

SAMPLE "E"

IN RE: Collection of Poundage

To Whom It May Concern:

As of the above date, the Crawford County Sheriffs Office will require any Plaintiff who asks the Sheriff to cancel a levy (whether accomplished or not), or stay a real estate sale, be required to submit with it a statement similar to the following:

"I, _____, attorney for Plaintiff, _____, in the case of: _____ vs _____ hereby certifies to the Sheriff of Crawford County, Pennsylvania, that the above Plaintiff has received the following amount (or an assurance of the payment of the following amount) by the Defendant in consideration of the withdrawal of this levy or the staying of this real estate Sheriffs Sale: _____ .

Amount received or promised to Plaintiff: \$ _____

Attorney for Plaintiff,

In the recent case of Kinder- Travel, Inc. vs. Estill, 834 A 2nd of 1175 (2003), the Pennsylvania Superior Court held that a Sheriff is entitled to poundage, even though an actual Sheriffs sale had not occurred. In this case, the Pennsylvania Superior Court held that the Sheriff's office is entitled to poundage in accordance with the Sheriff Fee Act (42 P.S. § 21107) based on the amount of the settlement between the Plaintiff and the Defendant.