AZ Corp. Commission
04644589

COMMISSIONERS
BOB STUMP – Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

Date **April 22, 2014**

KALE'S AUTO GLASS, LLC
260 S ALMA SCHOOL RD #101
MESA, AZ 85210

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on **04/22/2014** as agent for **KALE'S AUTO GLASS, LLC**:

Case caption: **PILKINGTON NORTH AMERICA, INC** v. **KALE'S AUTO GLASS, LLC etal,**
Case number: **CV2013-015896** Court: **MARICOPA COUNTY SUPERIOR COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

Lynda B. Griffin
Custodian of Records

Initials **ML**
File number **L-1381764-7**

Rec08.doc
Rev 10/09

ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **April 22, 2014**

I, **MARY LEE** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **22ND** day of **APRIL, 2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **KALE'S AUTO GLASS, LLC.**

Case caption: **PILKINGTON NORTH AMERICA, INC v. KALE'S AUTO GLASS, LLC,**
Case number: **CV2013-015896**
Court: **MARICOPA COUNTY SUPERIOR COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment

I hereby certify that on the **22ND** day of **APRIL, 2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

KALE'S AUTO GLASS, LLC

at its last known place of business as follows:

260 S ALMA SCHOOL RD #101
MESA, AZ 85210

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **April 22, 2014**

(signature) MaryLee

Stanley M. Hammerman, Esq., (#004048)
Jon R. Hultgren, Esq., (#010014)
HAMMERMAN & HULTGREN, P.C.
3101 North Central Avenue, Suite 500
Phoenix, Arizona 85012
Telephone: (602) 264-2566
Facsimile: (602) 266-3488
minute_entry@hammerman-hultgren.com

Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

PILKINGTON NORTH AMERICA, INC., a Delaware corporation, Plaintiff, vs. KALE'S AUTO GLASS, LLC, an Arizona limited liability company; HAROLD D. BURR, JR., individually, as personal guarantor, Defendants.	NO. CV2013-015896 **SUMMONS**

THE STATE OF ARIZONA TO THE DEFENDANTS:

Kale's Auto Glass, LLC
c/o Kent M. Nicholas, Esq., Statutory Agent
40 N. Center Street, Suite 202
Mesa, AZ 85201

Harold D. Burr, Jr.
18 E. University Drive, No. 206
Mesa, AZ 85201

YOU ARE HEREBY SUMMONED and required to appear and defend, within the times applicable in this action in this Court. If served within Arizona, you shall appear and defend within 20 days after the service of the Summons and Complaint upon you, exclusive of the day of service. If served out of the State of Arizona - whether by direct service, by registered mail or certified mail, or by publication - you shall appear and defend within 30 days after the service of the Summons and Complaint upon you is complete, exclusive of the day of service. Service by registered or certified mail within the State of Arizona is complete 30 days after the date of filing the receipt and affidavit of service with the Court. Service by publication is complete 30 days after the date of first publication. Direct service is complete when made. A.R.C.P. 4.

. . .

YOU ARE HEREBY NOTIFIED that in case of your failure to appear and defend within the time applicable, judgment by default may be rendered against you for the relief demanded in the Complaint.

YOU ARE HEREBY NOTIFIED that requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by parties at least 3 judicial days in advance of a scheduled court proceeding.

YOU ARE CAUTIONED that in order to appear and defend, you must file an Answer or proper response in writing with the Clerk of this Court, accompanied by the necessary filing fee, within the time required, AND YOU ARE REQUIRED TO SERVE A COPY OF ANY ANSWER OR RESPONSE UPON THE PLAINTIFF'S ATTORNEY. A.R.C.P. 10(d); A.R.S. §12-311; A.R.C.P. 5.

COPY

SIGNED AND SEALED this date: ____________________

CLERK OF THE COURT

DEPUTY CLERK

Stanley M. Hammerman, Esq., (#004048)
Jon R. Hultgren, Esq., (#010014)
HAMMERMAN & HULTGREN, P.C.
3101 North Central Avenue, Suite 500
Phoenix, Arizona 85012
Telephone: (602) 264-2566
Facsimile: (602) 266-3488
minute_entry@hammerman-hultgren.com

Attorneys for Plaintiff

COPY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

PILKINGTON NORTH AMERICA, INC., a Delaware corporation, Plaintiff, vs. KALE'S AUTO GLASS, LLC, an Arizona limited liability company; HAROLD D. BURR, JR., individually, as personal guarantor, Defendants.	NO. CV2013-019896 **COMPLAINT** **(Contract)**

Plaintiff alleges as follows:

I.

Plaintiff is a Delaware corporation authorized to conduct business in the state of Arizona.

II.

Defendant, Kale's Auto Glass, LLC, is an Arizona limited liability company.

III.

