

PHILADELPHIA MUNICIPAL COURT
RECEIVED

AUG - 8 2016

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

DEPUTY COURT ADMINISTRATOR

Terminal Check
Cashing Services Inc. :
vs. :

JULY 2016

001856

Charles D Benjamin, D.O. :
Bruce Berger, M.O. :

STANDING CASE MANAGEMENT ORDER
SMALL CLAIM APPEALS FROM MUNICIPAL COURT

****IMPORTANT** PLEASE READ THIS ORDER CAREFULLY.** It contains important information about your case. Failure to comply with any instructions provided in this Order may cause you to lose your case.

1. **ARBITRATION:** Notice of your de novo Compulsory Arbitration hearing date in the Court of Common Pleas will be sent to you within sixty (60) days.
2. **MEDIATION:** You may also be selected for a special mediation conference prior to your arbitration hearing.
3. **SUPERSEDEAS:** This Civil Electronic Filing System shall provide electronic notice of the filing of this appeal to the Municipal Court Administrator. In order to obtain a supersedeas (i.e. a stay of enforcement of the Municipal Court Judgment until the appeal is decided) the Municipal Court Administrator must receive a copy of this appeal.
4. **SERVICE:** As the party taking this appeal, you must serve a copy of your notice of appeal and this Standing Case Management Order on the opposing party. SERVICE must be made upon the opposing party pursuant to Philadelphia Rule of Civil Procedure 1001 (d). You are required to file proof of service promptly upon completion of service utilizing the Civil Electronic Filing System.

The Court will not hear your case and may dismiss your appeal if proper service is not completed and if proof of service is not filed.

5. **PLAINTIFFS:** If you were the Plaintiff in the Municipal Court (the moving party), and you filed this appeal, or you have been served a copy of this appeal, you must then file a complaint in conformity with the Pennsylvania Rules of Civil Procedure, along with a Notice to Defend and Proof of Service.

Terminal Check Cashing Service Vs Berger Md -CMOIS



Filing of the Municipal Court Statement of Claim is not in conformity with the Pennsylvania Rules of Civil Procedure.

The Complaint, Notice to Defend and Proof of Service must be filed utilizing the Civil Electronic Filing System within twenty (20) days after service of a Rule to File Complaint.

Failure to timely file your complaint may result in the appeal being dismissed for lack of prosecution pursuant to Pennsylvania Rule of Civil Procedure 1037 (a). In addition, if you fail to file a complaint by the time the case is called to trial, the Court can enter a non suit on the motion of the defendant or a non pros on the Court's own motion pursuant to Pennsylvania Rule of Civil Procedure 218.

6. DEFENDANTS: If you were the defendant in Municipal Court, and you filed this appeal, or have been served with a Notice of Appeal and a complaint, you must file your answer or preliminary objections to the complaint within the time limits provided in the Pennsylvania Rules of Civil Procedure.

Failure to file an answer within the required time may result in a judgment being entered against you pursuant to Pennsylvania Rules of Civil Procedure 1037(b).

7. PLEADINGS: Pleadings are limited to complaints; answers; a replies, if the answer contains new matter and/or a counterclaim; counter replies, if the reply to a counterclaim contains new matter; and preliminary objections.

Your case will not be continued to allow additional time for filing pleadings which should have been filed prior to the trial date.

8. CONTINUANCES: All applications for continuances shall be reviewed by the Arbitration Center, 1880 John F. Kennedy Blvd., 5th Floor, Philadelphia, PA 19103, pursuant to Philadelphia Civil Rule *1303(c). Arbitration continuance applications must be filed utilizing the First Judicial District's Electronic Filing System.

9. FILINGS OF PETITIONS AND MOTIONS: All petitions, motions and responses must be prepared in compliance with Philadelphia Rule of Civil Procedure 206.1 and 208.3 and filed utilizing the First Judicial District's Electronic Filing System.

BY THE COURT:

**DEE C. FOX
SUPERVISING JUDGE
TRIAL DIVISION – CIVIL**

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL

TERMINAL CHECK CASHING
SERVICE, INC.

