

00-216-CD
WILLIAM S. SHUGARTS -vs- MARY K. CHESNOKA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

④ WILLIAM S. SHUGARTS, Plaintiff
vs. No. 00-216-CJ
④ MARY K. CHESNOKA, Defendant

PRAECIPE FOR WRIT OF SUMMONS

TO: Prothonotary

Please prepare and issue a Writ of Summons against Mary K. Chesnoka, the above named
Defendant.



David J. Hopkins, Esquire

Date:

FILED

FEB 22 2000

William A. Shaw
Prothonotary

FILED

1/10/2000
FEB 2 2 2000

Scanned

Atty Hopkins

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS, :
Plaintiff :
vs. :
MARY K. CHESNOKA, :
Defendant :

No. 00-216-CJ **COPY**

WRIT OF SUMMONS

TO: Mary K. Chesnoka
111 Simmons Street
DuBois, PA 15801

You are hereby notified that Mary K. Chesnoka has commenced an action against you.

Date: _____

Prothonotary

Seal of Court:

DAVID J. HOPKINS

2

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHUGARTS, WILLIAM S.
VS
CHESNOKA, MARY K.

00-216-CD

WRIT OF SUMMONS

SHERIFF RETURNS

NOW MARCH 7, 2000 AT 1:12 PM EST SERVED THE WITHIN WRIT OF SUMMONS ON MARY K. CHESNOKA, DEFENDANT AT RESIDENCE 427 1/2 KNARR ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MARY K. CHESNOKA A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: MCINTOSH/COUDRIET

38.09 SHFF. HAWKINS PAID BY: ATTY
10.00 SURCHARGE PAID BY: ATTY

SWORN TO BEFORE ME THIS

13th DAY OF March 2000
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co., Clearfield, PA.

SO ANSWERS,

*Chester A. Hawkins
My Mally Hays*

CHESTER A. HAWKINS
SHERIFF

FILED

MAR 13 2000
11:30 am
William A. Shaw
Prothonotary
EKG

(3)

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

WILLIAM S. SHUGARTS,

Plaintiff

No. 00-216-CD

v.

Type of Pleading:
**Praecipe for Entry of
Appearance**

MARY K. CHESNOKA,

Defendant

Filed on Behalf of:
Defendant

Counsel of Record for this Party:
Jeffrey M. Gordon, Esquire
Supreme Court No. 55835
152 Jefferson Street
Brookville, PA 15825
(814) 849-6800

FILED

APR 10 2000

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

WILLIAM S. SHUGARTS, :
Plaintiff :
: :
v. : No. 00-216-CD
: :
MARY K. CHESNOKA, :
Defendant :
:

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of the Defendant, Mary K. Chesnoka, in the above-captioned matter.

April 7, 2000


Jeffrey M. Gordon, Esquire

FILED

APR 10 2003

17135300cc

William K. Snaw

ccy

Prothonotary

(4)

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

WILLIAM S. SHUGARTS,

Plaintiff

No. 00-216-CD

vs.

MARY K. CHESNOKA,

Defendant

Filed on Behalf of:

Defendant

Type of Pleading:
**Praecipe for Issuance of
Rule to File Complaint**

Counsel of Record for this Party:
Jeffrey M. Gordon, Esquire
Supreme Court No. 55835
152 Jefferson Street
Brookville, PA 15825
(814) 849-6800

FILED

SEP 14 2000

**William A. Shaw
Prothonotary**

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

WILLIAM S. SHUGARTS, :
Plaintiff :
: :
v. : No. 00-216-CD
: :
MARY K. CHESNOKA, :
Defendant :
:

PRAECIPE FOR ISSUANCE OF RULE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please enter a Rule upon the Plaintiff, Mary K. Chesnoka, to file a Complaint in the
above-captioned action within twenty (20) days of the date of service of said Rule.

September 13, 2000



Jeffrey M. Gordon, Esquire
Attorney for Defendant

FILED

SEP 14 2000
M 12:03 P.M.
Ruler to City
William A. Shaw
Prothonotary

John
John

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COPY

WILLIAM S. SHUGARTS,

Plaintiff(s)

vs.