Defendant, Harold D. Burr, Jr., is a resident of the state of Arizona.

IV.

On or about March 7, 2008, Defendant, Kale's Auto Glass, LLC, executed an application for credit with Plaintiff for the purchase of automotive glass. See **Exhibit 1.**

. . .

V.

Defendant, Harold D. Burr, Jr., personally guaranteed the obligations incurred under the aforementioned application.

VI.

Defendants failed to pay Plaintiff's invoices when due.

VII.

There is still due and owing from Defendants to Plaintiff the principal sum of not less than Ten Thousand Forty-Two and 59/100 Dollars ($10,042.59), plus accruing interest at the legal rate of 10% per annum from and after October 15, 2012. See **Exhibit 2.**

VIII.

Plaintiff made demand upon Defendants for such sums due and owing. Defendants, however, failed and refused to pay.

IX.

Pursuant to contract and/or A.R.S. § 12-341.01, Plaintiff is entitled to recover reasonable attorneys' fees arising from this litigation, as well as costs incurred herein.

WHEREFORE, Plaintiff demands Judgment against Defendants, and each of them, as follows:

1. For the principal sum of not less than Ten Thousand Forty-Two and 59/100 Dollars ($10,042.59), plus accruing interest at the legal rate of 10% per annum from and after October 15, 2012;

2. For reasonable attorneys' fees in the amount of not less than Three Thousand Three Hundred Forty-Four and 18/100 Dollars ($3,344.18), if this matter is contested;

3. For reasonable attorneys' fees in the amount of not less than Three Thousand Three Hundred Forty-Four and 18/100 Dollars ($3,344.18), if this matter proceeds to judgment by default;

4. For court costs incurred herein; and

. . .

5. For such other and further relief as the Court may deem just and proper.

DATED this 2nd day of December, 2013.

HAMMERMAN & HULTGREN, P.C.

By ______________________________
Stanley M. Hammerman
3101 North Central Avenue, Suite 500
Phoenix, Arizona 85012
Attorney for Plaintiff

Exhibit A Rev 0417/07

PILKINGTON

Application for C.O.D. or Credit Account

DO NOT WRITE - INTERNAL PURPOSES	
PILK SRV CNTR MSA #	388
PILK COPS #	
Entered By & Date	

Firm Name: Kale's Auto Glass, LLC	Date: March 7, 2008
Street Address: 260 S Alma School Rd. Ste 102	Will product purchased be Exported? (Check one) o Yes ☒ No
City: Mesa	Phone [redacted]
State: AZ — Zip Code: 85210	Fax [redacted]
Mailing Address: same as above	Cell Phone Number
Mailing City / State / Zip Code	e-Mail Address: dckales@hotmail.com
o Proprietorship ☒ Partnership o Corporation	Tax Charged (check one) o Yes ☒ No
* Please provide copy of drivers license for proprietorships & partnerships	Tax exempt customers must provide an appropriate certificate

If a subsidiary, name and address of parent company

If a corporation, under what state laws are you incorporated?	Federal I.D. Num[redacted]

Full name and title of officers for corporation or full name, address and SS# for proprietorships/partnerships

1. Harold D Burr, Sr - 18 E University Dr. #206	Soc. Sec. # [redacted]
2. Mesa, AZ 85201	Soc. Sec. #
3.	Soc. Sec. #
4.	Soc. Sec. #

Former Business/Occupation	Type of Present Business: Auto Glass	
Date Business Started: 07/24/2007	Annual Glass Purchases (from All Sources): 36,728.00	Will financial statements be furnished on request? ☒ Yes o No
Prior Year's Sales: 53,294.00	Estimated Monthly Purchases of PILKINGTON N.A. Products: 10,000.00	Estimated Line of Credit (Limit) requested: 10,000.00
Bank Reference: Mesa Bank	Lending Officer: Rick Swetthum	
Street Address: 63 E Main Street	Account number(s) [redacted]	
City: Mesa — State: AZ	Zip: 85201	P[redacted]

Trade References

Company Name	Contact	Address	Fax Number
Mobile Glass Pros	Rob	6670 S Delmar Pl - Gilbert, AZ	[redacted]
Chapman BMW	Melissa	6601 E McDowell Rd - Scottsdale, AZ	[redacted]
Kale's Collision	Rob	260 S Alma School Rd #101 - Mesa AZ	[redacted]
Mygrant Glass	Ashley	465 W 21st St - Tempe AZ	[redacted]

This prospective buyer has been considered and approved by the Marketing department subject to credit approval.