132K W. OLNEY AVE.
Plaintiff(s) PHILA, PA. 19141

VS.

BRUCE BERGER, M.D.
CHARLES D. BENTAMIN D.O.
1335 W. TABOR RD.
Defendant(s) PHILA, PA 19141

JULY 2016 Term, 20
(month) (year)
NO. 001866

Municipal Court Case Number:
SC-16-05-16-4328

X S.C. No. ___ L.T. No. ___ C.E. No.
(Check One)

ATTEST

JUL 20 2016

D. SAVAGE
JUDICIAL RECORDS

NOTICE OF APPEAL

From a Philadelphia Municipal Court Order

CHARLES D. BENTAMIN D.O.
BRUCE BERGER, M.D.

who was/were the ___ Plaintiff(s) Defendant(s) in the
Municipal Court action referenced above, files this Notice of Appeal of the Municipal Court's
Order which was entered on the dockets of the Municipal Court on JUNE 27, 2016. I have
attached a copy of the Order from which I/we are appealing.

___ Landlord - Tenant: possession only or possession and money judgment

___ Residential Lease (10 days)

___ Non-Residential Lease (30 days)

___ Supersedeas is requested

___ Supersedeas is not requested

*A supersedeas is a stay that will prevent you from being evicted as long as you pay escrow
due to the Court on time.

___ Landlord - Tenant: money judgment only (30 days)

Small Claims or Code Enforcement: money judgment only (30 days)

___ Supplementary Orders (30 days)

Bruce Berger
Charles D. Bentamin
Signature Attorney I.D. #

Address

1335 W. TABOR RD.
City PHILA. State PA. Zip Code

19141

Phone Number
(215) 424-0225

July 20, 2016
Date

PHILADELPHIA COUNTY
COURT OF COMMON PLEAS OF PHILADELPHIA
TRIAL DIVISION

TERMINAL CHECK
CASHING SERVICES, INC.
PLAINTIFF

JULY 2016 Term, 19__

Vs.
CHARLES D. BENJAMIN, D.O. No. 001866
BRUCE BERGER, M.D.
DEFENDANTS

Terminal Check Cashing Service Vs Berger Md -RULEP



PRECEIPE TO FILE COMPLAINT

TO THE OFFICE OF JUDICIAL RECORDS:

Please enter a Rule upon Plaintiff to file a Complaint within 20 days hereof or suffer the entry of a Judgment of Non Pros.

CHARLES D. BENJAMIN, D.O.
BRUCE BERGER, M.D.

Name of Attorney
Attorney for Defendant

RULE TO FILE COMPLAINT

AND NOW, this 20th day of July, 2016, a Rule is hereby granted upon Plaintiff to file a Complaint hereon within 20 days after service hereof or suffer the entry of Judgment of Non Pros.

ATTEST

JUL 20 2016

D. SAVAGE
JUDICIAL RECORDS

Office of Judicial Records



**PHILADELPHIA MUNICIPAL COURT
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
1339 Chestnut Street, 10th Floor, Philadelphia, PA 19107**

Marsha H. Neifield, President Judge

Patricia R. McDermott, Deputy Court Administrator

SC-16-05-16-4328

Terminal Check Cashing Service, Inc. 1324 W. Olney Avenue Philadelphia, PA 19141	Charles D. Benjamin D.O. 1335 W. Tabor Road Philadelphia, PA 19141
<i>Plaintiff</i>	<i>Defendant(s)</i>

GEOFFREY B GOMPERS

Plaintiff/Attorney

Attorney # 042018

**Address &
Phone**

1500 JOHN F. KENNEDY BOULEVARD SUITE 1850
 PHILADELPHIA, PA 19102
 215-567-6600

ORDER

AND NOW, to wit this 27th day of June, 2016, upon consideration of the above captioned complaint, it is hereby ordered and decreed that the above captioned

case be marked as follows:

TapeID: 5 Start Position: 2:43 End Position:

Judgment for Plaintiff. Judgment in the amount of \$1,600.00, plus \$100.50 Costs for a Total Amount due of \$1,700.50.