No. 00-216-CD

MARY K. CHESNOKA,

Defendant(s)

RULE TO FILE COMPLAINT

TO: Plaintiff(s): WILLIAM S. SHUGARTS

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

William A. Shaw, Prothonotary

Dated: September 14, 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS,

Plaintiff

vs.

No. 00-216 C.D.

MARY K. CHESNOKA,

Defendant

Type of Pleading: Complaint

Filed on behalf of: William S. Shugarts,
Plaintiff.

Counsel of record for this party:

DAVID J. HOPKINS, ESQUIRE
Attorney at Law
Supreme Court No. 42519

900 Beaver Drive
DuBois, Pennsylvania 15801
(814) 375-0300

FILED

OCT 05 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS, :
Plaintiff :
: vs. : No. 00-216 C.D.
: :
MARY K. CHESNOKA, :
Defendant :
:

NOTICE

TO DEFENDANT:

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 claim 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.

Office of the Court Administrator
Clearfield County Courthouse
One North Second Street
Clearfield, Pennsylvania 16830
(814) 765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS, :
Plaintiff :
: vs. : No. 00-216 C.D.
: :
MARY K. CHESNOKA, :
Defendant :
:

COMPLAINT

AND NOW, comes Plaintiff, William S. Shugarts, by and through his attorneys, The Hopkins Law Firm, and says as follows:

1. The Plaintiff is William S. Shugarts who is a resident of the Commonwealth of Pennsylvania.

2. The Defendant is Mary K. Chesnoka who resides at 111 Simons Street, DuBois, Clearfield County, Pennsylvania.

3. On March 14, 1998, Defendant owned and operated a motor vehicle in the accident herein described.

4. On or about March 14, 1998, Defendant was backing her motor vehicle up when she struck the Plaintiff who was behind the car. As a result of being struck by Defendant's motor vehicle, Plaintiff sustained the injuries set forth herein.

5. The accident was due solely to the negligence, carelessness and/or recklessness of the Defendant in one or more of the following ways:

a. Defendant operated her vehicle at an improper rate of speed under the circumstances;

b. Defendant gave no warning of her intended direction;

c. Defendant operated her vehicle without due regard for the safety of Plaintiff;

d. Defendant operated her motor vehicle without regard for the existence of pedestrians lawfully upon the roadway or walkway; and

e. Defendant backed her motor vehicle into or over Plaintiff.

6. By reason of the negligent, careless and reckless conduct of Defendant, Plaintiff sustained injuries to his legs and back.

7. In order to effect a cure of the aforesaid injuries, Plaintiff has been compelled to expend various sums of money for medicine and medical attention and he will be required to expend additional sums of money for the same purpose in the future.

8. As a direct, proximate, natural, foreseeable and probable consequence of Defendant's negligence, carelessness and reckless conduct, Plaintiff, William S. Shugart, was placed in immediate peril and suffered severe injuries and other injuries which may yet develop.

9. As a direct result of the Defendant Mary K. Chesnoka negligence, carelessness and reckless conduct, Plaintiff, William S. Shugarts, has suffered, and will suffer in the future, great pain agony and inconvenience.

10. As a direct and proximate result of the Defendant's negligence, carelessness and reckless conduct, Plaintiff, William S. Shugarts, has incurred, and will in the future incur expenses for medical treatment in an amount not yet ascertained.

11. As a direct and proximate result of the Defendant's negligence and reckless conduct, Plaintiff, William S. Shugarts, was prevented from attending to his usual duties of employment, causing loss of income and in the future incurred earning losses by not being able to achieve his full employment potential.

12. As a direct and proximate result of Defendant's negligence, careless and reckless conduct, Plaintiff, William S. Shugarts, has suffered and will continue to suffer loss in the quality of his life.