EXHIBIT 1

Exhibit A Rev 04 17/07

Credit Agreement

In consideration of Pilkington N.A., hereafter called "Creditor", extending C.O.D. or credit terms to

Kale's Auto Glass (name of Company)

hereafter called "Customer", and delivering materials to the customer on such credit, and upon the representations set forth in the foregoing credit application by Customer, by and through the undersigned

Harold D. Burt Jr. (name of person signing the application)

hereafter called "Applicant", the undersigned agrees as follows:

1. The Applicant warrants and represents that he is fully authorized to enter into this Agreement by and on behalf of the Customer.

2. All charges for goods delivered shall be due and payable by the customer in accordance with the terms (subject to Credit department approval) established by Creditor from time to time. Accounts thirty (30) days past due may be charged a monthly late payment fee based on an annual rate as a percentage of the outstanding balance in the maximum amount as allowed by state law.

3. Notice on non-payment to the customer of any past due accounts is hereby waived.

4. If payment by check has been accepted and the Customer's bank has returned said check unpaid, the Creditor may charge a processing fee in the maximum amount as allowed by State law. If a check is tendered in full satisfaction of debt, and contains such communication (i.e. payment in full), checks must be mailed to the Credit Department at the corporate offices in Toledo, Ohio.

5. If the Creditor, in its sole discretion, deems it necessary or advisable to utilize an outside collection agency, or to bring legal action to enforce any provision, or to collect any past due account hereunder, the Customer shall pay to the Creditor all collection expenses arising out of or caused by such collection efforts or proceedings, including but not limited to reasonable attorney's fees and costs.

6. This Agreement, or any steps taken to enforce the provisions hereof, shall not be construed as a limitation or election of any remedies that the parties may have to protect their rights hereunder or regarding the goods delivered by Creditor.

7. This Agreement governs only the extension of C.O.D. or credit terms by the Creditor upon delivery of goods and is in no way a commitment by the Creditor to deliver any goods whatsoever.

8. Creditor may decline to make deliveries, and the C.O.D. or credit terms extended under this Agreement may be terminated by the Creditor at any time, when in the judgment of the Creditor, the financial responsibility of the Customer or other signatories hereto becomes impaired, or it appears any representations on this credit application are false.

9. ***The information given on the first page is for the purpose of obtaining C.O.D. or credit terms and is warranted to be true. Pilkington N.A., to whom this application is made, is authorized to investigate the references listed pertaining to Customer's credit and financial responsibility.***

By: Angela Nevarez
Sales Representative (Print)

Applicant's Signature: H.D. Burt / Diana Clark
Applicant's name (print): Harold D. Burt Jr. / Donna Clark
Applicant's Title: Owner / Office Admin

10. Credit Check Authorization: The undersigned hereby authorizes the Creditor to verify and collect information on the undersigned, including but not limited to bank references, trade credit references, consumer and/or commercial credit reports, to be used for the purpose of granting credit terms in the ordinary course of business for the Creditor.

11. Guaranty: The undersigned, in consideration of the Creditor extending credit at the undersigned's request to the Customer, hereby personally guarantees the payment of any obligations and indebtedness of the Customer to the Creditor that may become due to Creditor. The undersigned acknowledges that this extension of credit is a benefit since the undersigned is, if Customer is a corporation, an officer, director and/or shareholder of the Customer, if Customer is a limited liability company, a member, manager, and/or officer of the Customer, if Customer is a partnership, a general and/or limited partner of the Customer, or if Customer is a sole proprietorship, the owner of the Customer. This guarantee is continuing and is a guarantee of payment (not collection), meaning that it is independent of the obligation of the Customer and may be enforced without first seeking to collect from the Customer. The undersigned hereby waives any notice of default, non-payment and notice thereof and consents to any modification or renewal of the credit agreement hereby guaranteed.

H.D. Burt
Signature (Personally)

[redacted]
Soc. Sec. #

PILKINGTON

CUSTOMER STATEMENT

AGR WHOLESALE

DATE: 06/01/13

ACCOUNT NO. 59547

CREDIT REP. SUSAN K. GILBERT

SALES REP. LUIS GONZALEZ 866-890-9141

CORRESPONDENCE TO:

Pilkington N.A.
811 Madison Avenue
P.O. Box 799
Toledo Oh 43697-0799
D-U-N-S 15-128-8129

