

00-304-CD
JUDITH S. SCHELL -vs- CLEARFIELD COUNTY VOCATIONAL TECHNICAL
SCHOOL a/k/a

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 00-
-CD

JUDITH S. SCHELL,
Petitioner

vs.

CLEARFIELD COUNTY VOCATIONAL
TECHNICAL SCHOOL, a/k/a
CLEARFIELD COUNTY CAREER
AND TECHNOLOGY CENTER,

Respondent

PETITION FOR COPIES OF ALL
PERSONNEL RECORDS

WITNESSES:
JUDITH S. SCHELL

BY: 01/10/12 JSC

Atty Colavecchi:
pd 80.00
3cc to Atty
Colavecchi

COLAVECCHI & RYAN

ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA. 16830

Lap over margin

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

② JUDITH S. SCHELL,

Petitioner

vs.

① CLEARFIELD COUNTY VOCATIONAL
TECHNICAL SCHOOL, a/k/a
CLEARFIELD COUNTY CAREER
AND TECHNOLOGY CENTER
Respondent

CIVIL DIVISION

No. 00 - 304 - CD

PETITION FOR COPIES OF ALL
PERSONNEL RECORDS

Filed on behalf of:

Petitioner, JUDITH S. SCHELL

Counsel of Record for
Said Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I.D. 06810

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

MAR 10 2000

William A. Shaw
Prothonotary

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

JUDITH S. SCHELL,
Petitioner

vs.

CLEARFIELD VOCATIONAL
TECHNICAL SCHOOL, a/k/a
CLEARFIELD AREA CAREER AND
TECHNOLOGY CENTER,
Respondent

:
:
:
No. 00 - - CD

O R D E R

AND NOW, this 10th day of March, 2000, upon consideration of the foregoing Petition, a Rule is hereby issued upon the Respondent to Show Cause why the Petition should not be granted. Rule Returnable the 27th day of April, 2000, at 9:30 o'clock A.M. at the Clearfield County Courthouse, Courtroom Number 1.

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION YOU MUST BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO, THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND AND MARKET STREETS
CLEARFIELD, PA 16830
814/765-2641 EXT. 5982

FILED

MAR 10 2000

William A. Shaw
Prothonotary

BY THE COURT:

JUDGE

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

MAR 10 2000

Shaw

03/30/3 cc
William A. Shaw

Prothonotary

Atty Colavecchio

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

JUDITH S. SCHELL, :
Petitioner :
 :
vs. : No. 00 - - CD
 :
CLEARFIELD COUNTY VOCATIONAL :
TECHNICAL SCHOOL, a/k/a :
CLEARFIELD COUNTY CAREER AND :
TECHNOLOGY CENTER :
Respondent :

PETITION FOR COPIES OF ALL PERSONNEL RECORDS

Judith S. Schell, through her Attorney, Joseph Colavecchi, Esquire, files this Petition and respectfully avers as follows:

1. Petitioner is Judith S. Schell, an individual residing at 615 Park Avenue, Clearfield, Pennsylvania, 16830.

2. Respondent is Clearfield County Vocational Technical School, a/k/a Clearfield County Career and Technology Center, having its Central Office at R.R. 1, Clearfield, Pennsylvania, 16830.

3. Judith S. Schell has been an employee of the Clearfield Area Vocational Technical School, a/k/a Clearfield County Career and Technology Center, having been a teacher in the nursing department.

4. Respondent has been her employer while she has been teaching for the past ten years and has three separate files on Judith S. Schell.

5. Judith S. Schell, through her Attorney, Joseph Colavecchi, Esquire, has requested copies of her files through Carl Pierce Beard, Jr., Attorney for Clearfield County Vocational Technical School, a/k/a Clearfield County Career and Technology Center. A copy of the letter to Carl Pierce Beard, Jr. dated January 13, 2000 is attached hereto marked Exhibit "A".

6. A second letter was sent to Carl Pierce Beard, Jr. after Joseph Colavecchi, Esquire failed to receive copies of the files of Judith S. Schell on January 28, 2000, a copy of said letter is attached hereto marked Exhibit "B".

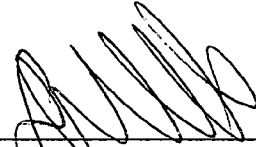
7. A third letter was sent to Carl Pierce Beard, Jr. requesting copies of the files of Judith S. Schell on February 17, 2000, a copy of said letter is attached hereto marked Exhibit "C".