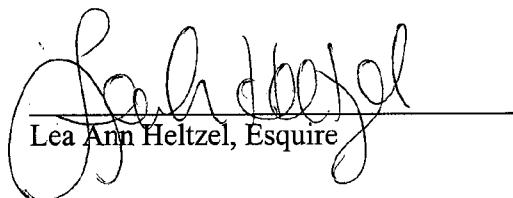
13. Defendant is liable for Plaintiff's injuries described herein, inasmuch as Plaintiff's injuries are the direct, proximate, natural, foreseeable and probable consequences of Defendant's negligence, carelessness and recklessness as set forth herein.

WHEREFORE the Plaintiff claims damages from Defendant in an amount in excess of \$20,000.00.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by twelve jurors on all issues presented herein.

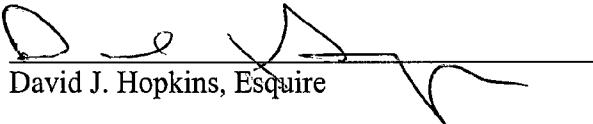
Respectfully submitted,



Lea Ann Heltzel, Esquire

VERIFICATION

I, David J. Hopkins, Esquire, have discussed this case with Plaintiff and to the best of my knowledge, information and belief, I verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities. The Plaintiff is currently unavailable to review this pleading prior to its filing.



David J. Hopkins, Esquire

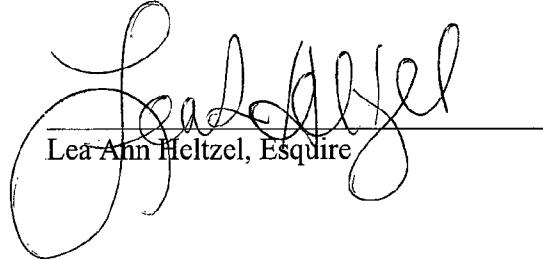
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS, :
Plaintiff :
vs. : No. 00-216 C.D.
MARY K. CHESNOKA, :
Defendant :
:

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Complaint, filed on behalf of the Plaintiff, William S. Shugarts, was forwarded on the 4th day of October, 2000, by U.S. Mail, postage prepaid, to all counsel of record, addressed as follows:

Jeffrey M. Gordon, Esquire
152 Jefferson Street
Brookville, PA 15825


Lea Ann Heltzel, Esquire

FILED

OCT 05 2009
1117 770cc
William A. Shaw
Prothonotary
[Signature]

(b)

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW**

WILLIAM S. SHUGARTS,

Plaintiff

No. 00-216-CD

vs.

MARY K. CHESNOKA,

Defendant

Type of Pleading:
Answer to Plaintiff's Complaint

Filed on Behalf of:
Defendant

Counsel of Record for this Party:
Jeffrey M. Gordon, Esquire
Supreme Court No. 55835
152 Jefferson Street
Brookville, PA 15825
(814) 849-6800

FILED

OCT 27 2000

William A. Shaw
Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

WILLIAM S. SHUGARTS, :
Plaintiff :
: :
v. : No. 00-216-CD
: :
MARY K. CHESNOKA, :
Defendant :
:

ANSWER TO PLAINTIFF'S COMPLAINT

AND NOW, comes the Defendant, Mary K. Chesnoka, by and through her attorney, Jeffrey M. Gordon, and files the following Answer to Plaintiffs' Complaint, averring as follows:

1. Admitted.
2. Denied. It is denied that the Defendant, Mary K. Chesnoka, resides at 111 Simmons Street, DuBois, Clearfield County, Pennsylvania. Mary K. Chesnoka resides at 427-1/2 Knarr Street, DuBois, Clearfield County, Pennsylvania.
3. Admitted in part and denied in part. It is admitted that on March 14, 1998, Defendant was the owner of a motor vehicle. However, it is denied that an accident occurred on March 14, 1998, involving the Plaintiff and the Defendant.
4. Denied. It is denied that on or about March 14, 1998, Defendant struck the Plaintiff with her vehicle. To the contrary, at all times relevant hereto, the Defendant operated her motor vehicle in a safe and prudent fashion. By way of further response, Defendant is without sufficient knowledge, information or belief as to the remaining averments

contained in paragraph four (4) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