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102
MESA AZ 85210

DATE LAST PAYMENT RECEIVED: 10/15/12

SHIP TO Location	ITEM REFERENCE DATE	ITEM REFERENCE NUMBER	Tran Code	CURRENT AMOUNT	AMOUNT PAST DUE 1 to 30 Days	AMOUNT PAST DUE 31 to 60 Days	AMOUNT PAST DUE Over 60 Days	DISC. DATE	DUE DATE
MESA	091412	59575633	IN				42.91	101012	103112
MESA	091412	59612143	IN				49.84	101012	103112
MESA	091412	59667573	IN				199.00	101012	103112
MESA	091412	59706623	IN				83.20	101012	103112
MESA	091412	59799093	IN				143.48	101012	103112
MESA	091512	59789443	IN				116.82	101012	103112
MESA	091712	59730363	IN				41.75	101012	103112
MESA	091812	59913393	IN				77.31	101012	103112
MESA	091912	59978903	IN				41.75	101012	103112
MESA	091912	60102353	IN				70.33	101012	103112
MESA	091912	60102803	IN				40.81	101012	103112
MESA	091912	60140683	IN				114.18	101012	103112
MESA	092012	60051963	IN				156.07	101012	103112
MESA	092012	60103803	IN				50.58	101012	103112
MESA	092112	60186513	IN				148.50	101012	103112
MESA	092112	60301853	IN				158.00	101012	103112
MESA	092112	60314163	IN				84.12	101012	103112
MESA	092112	60337843	IN				95.41	101012	103112
MESA	100112	83374329	CR				129.13-	111012	113012
Open Item Subtotals							1,584.93		
Account Total							1,584.93		

TRANSACTION CODE LEGEND

TRAN CODE	DESCRIPTION	TRAN CODE	DESCRIPTION
IN, IM	Invoice	GG	Customer Debit Disallowed (chargeback)
CR, CM	Credit	DN	Check Returned From Bank
OA	Unidentified Payment or Overpayment	TC, TD	Transfer Credit, Debit
DD	Customer Deduction	VO	Check Issued

FORM L5289I Rev. 07/2001

T E A R S T U B H E R E A N D R E T U R N

PILKINGTON

PAGE 1

ACCT # 59547

REMIT TO LOCKBOX:

PILKINGTON N.A.-AGR
FILE 50241
LOS ANGELES CA
90074-0241

NOTICE:

To insure proper crediting of your account please check all items included in your remittance and RETURN THIS STUB with your remittance. If the actual amount paid is different than indicated for an invoice please indicate the actual amount paid next to the invoice amount on this stub.

ITEM REFERENCE DATE	ITEM REFERENCE NUMBER	ITEM AMOUNT	CK Item
091412	59575633	42.91	
091412	59612143	49.84	
091412	59667573	199.00	
091412	59706623	83.20	
091412	59799093	143.48	
091512	59789443	116.82	
091712	59730363	41.75	
091812	59913393	77.31	
091912	59978903	41.75	
091912	60102353	70.33	
091912	60102803	40.81	
091912	60140683	114.18	
092012	60051963	156.07	
092012	60103803	50.58	
092112	60186513	148.50	
092112	60301853	158.00	
092112	60314163	84.12	
092112	60337843	95.41	
100112	83374329	129.13-	
Account Total		1,584.93	

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102

MESA AZ

FORM L5285I Rev. 07/2001

EXHIBIT 2

PILKINGTON

CUSTOMER STATEMENT

AGR WHOLESALE

DATE: 06/01/13

CREDIT REP. SUSAN K. GILBERT

ACCOUNT NO. 52154

SALES REP. LUIS GONZALES 877-292-3803

CORRESPONDENCE TO:

Pilkington N.A.
811 Madison Avenue
P.O. Box 799
Toledo Oh 43697-0799
D-U-N-S 15-128-6129

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102
MESA AZ 85210

DATE LAST PAYMENT RECEIVED: 09/14/12

SHIP TO Location	ITEM REFERENCE DATE	ITEM REFERENCE NUMBER	Tran Code	CURRENT AMOUNT	AMOUNT PAST DUE 1 to 30 Days	AMOUNT PAST DUE 31 to 60 Days	AMOUNT PAST DUE Over 60 Days	DISC. DATE	DUE DATE
MESA	092012	60105263	IN				90.44	101012	103112
MESA	092412	60446023	IN				44.93	101012	103112
MESA	092512	60561093	IN				69.40	101012	103112
MESA	092912	61013833	IN				51.51	101012	103112
MESA	100112	61066673	IN				38.62	111012	113012
MESA	100312	61297023	IN				38.62	111012	113012
MESA	100312	83391459	CR				47.51-	111012	113012
MESA	100312	83401319	CR				38.62-	111012	113012
Open Item Subtotals				130.46-			8,588.12		

Account Total 8,457.66

TRANSACTION CODE LEGEND

TRAN CODE	DESCRIPTION
IN, IM	Invoice
CR, CM	Credit
OA	Unidentified Payment or Overpayment
DD	Customer Deduction
CC	Customer Debit Disallowed (chargeback)
DK	Check Returned From Bank
TC, TD	Transfer Credit, Debit
VO	Check Issued

TEAR STUB HERE AND RETURN

PILKINGTON

ACCT # 52154

REMIT TO LOCKBOX:

