

M. W. FARMER CO., : IN THE COURT OF COMMON PLEAS OF  
 : LYCOMING COUNTY, PENNSYLVANIA  
 Plaintiff :  
 :  
 vs. : NO. 05-00,658  
 :  
 EMMIT L. KREAMER, : CIVIL ACTION  
 :  
 Defendant : PRELIMINARY OBJECTIONS

**Date: July 11, 2005**

**MEMORANDUM OPINION**

The following order is entered in relation to the Preliminary Objections asserting improper venue which were filed by the Defendant on May 31, 2005. The Preliminary Objections must be denied. They are denied on the basis that under the alleged contract payment would have been due to M. W. Farmer Co. at its principal place of business in Lycoming County. Therefore, venue in Lycoming County is proper. See *Lucas Enterprises, Inc. v. Paul C. Harman Co. Inc.*, 417A.2d 720 (Pa. Super. 1980).

**ORDER**

Accordingly, it is ordered and directed that the Preliminary Objections filed by Plaintiff on May 31, 2005 challenging venue are hereby denied. Defendant shall file an answer to the complaint within twenty (20) days of notice of entry of this Order.

BY THE COURT,

William S. Kieser, Judge

cc: William P. Carlucci, Esquire  
Thomas C. Clark, Esquire  
Judges  
Christian J. Kalas, Esquire  
Gary L. Weber, Esquire (Lycoming Reporter)