5. Denied. It is denied that the accident alleged in Plaintiff's Complaint occurred. Furthermore, the averments of negligence, carelessness and recklessness are also denied and the Defendant responds to subparagraphs 5(a) through 5(e) as follows:

(a) It is denied that the Defendant operated her vehicle at an improper rate of speed under the circumstances. To the contrary, at all times relevant hereto, the Defendant operated her vehicle in a safe and prudent fashion;

(b) It is denied that the Defendant gave no warning of her intended direction. To the contrary, at all times relevant hereto, the Defendant operated her vehicle in a safe and prudent fashion;

(c) It is denied that the Defendant operated her vehicle without due regard to the safety of Plaintiff. To the contrary, at all times relevant hereto, the Defendant operated her vehicle in a safe and prudent fashion;

(d) It is denied that the Defendant operated her vehicle without regard for the existence of pedestrians lawfully upon the roadway or walkway. To the contrary, at all times relevant hereto, the Defendant operated her vehicle in a safe and prudent fashion;

(e) It is denied that the Defendant backed her motor vehicle into or over Plaintiff. To the contrary, at all times relevant hereto, the Defendant operated her vehicle in a safe and prudent fashion.

6. Denied. It is denied that the accident alleged by the Plaintiff occurred and it is

hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments contained in paragraph six (6) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

7. After reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the averments contained in paragraph seven (7) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

8. Denied. It is denied that the accident alleged in the Plaintiff's Complaint occurred. It is further denied that Defendant was negligent, careless or reckless at any time relevant hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments contained in paragraph eight (8) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

9. Denied. It is denied that the accident alleged in Plaintiff's Complaint occurred. It is further denied that Defendant was negligent, careless or reckless at any time relevant hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments contained in paragraph nine (9) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

10. Denied. It is denied that the accident alleged in Plaintiff's Complaint occurred.

It is further denied that Defendant was negligent, careless or reckless at any time relevant hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments contained in paragraph ten (10) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

11. Denied. It is denied that the accident alleged in Plaintiff's Complaint occurred. It is further denied that Defendant was negligent, careless or reckless at any time relevant hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments contained in paragraph eleven (11) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

12. Denied. It is denied that the accident alleged in Plaintiff's Complaint occurred. It is further denied that Defendant was negligent, careless or reckless at any time relevant hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments contained in paragraph twelve (12) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

13. Denied. It is denied that the accident alleged in Plaintiff's Complaint occurred. It is further denied that Defendant was negligent, careless or reckless at any time relevant hereto. By way of further response and after reasonable investigation, the Defendant is without sufficient knowledge, information or belief as to the truth of the remaining averments

contained in paragraph thirteen (13) of Plaintiff's Complaint, therefore such averments are denied and strict proof thereof is demanded at the time of trial.

WHEREFORE, Defendant demands judgment in her favor and against the Plaintiff.

Respectfully submitted,



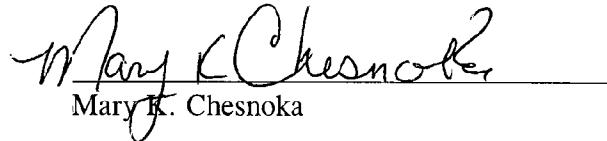
Jeffrey M. Gordon, Esquire
Attorney for Defendant

VERIFICATION

I, Mary K. Chesnoka, do hereby verify that I have read the foregoing Answer to Plaintiff's Complaint. The statements therein are correct to the best of my personal knowledge or information or belief.

This statement and verification is made subject to the penalties of 18 Pa. P.C.S. §4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: October 20, 2000



Mary K. Chesnoka

CERTIFICATE OF SERVICE

I, Jeffrey M. Gordon, Esquire, hereby certify that a true and correct copy of the within Answer to Plaintiff's Complaint, was served upon the following by regular first class mail, this 26th day of October, 2000.