PILKINGTON N.A.-AGR
FILE 50241
LOS ANGELES CA
90074-0241

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092012	60105263	90.44	
092412	60446023	44.93	
092512	60561093	69.40	
092912	61013833	51.51	
100112	61066673	38.62	
100312	61287023	38.62	
100312	83381459	47.51-	
100312	83401319	38.62-	

Account Total 8,457.66

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102

MESA AZ

PILKINGTON

CUSTOMER STATEMENT

AGR WHOLESALE

DATE: 06/01/13

ACCOUNT NO. 52154

CREDIT REP. SUSAN K. GILBERT

SALES REP. LUIS GONZALEZ 877-292-3803

CORRESPONDENCE TO:

Pilkington N.A.
811 Madison Avenue
P.O. Box 799
Toledo Oh 43697-0799
D-U-N-S 15-126-8129

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102
MESA AZ 85210

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MESA	080312	55731573	IN				146.39	091012	093012
MESA	080312	55770083	IN				79.05	091012	093012
MESA	080312	55770523	IN				78.99	091012	093012
MESA	080312	55799443	IN				94.15	091012	093012
MESA	080312	55799633	IN				58.65	091012	093012
MESA	080312	55989823	IN				77.31	091012	093012
MESA	080312	55996203	IN				59.66	091012	093012
MESA	080312	55997473	IN				74.05	091012	093012
MESA	080612	56056103	IN				90.39	091012	093012
MESA	080612	56086563	IN				65.17	091012	093012
MESA	080612	56108603	IN				5.35	091012	093012
MESA	080612	56124833	IN				66.92	091012	093012
MESA	080612	56124883	IN				138.72	091012	093012
MESA	080612	56124893	IN				44.72	091012	093012
MESA	080612	56158533	IN				87.42	091012	093012
MESA	080612	56177333	IN				10.17	091012	093012
MESA	080612	56177453	IN				123.45	091012	093012
	080712	OAC-2654	OA	65.38-					
MESA	080712	56111723	IN				97.95	091012	093012
MESA	080712	56241293	IN				121.00	091012	093012
MESA	080712	56251243	IN				66.87	091012	093012
MESA	080712	56282423	IN				24.12	091012	093012
MESA	080712	56323963	IN				51.47	091012	093012
MESA	080712	56325413	IN				296.08	091012	093012
MESA	080812	56372293	IN				70.51	091012	093012
MESA	080812	56385023	IN				16.41	091012	093012
MESA	080812	56397313	IN				72.39	091012	093012
MESA	080812	56409823	IN				93.71	091012	093012
MESA	080812	56413573	IN				64.14	091012	093012
MESA	080912	56415653	IN				71.41	091012	093012
MESA	080912	56467493	IN				47.48	091012	093012
MESA	080912	56497073	IN				151.97	091012	093012
MESA	080912	56526913	IN				138.72	091012	093012
MESA	080912	56527803	IN				93.76	091012	093012
MESA	080912	56541423	IN				121.28	091012	093012
MESA	080912	56579483	IN				136.53	091012	093012

Open Item Subtotals

Account Total

TRANSACTION CODE LEGEND

TRAN CODE	DESCRIPTION	TRAN CODE	DESCRIPTION
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TEAR STUB HERE AND RETURN

PILKINGTON

PAGE 1

ACCT # 52154

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90074-0241

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080312	55770083	79.05	
080312	55770523	78.99	
080312	55799443	94.15	
080312	55799633	58.65	
080312	55989823	77.31	
080312	55996203	59.66	
080312	55997473	74.05	
080612	56056103	90.39	
080612	56086563	65.17	
080612	56108603	5.35	
080612	56124833	66.92	
080612	56124883	138.72	
080612	56124893	44.72	
080612	56158533	87.42	
080612	56177333	10.17	
080612	56177453	123.45	
080712	OAC-2654	65.38-	
080712	56111723	97.95	
080712	56241293	121.00	
080712	56251243	66.87	
080712	56282423	24.12	
080712	56323963	51.47	
080712	56325413	296.08	
080812	56372293	70.51	
080812	56385023	16.41	
080812	56397313	72.39	
080812	56409823	93.71	
080812	56413573	64.14	
080912	56415653	71.41	
080912	56467493	47.48	
080912	56497073	151.97	
080912	56526913	138.72	
080912	56527803	93.76	
080912	56541423	121.28	
080912	56579483	136.53	

Account Total

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102

MESA AZ

CUSTOMER STATEMENT

PILKINGTON

AGR WHOLESALE

DATE: 06/01/13

CREDIT REP. SUSAN K. GILBERT

ACCOUNT NO. 52154

SALES REP. LUIS GONZALEZ 877-292-3803

CORRESPONDENCE TO:

Pilkington N.A.
811 Madison Avenue
P.O. Box 799
Toledo Oh 43697-0799
D-U-N-S 15-126-6129