8. As of the date of filing this Petition, Respondent has failed to turn over copies of Petitioner's files to her.

9. Petitioner has offered to pay the cost of duplicating her files.

WHEREFORE, Petitioner asks that a Rule be issued and directed to Clearfield County Vocational Technical School, a/k/a Clearfield County Career and Technology Center, to show cause why copies of her files should not be turned over to her, and why she should not

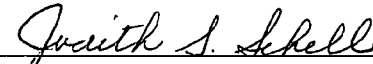
be awarded attorney's fees because of the failure of Clearfield County Vocational Technical School, a/k/a Clearfield County Career and Technology Center, to provide copies of her files to her.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Petitioner

VERIFICATION

I verify that the statements made in this Petition for Copies of all Personnel Records are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.


JUDITH S. SCHELL

LAW OFFICES
COLAVECCHI RYAN & COLAVECCHI

JOSEPH COLAVECCHI
JOHN R RYAN
PAUL COLAVECCHI

221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1566

FAX
(814) 765-4570

January 13, 2000

Carl Pierce Beard, Jr.
Attorney at Law
3366 Lynwood Drive
P.O. Box 1311
Altoona, PA 16602-1311

In Re: Judith S. Schell

Dear Carl:

I am writing to you in your capacity as Attorney for Clearfield County Vocational Technical School.

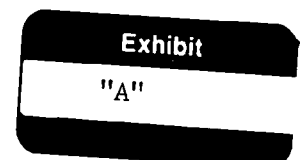
I represent Judith S. Schell who advised me that she attended a meeting which was described as a job evaluation on or about February 15, 1999, and you were present at this meeting.

In this connection, I am enclosing a Release directed to Clearfield County Vocational Technical School signed by my client, Judith S. Schell, authorizing the school to release copies of any and all records they have concerning her.

I would appreciate it if you would send me the following:

1. Copies of all documents concerning the meeting held on February 15, 1999 involving Judith S. Schell; and
2. A complete copy of her personnel file.

I will, of course, be happy to reimburse you for the cost of these copies.

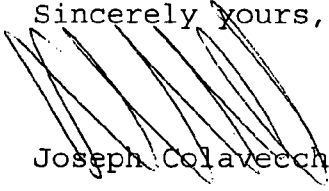


Carl Pierce Beard, Jr.
January 13, 2000
Page 2

I am writing directly to you since if I write to the school,
they are going to have to consult you in any event.

If you have any problem with my request, please let me know.

Sincerely yours,



Joseph Colavecchi

JC:lz
Enclosure

cc: Judith S. Schell

January 13, 2000

Clearfield County Vocational
Technical School
R.D. 1, Box 5
Clearfield, PA 16830

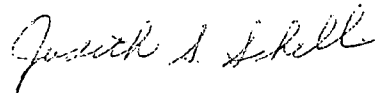
Attention: Superintendent

In Re: Judy Schell

Dear Sir:

Please be advised that I have retained Joseph Colavecchi, Esquire, of 221 East Market Street, Clearfield, Pennsylvania as my Attorney, and I am hereby authorizing him to receive copies of any and all of my records or anything concerning me with your organization.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Judith S. Schell".

Judith S. Schell

LAW OFFICES
COLAVECCHI, RYAN & COLAVECCHI

JOSEPH COLAVECCHI
JOHN R. RYAN
PAUL COLAVECCHI

221 EAST MARKET STREET
(Across from Courthouse)
P. O. BOX 131
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1566

FAX
(814) 765-4570

January 28, 2000

Carl Pierce Beard, Jr.
Attorney at Law
P. O. Box 1311
Altoona, PA 16602-1311

RE: Judith S. Schell

Dear Carl:

I just wanted to confirm our telephone conference today, January 28, 2000, at which time I asked whether you were going to respond to my earlier letter to you dated January 13, 2000 concerning my client, Judith S. Schell?

You indicated that you had forwarded it to the School District and that you were putting the various papers together, including the notes of the meeting in February, and that I would hear from you one way or another.

Thank you for your kind cooperation. I look forward to receiving your response concerning my client, Judith S. Schell.