David J. Hopkins, Esquire
900 Beaver Drive
DuBois, PA 15801



Jeffrey M. Gordon, Esquire
Attorney for Defendant

FILED

87 27 2000
135 [REDACTED] CC
William A. Shaw
Prothonotary
[REDACTED]

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

No. 00-216-CD

DATE PRESENTED July 11, 2001

CASE NUMBER

TYPE TRIAL REQUESTED

ESTIMATED TRIAL TIME

Date Complaint () Jury (X) Non-Jury
Filed: () Arbitration

One (1) days/hours

WILLIAM S. SHUGARTS

PLAINTIFF(S)

MARY K. CHESNOKA
DEFENDANT(S)

() Check block if a Minor
is a Party to the Case

FILED

ADDITIONAL DEFENDANT(S)

JUL 20 2001

()

William A. Shaw
Prothonotary

JURY DEMAND FILED BY:

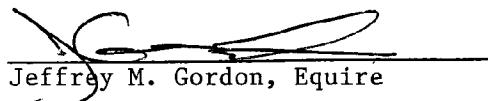
DATE JURY DEMAND FILED:

AMOUNT AT ISSUE CONSOLIDATION DATE CONSOLIDATION ORDERED

More than
& \$20,000.00 () yes (X) no

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:


Jeffrey M. Gordon, Esquire

David J. Hopkins, Esquire

814-375-0300

FOR THE PLAINTIFF

TELEPHONE NUMBER

Jeffrey M. Gordon, Esquire

814-849-6800

FOR THE DEFENDANT

TELEPHONE NUMBER

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

FILED NO CC
JUL 26 2008
EJK
William A. Sharer
Prothonotary

UR

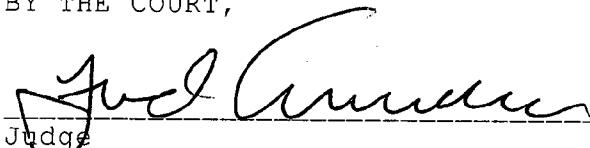
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

WILLIAM S. SHUGARTS :
-vs- : No. 00-216-CD
MARY K. CHESNOKA :

O R D E R

NOW, this 2nd day of August, 2001, this being the date set for Call of the Civil Non-Jury Trial List; upon Motion for Continuance requested on behalf of counsel, it is the ORDER of this Court that said request is hereby granted and the Court Administrator directed to schedule this matter for the Winter Term of Court and Civil Call.

BY THE COURT,



Judge

FILED

AUG 13 2001

William A. Shaw
Prothonotary

sent to Atty Hopkins
Gordon


E. C/A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS,

Plaintiff

vs.

No. 00-216 C.D.

MARY K. CHESNOKA,

Defendant

Type of Pleading: Praeclipe to Discontinue

Filed on behalf of: William S. Shugarts,
Plaintiff

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE
Attorney at Law
Supreme Court I.D. No. 42519

900 Beaver Drive
DuBois, Pennsylvania 15801

(814) 375-0300

FILED

JAN 02 2002

William A. Shaw
Prothonotary

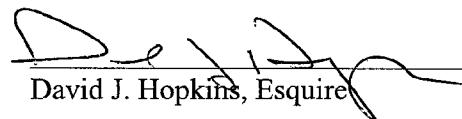
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

WILLIAM S. SHUGARTS, :
Plaintiff :
vs. : No. 00-216 C.D.
MARY K. CHESNOKA, :
Defendant :

PRAEICE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the above captioned matter settled and discontinued with prejudice.



David J. Hopkins, Esquire

FILED

JAN 02 2002

010-3861
William A. Shaw
Prothonotary

no cc
Copy Certificate of discontinuation to CA
Copy certificate of discontinuation attorney

BB

COPY

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

William S. Shugarts

Vs.
Mary K. Chesnoka

No. 2000-00216-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on this 2nd day of January, 2002 marked:

Settled and Discontinued

Record costs in the sum of \$128.09 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of January A.D. 2002.

William A. Shaw, Prothonotary