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102
MESA AZ 85210

DATE LAST PAYMENT RECEIVED: 09/14/12

SHIP TO Location	ITEM REFERENCE DATE	ITEM REFERENCE NUMBER	Tran Code	CURRENT AMOUNT	AMOUNT PAST DUE 1 to 30 Days	AMOUNT PAST DUE 31 to 60 Days	AMOUNT PAST DUE Over 60 Days	DISC. DATE	DUE DATE
MESA	081012	56598543	IN				99.75	091012	093012
MESA	081012	56656253	IN				65.74	091012	093012
MESA	081012	56658093	IN				48.51	091012	093012
MESA	081012	56658703	IN				200.32	091012	093012
MESA	081012	56657503	IN				48.56	091012	093012
MESA	081012	56701963	IN				4.76	091012	093012
MESA	081012	56775423	IN				138.72	091012	093012
MESA	081012	82947865	CM				138.72-	091012	093012
MESA	081312	56742673	IN				240.37	091012	093012
MESA	081312	56746323	IN				161.66	091012	093012
MESA	081312	56781633	IN				151.70	091012	093012
MESA	081412	56910583	IN				122.12	091012	093012
MESA	081412	56922523	IN				94.86	091012	093012
MESA	081412	57000933	IN				119.53	091012	093012
	081512	OAC-2657	OA	35.00-					
MESA	081512	56842483	IN				82.20	091012	093012
MESA	081512	56891613	IN				57.22	091012	093012
MESA	081512	56947823	IN				73.02	091012	093012
MESA	081512	57123383	IN				75.42	091012	093012
MESA	081612	57034333	IN				71.17	091012	093012
MESA	081612	57047413	IN				97.88	091012	093012
MESA	081612	57048663	IN				77.12	091012	093012
MESA	081612	57068163	IN				104.23	091012	093012
MESA	081612	57175113	IN				278.79	091012	093012
MESA	081712	57160783	IN				149.87	091012	093012
MESA	081712	57202043	IN				61.57	091012	093012
MESA	081712	57257063	IN				82.16	091012	093012
MESA	081712	57317963	IN				44.44	091012	093012
MESA	081712	57366833	IN				110.25	091012	093012
MESA	082012	57410643	IN				47.47	091012	093012
MESA	082112	57582543	IN				156.75	091012	093012
MESA	082212	57690273	IN				89.27	091012	093012
MESA	082212	57691393	IN				51.48	091012	093012
MESA	082212	57710833	IN				47.48	091012	093012
MESA	082212	57712513	IN				117.24	091012	093012
MESA	082212	57731673	IN				51.47	091012	093012

Open Item Subtotals

Account Total

TRANSACTION CODE LEGEND

TRAN CODE	DESCRIPTION	TRAN CODE	DESCRIPTION
IN, IM	Invoice	GG	Customer Debit Disallowed (chargeback)
CR, CM	Credit	DN	Check Returned From Bank
OA	Unidentified Payment or Overpayment	TC, TD	Transfer Credit, Debit
DD	Customer Deduction	VO	Check Issued

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TEAR STUB HERE AND RETURN

PILKINGTON

PAGE 2

ACCT # 52154

REMIT TO LOCKBOX:

PILKINGTON N.A.-AGR
FILE 50241
LOS ANGELES CA
90074-0241

NOTICE

To insure proper crediting of your account please check all items included in your remittance and RETURN THIS STUB with your remittance. If the actual amount paid is different than indicated for an invoice please indicate the actual amount paid next to the invoice amount on this stub.

ITEM REFERENCE DATE	ITEM REFERENCE NUMBER	ITEM AMOUNT	CK Item
081012	56598543	99.75	
081012	56656253	65.74	
081012	56658093	48.51	
081012	56658703	200.32	
081012	56667503	48.56	
081012	56701963	4.76	
081012	56775423	138.72	
081012	82947869	138.72-	
081312	56742573	240.37	
081312	56746323	161.66	
081312	56781633	151.70	
081412	56910583	122.12	
081412	56922523	94.86	
081412	57000933	119.53	
081512	OAC-2657	35.00-	
081512	56842483	82.20	
081512	56891613	57.22	
081512	56947823	73.02	
081512	57123383	75.42	
081612	57034333	71.17	
081612	57047413	97.88	
081612	57048663	77.12	
081612	57068163	104.23	
081612	57175113	278.79	
081712	57160783	149.87	
081712	57202043	61.57	
081712	57257053	82.16	
081712	57317963	44.44	
081712	57366833	110.25	
082012	57410643	47.47	
082112	57582543	156.75	
082212	57690273	89.27	
082212	57691393	51.48	
082212	57710833	47.48	
082212	57712513	117.24	
082212	57731673	51.47	

