32650

10/07/1997-32650
01:38 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
041 MCD 108.50