Sincerely yours,


Joseph Colavecchi

JC/mbb

cc: Judith S. Schell

Exhibit

"B"

LAW OFFICES
COLAVECCHI RYAN & COLAVECCHI

JOSEPH COLAVECCHI
JOHN R RYAN
PAUL COLAVECCHI

221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1566

FAX
(814) 765-4570

February 17, 2000

Carl Pierce Beard, Jr.
Attorney at Law
3366 Lynwood Drive
P.O. Box 1311
Altoona, PA 16602-1311

In Re: Judith S. Schell

Dear Carl:

This is in reference to my earlier correspondence to you and our telephone conference, confirmed by letter dated January 28, 2000, that you were going to get back to me. As of this date, I have heard nothing further from you.

I definitely want copies of my client's files. I understand that she has three separate files, and I know that she is entitled to receive copies of all of her files.

Will you please respond by return mail as to whether you are going to instruct the school district to give me copies of the files or do you want me to deal directly with the school district?

I would appreciate hearing from you one way or the other. There certainly is no reason to delay turning over copies of the files of Judith Schell to me as her attorney or if you prefer, I can have them picked up by her.

Thank you once again for your kind cooperation. I realize you have a lot of alligators snapping at your heels. Certainly the request for my client's files can be nothing more than a pussy cat licking on the soles of your shoes.

Sincerely yours,

Joseph Colavecchi

JC:lz

cc: Judith Schell

Exhibit

"C"

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 00-304-CD

JUDITH S. SCHELL,
Petitioner

vs.

CLEARFIELD COUNTY VOCATIONAL
TECHNICAL SCHOOL, a/k/a
CLEARFIELD COUNTY CAREER AND
TECHNOLOGY CENTER,
Respondent

PRAECIPE TO WITHDRAW PETITION
FOR COPIES OF PERSONNEL RECORDS

FILED

Cliff
MAR 29 2000

William A. Shaw
Prothonotary
W. A. Shaw
W. A. Shaw

COLAVECCHI & RYAN
ATTORNEYS AT LAW
221 E. MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA. 16830

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

(51)
JUDITH S. SCHELL,
Petitioner

vs.

(111)
CLEARFIELD COUNTY VOCATIONAL
TECHNICAL SCHOOL, a/k/a
CLEARFIELD COUNTY CAREER AND
TECHNOLOGY CENTER,
Respondent

CIVIL DIVISION

No. 00 - 304 - CD

PRAECIPE TO WITHDRAW PETITION
FOR COPIES OF PERSONNEL RECORDS

Filed on behalf of:

Petitioner, JUDITH S. SCHELL

Counsel of Record for This Party:

JOSEPH COLAVECCHI, ESQUIRE
PA I. D. No. 06810

COLAVECCHI, RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

MAR 29 2000

William A. Shaw
Prothonotary


LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

JUDITH S. SCHELL, :
Petitioner :
 :
vs. : No. 00-304-CD
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CLEARFIELD VOCATIONAL :
TECHNICAL SCHOOL, a/k/a :
CLEARFIELD AREA CAREER AND :
TECHNOLOGY CENTER, :
Respondent :

PRAECIPE TO WITHDRAW PETITION FOR COPIES OF PERSONNEL RECORDS
TO WILLIAM A. SHAW, PROTHONOTARY

Please withdraw the Petition filed for copies of all personnel records as submitted by Judith S. Schell, Petitioner, said records having been supplied to her.



JOSEPH COLAVECCHI, ESQUIRE
Attorney for Petitioner,
Judith S. Schell

LAW OFFICES
COLAVECCHI, RYAN & COLAVECCHI

JOSEPH COLAVECCHI
JOHN R. RYAN
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221 EAST MARKET STREET
(Across from Courthouse)
P. O. BOX 131
CLEARFIELD, PENNSYLVANIA 16830
(814) 765-1566

FAX
(814) 765-4570

March 29, 2000

William A. Shaw, Prothonotary
Courthouse
Market and Second Streets
Clearfield, PA 16830

RE: Judith S. Schell-Clearfield County
Vocational Technical School et al
No. 00-304-CD

Dear Mr. Shaw:

I am enclosing herein a Praecipe to Withdraw the Petition filed for copies of personnel records of Judith S. Schell.

There is a Rule returnable on April 27, 2000 at 9:30 a.m. The hearing is no longer necessary.

Thank you for your kind cooperation and consideration.

Sincerely yours,



Joseph Colavecchi

JC/mbb

Enclosure

pc: Carl Pierce Beard, Jr., Esq., w/enc. (copy of Praecipe)
Judith S. Schell