Account Total

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102

MESA AZ

FORM L52BBI Rev. 07/2001

[redacted]

CUSTOMER STATEMENT

PILKINGTON

AGR WHOLESALE

DATE 06/01/13

CREDIT REP. SUSAN K. GILBERT

ACCOUNT NO. 52154

SALES REP. LUIS GONZALEZ 877-292-3803

CORRESPONDENCE TO:

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KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102
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DATE LAST PAYMENT RECEIVED: 09/14/12

SHIP TO Location	ITEM REFERENCE DATE	ITEM REFERENCE NUMBER	Tran Code	CURRENT AMOUNT	AMOUNT PAST DUE 1 to 30 Days	AMOUNT PAST DUE 31 to 60 Days	AMOUNT PAST DUE Over 60 Days	DISC. DATE	DUE DATE
MESA	082212	57758803	IN				119.53	091012	093012
MESA	082312	57680373	IN				5.35	091012	093012
MESA	082312	57715153	IN				122.21	091012	093012
MESA	082312	57730473	IN				72.62	091012	093012
MESA	082312	57757053	IN				101.28	091012	093012
MESA	082312	57886113	IN				5.85	091012	093012
MESA	082412	57995303	IN				52.69	091012	093012
MESA	082412	58005203	IN				68.00	091012	093012
MESA	082412	58021093	IN				10.35	091012	093012
MESA	082412	58021183	IN				78.73	091012	093012
MESA	082412	83078919	CR				101.28-	091012	093012
MESA	082412	83081659	CR				30.18-	091012	093012
MESA	082712	57961233	IN				100.67	091012	093012
MESA	082712	58049363	IN				155.47	091012	093012
MESA	082712	58058873	IN				167.07	091012	093012
MESA	082712	58061543	IN				51.36	091012	093012
MESA	082812	57915043	IN				79.41	091012	093012
MESA	082812	58040413	IN				168.56	091012	093012
MESA	082812	58176383	IN				64.29	091012	093012
MESA	082812	58231383	IN				100.33	091012	093012
MESA	082912	83122549	CR				88.03-	091012	093012
MESA	083012	58419753	IN				321.00	091012	093012
MESA	083012	58459923	IN				47.47	091012	093012
MESA	083112	58470983	IN				59.34	091012	093012
MESA	083112	58540013	IN				106.59	091012	093012
MESA	083112	58569763	IN				63.54	091012	093012
MESA	083112	58642373	IN				52.69	091012	093012
MESA	090412	83119319	CR				76.73-	101012	103112
MESA	090712	58983843	IN				74.33	101012	103112
MESA	091112	59169483	IN				47.47	101012	103112
MESA	091112	59375013	IN				54.98	101012	103112
	091112	83211798	CR				101.28-	101012	103112
MESA	091312	59591243	IN				90.44	101012	103112
	091412	OAC-5678	OA	30.08-					
MESA	091412	59723303	IN				70.31	101012	103112
MESA	091412	83245389	CR				90.44-	101012	103112
Open Item Subtotals									

Account Total

TRANSACTION CODE LEGEND	
TRAN CODE	DESCRIPTION
IN, IM	Invoice
CR, CM	Credit
OA	Unidentified Payment or Overpayment
DD	Customer Deduction

TRAN CODE	DESCRIPTION
GG	Customer Debit Disallowed (chargeback)
CN	Check Returned From Bank
TC, TD	Transfer Credit, Debit
VO	Check Issued

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TEAR STUB HERE AND RETURN

PILKINGTON

PAGE 3

ACCT # 52154

REMIT TO LOCKBOX:

PILKINGTON N.A.-AGR
FILE 50241
LOS ANGELES CA
90074-0241

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082312	57757053	101.28	
082312	57886113	5.85	
082412	57995303	52.69	
082412	58005203	68.00	
082412	58021093	10.35	
082412	58021183	78.73	
082412	83078919	101.28-	
082412	83081659	30.18-	
082712	57961233	100.67	
082712	58049363	155.47	
082712	58058873	167.07	
082712	58061543	51.36	
082812	57915043	79.41	
082812	58040413	168.56	
082812	58176383	64.29	
082812	58231383	100.33	
082912	83122549	88.03-	
083012	58419753	321.00	
083012	58459923	47.47	
083112	58470983	59.34	
083112	58540013	106.59	
083112	58569763	63.54	
083112	58642373	52.69	
090412	83119319	76.73-	
090712	58983843	74.33	
091112	59169483	47.47	
091112	59375013	54.98	
091112	83211798	101.28-	
091312	59591243	90.44	
091412	OAC-5678	30.08-	
091412	59723303	78.31	
091412	83245389	90.44-	

Account Total

KALE'S AUTO GLASS LLC
260 S ALMA SCHOOL RD STE 102

MESA AZ

FORM L52691 Rev. 07/2001

[redacted]