BY THE COURT:

Bradley Moss

 (M. Mackner) **J.**

Case Docket View : SC-16-05-16-4328

Parties	
Complaint claim	
Terminal Check Cashing Service, Inc. 1324 W. Olney Avenue Philadelphia, PA 19141 GEOFFREY B GOMPERS	<i>Plaintiff</i>
Bruce Berger M.D. Disposed	<i>Defendant #1</i> 1335 W. Tabor Road Philadelphia, PA 19141
Charles D. Benjamin D.O. Disposed	<i>Defendant #2</i> 1335 W. Tabor Road Philadelphia, PA 19141

Docket Entries				
#	Filing Date	Description	Results / Comments	Parties Involved
1	05/16/2016	Statement of Claims	Hearing Scheduled: 06/27/2016 01:00 PM Hearing Room 5 Fee: \$100.50 Amount at Issue: \$1,600.00 Interviewer Code: 140	GEOFFREY GOMPERS Filer Terminal Check Cashing Service, Inc. P Bruce Berger M.D. D1PWS Charles D. Benjamin D.O. D2PWS
2	05/16/2016	Plaintiff Instructions SC	Plaintiff Instructions	GEOFFREY GOMPERS Filer Terminal Check Cashing Service, Inc. P Bruce Berger M.D. D1 Charles D. Benjamin D.O. D2
3	05/16/2016	ADA - ADA Notice	ADA	GEOFFREY GOMPERS Filer Terminal Check Cashing Service, Inc. P Bruce Berger M.D. D1 Charles D. Benjamin D.O. D2
4	05/16/2016	SC What To Do	Instructions	GEOFFREY GOMPERS Filer Terminal Check Cashing Service, Inc. P Bruce Berger M.D. D1 Charles D. Benjamin D.O. D2
5	05/16/2016	Non-Military Affidavit	Non-Military Affidavit - Bruce Berger, M.D.	GEOFFREY GOMPERS Filer

			Terminal Check Cashing Service, Inc. Bruce Berger M.D.	P D1	
6	05/16/2016	Non-Military Affidavit	Non-Military Affidavit - Charles D. Benjamin, D.O.	GEOFFREY GOMPERS Terminal Check Cashing Service, Inc. Charles D. Benjamin D.O.	Filer P D2
7	05/16/2016	Exhibit	copy of checks cashed	GEOFFREY GOMPERS Terminal Check Cashing Service, Inc. Bruce Berger M.D. Charles D. Benjamin D.O.	Filer P D1 D2
8	06/01/2016	Affidavit of Service	Service made for: Bruce Berger, M.D.	CMS User Bruce Berger M.D.	Filer D1
9	06/01/2016	Affidavit of Service	Service made for: Charles D. Benjamin, D.O.	CMS User Charles D. Benjamin D.O.	Filer D2
10	06/27/2016	Disposition - Judgment for Plaintiff	TapeID: 5 Start Position: 2:43 End Position: 3:48 Judgment for Plaintiff. Judgment in the amount of \$1,600.00, plus \$100.50 Costs for a Total Amount due of \$1,700.50. All parties appeared.	Bradley Moss Bruce Berger M.D.	Filer D1
11	06/27/2016	Notice - Money Judgment in Favor		Bradley Moss Terminal Check Cashing Service, Inc.	Filer P
12	06/27/2016	Notice - Money Judgment Against		Bradley Moss Bruce Berger M.D.	Filer D1
13	06/27/2016	Disposition - Judgment for Plaintiff	TapeID: 5 Start Position: 2:43 End Position: Judgment for Plaintiff. Judgment in the amount of \$1,600.00, plus \$100.50 Costs for a Total Amount due of \$1,700.50. All parties appeared.	Bradley Moss Charles D. Benjamin D.O.	Filer D2
14	06/27/2016	Notice - Money Judgment in Favor		Bradley Moss Terminal Check Cashing Service, Inc.	Filer P
15	06/27/2016	Notice - Money Judgment Against		Bradley Moss Charles D. Benjamin D.O.	Filer D2