Stanley M. Hammerman, Esq., (#004048)
Jon R. Hultgren, Esq., (#010014)
HAMMERMAN & HULTGREN, P.C.
3101 North Central Avenue, Suite 500
Phoenix, Arizona 85012
Telephone: (602) 264-2566
Facsimile: (602) 266-3488
minute_entry@hammerman-hultgren.com

Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

PILKINGTON NORTH AMERICA, INC., a Delaware corporation, Plaintiff, vs. KALE'S AUTO GLASS, LLC, an Arizona limited liability company; HAROLD D. BURR, JR., individually, as personal guarantor, Defendants.	NO. CV 2013-015896 **CERTIFICATE OF COMPULSORY ARBITRATION**

Plaintiff, pursuant to Maricopa County Superior Court Local Rules and Rule 72(b), Ariz.R.Civ.P., submits the following Certificate of Compulsory Arbitration.

The undersigned certifies that the largest award sought by the complaint, including punitive damages, but excluding interest, attorneys' fees, and costs does not exceed the limits set by Local Rule for compulsory arbitration. This case is subject to the Uniform Rules of Procedure for Arbitration.

DATED this 2nd day of December, 2013.

HAMMERMAN & HULTGREN, P.C.

By ______________________
Stanley M. Hammerman
3101 North Central Avenue, Suite 500
Phoenix, Arizona 85012
Attorney for Plaintiff

Tag Messenger
1027 E Washington St. Suite 100
Phoenix, AZ 85034
Ph: (602)254-3900

Superior Court of Arizona - Maricopa County
201 W Jefferson , Phoenix, AZ 85003

PILKINGTON NORTH AMERICA,

Plaintiff,

vs.

Kale's Auto Glass, LLC, an Arizona limited liability company; Harold D Burr, Jr., individually, as personal guarantor

Defendant,

NO. CV 2013-015896

CERTIFICATE OF NON - SERVICE

241491

The undersigned certifies under penalty of perjury:

I received: **Summons, Complaint and Certificate of Compulsory Arbitration** from **Hammerman & Hultgren P.C.** and have been unable to effect service upon

Kale's Auto Glass, LLC

The following attempts at service were made:

Date/Time - License Plates	Address	Remarks
Friday 12/06/2013-10:44 AM	40 N Center St Ste 202 Mesa, AZ 85201	Not in on this attempt
Monday 12/09/2013-10:40 AM	40 N Center St Ste 202 Mesa, AZ 85201	Not in on this attempt; Called and spoke with stat agent Kent Nicholas who agreed to meet with me for service on 12/10 at 9:00 am
Tuesday 12/10/2013- 9:00 AM	40 N Center St Ste 202 Mesa, AZ 85201	Waited 20 minutes past 9 and was then told by his secretary that Mr. Nicholas was in court and he would not be in
Thursday 12/12/2013- 9:36 AM	40 N Center St Ste 202 Mesa, AZ 85201	Not in on this attempt; I again called and spoke with Mr. Nicholas who stated he is very rarely in the office and that he would authorize his secretary to accept service; Documents were not left

Comments/Prev. Attempts: **Unable to make contact with Stat Agent/Kent M Nicholas, Esq. before a stop-service was placed on this job;**
Location Type: **Business**

I declare under penalty of perjury that the foregoing is true and correct.

X______________________________

Mark Miller - Maricopa Co. 7547
Date Served: **12/12/2013**
Court Case#: **CV 2013-015896**
Client/Atty File#: **111433**

Fees:
Service of Process $55.00
TOTAL: $55.00

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: MLEE
Invoice No.: 4462850

Check Batch:
Invoice Date: 04/22/2014
Date Received: 04/22/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1381764-7 KALE'S AUTO GLASS, LLC	$25.00

Total Documents: $ 25.00

PAYMENT CHECK 214038 $25.00

Balance Due: $ 0.00

Corporate Inquiry

04/22/2014 State of Arizona Public Access System 9:38 AM

File Number: L-1381764-7

Corp. Name: KALE'S AUTO GLASS, LLC

Domestic Address	Second Address
260 S ALMA SCHOOL RD STE 101	
MESA, AZ 85210	

Agent: KENT M NICHOLAS ESQ	Domicile: ARIZONA
Status: APPOINTED 05/31/2011	County: MARICOPA
Mailing Address:	Corporation Type: DOMESTIC L.L.C.
40 N CENTER ST STE 202	Life Period: PERPETUAL
	Incorporation Date: 07/20/2007
	Approval Date: 07/24/2007
MESA, AZ 85201	Last A/R Received: /
Agent Last Updated: 06/28/2011	Date A/R Entered:
	Next Report Due:

Business Type:

DonFoutz