

00-387-CD
WILLIAM A. BOWERS -vs- MARGO L. ROYER et al

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



WILLIAM A. BOWES,

Petitioner

DOCKET NO. 00-387. CD

VS.



MARGO L. ROYER and PATRICE TRUBIC,
Respondents

CODE PAGE

PETITION FOR PARTITION

Filed on behalf of Plaintiff.

WILLIAM A. BOWES,
PETITIONER

Attorney of Record for this Party:

John A. Ayres, Jr.
PA ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

FILED

MAR 29 2000

William A. Shaw
Prothonotary

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

WILLIAM A. BOWES,
Petitioner : DOCKET NO.

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Respondents

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION 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 PETITIONER. 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, Extension 5982

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

WILLIAM A. BOWES,

Petitioner

DOCKET NO.

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Respondents

PETITION FOR PARTITION OF PERSONAL PROPERTY

(1) Petitioner, WILLIAM A. BOWES, is an individual residing at 1303 Parkview Drive, Clearfield, Clearfield County, Pennsylvania 16830.

(2) Respondent, MARGO L. ROYER, a/k/a MARGO LYNNE ROYER, is an individual residing at 528 1/2 Juniata Street, DuBois, Pennsylvania 15801.

(3) Respondent, PATRICE TRUBIC, formerly PATRICE R. MCKEE, is an individual residing at P. O. Box 30, Ramey, Pennsylvania 16671.

(4) The Petitioner, WILLIAM A. BOWES, and the Respondent, MARGO L. ROYER, are the owners jointly of the following personal property, with values as set forth, on March 24, 2000.

- (a) One Hundred Sixty (160) shares of Textron, Inc. common stock owned by Petitioner, William A. Bowes and Respondent, Margo Lynne Royer, with a closing value of \$59 7/16 or \$59.4375 per share, for a total value for 160 shares of \$9,510.00.
- (b) Seven Hundred (700) shares of Fortune Brands, Inc. common stock owned by Petitioner, William A. Bowes and Respondent, Margo Lynne Royer, which was previously American Brands, Inc., with a closing value of \$24 15/16 or \$24.9375 per share, for a total value for 700 shares of \$17,456.25.

(c) Seven Hundred (700) shares of Gallaher Group, Plc, stock owned by Petitioner, William A. Bowes and Respondent, Margo Lynne Royer, with a closing value of \$17 5/16 or \$17.3125, for a total value for 700 shares of \$12,118.75.

(5) The Petitioner has a one-half (1/2) interest in the above-described stocks owned with Respondent, MARGO L. ROYER.

(6) The Petitioner, WILLIAM A. BOWES, and the Respondent, PATRICE TRUBIC, are the owners jointly of the following personal property, with values as set forth on March 24, 2000.

- (a) One Hundred Sixty (160) shares of Textron, Inc. common stock owned by Petitioner, William A. Bowes and Respondent, Patrice R. McKee, with a closing value of \$59 7/16 or \$59.4375 per share, for a total value for 160 shares of \$9,510.00.
- (b) Seven Hundred (700) shares of Fortune Brands, Inc. common stock owned by Petitioner, William A. Bowes and Respondent, Patrice R. McKee, which was previously American Brands, Inc., with a closing value of \$24 15/16 or \$24.9375 per share, for a total value for 700 shares of \$17,456.25.
- (c) Seven Hundred (700) shares of Gallaher Group, Plc, stock owned by Petitioner, William A. Bowes and Respondent, Patrice R. McKee, with a closing value of \$17 5/16 or \$17.3125 for a total value of 700 shares of \$12,118.75.

(7) The Petitioner has a one-half (1/2) interest in the above-described stocks owned with Respondent, PATRICE TRUBIC.

(8) The Petitioner, WILLIAM A. BOWES, and the Respondents, MARGO L. ROYER and PATRICE TRUBIC are the co-owners of five (5) shares of Bryan Steam Corporation Capital Stock, which stock Petitioner believes is not actively traded, but which Petitioner believes, based on information from Bryan Steam Corporation, is valued at \$152.00 per share for a total value for all five shares of \$760.00.

(9) The Petitioner has a one-third (1/3) interest in the stock described in Paragraph 8 above, owned with Respondent, MARGO L. ROYER, who has a one-third (1/3) interest and Respondent, PATRICE TRUBIC, who has a one-third (1/3) interest.

(10) Petitioner has possession of all of the above-referred shares, all of which shares are located in Clearfield County, Pennsylvania.

(11) The Petitioner desires a Partition of the above-described property, but has been unable to arrive at a satisfactory arrangement with the Respondents, for the amiable disposition of the property.

WHEREFORE, Plaintiff demands:

(a) That the Court appoint a Trustee in accordance with the former Act of April 27, 1927, Pub. L. 460 (the "Act");

(b) That the Court order and decree that possession of the share certificates be transferred to the Trustee;

(c) The partition of said personal property according to the respective rights of the parties hereto, unless Partition cannot be had without prejudice to the owners, or if some shares cannot practically be divided, then for the sale of so much of said shares as is not partitioned and division of the proceeds of sale according to the respective interests of the parties;

(d) That the stock be appraised or, with approval of the Court and in the Trustees' discretion, appraisal may be waived, and the Trustee, with the Court's approval, may value of the stock as of the date of the division of the shares or as the date of the sale of stock;

(e) As to any stock owned by Petitioner, WILLIAM A. BOWES, and Respondent, MARGO L. ROYER, not divided by the Trustee, and which are sold, that one-half of the net

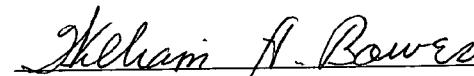
proceeds be paid to the Petitioner, WILLIAM A. BOWES, and that one-half of the net proceeds be paid to Respondent, MARGO L. ROYER;

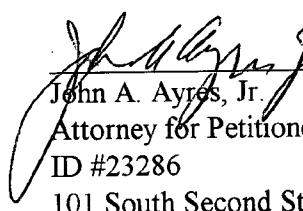
(f) As to any stock owned by Petitioner, WILLIAM L. BOWES, and Respondent, PATRICE TRUBIC, not divided by the Trustee, and which are sold, that one-half of the net proceeds be paid to the Petitioner, WILLIAM A. BOWES, and that one-half of the net proceeds be paid to Respondent, PATRICE TRUBIC;

(g) That as to the Bryan Steam Corporation Capital Stock, that as to any shares that are not divided one-third (1/3) each to Petitioner, WILLIAM A. BOWES, and Respondents, MARGO L. ROYER and PATRICE TRUBIC, and which are sold, that one-third of the net sale proceeds be paid to Petitioner, WILLIAM A. BOWES, and that one-third (1/3) of the net sale proceeds be paid to Respondents, MARGO L. ROYER and PATRICE TRUBIC.

(h) The Court grant such other and further relief as may be deemed necessary and proper.

Respectfully submitted:


WILLIAM A. BOWES


John A. Ayres, Jr.
Attorney for Petitioner
ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

VERIFICATION

I verify that the statements made in this Petition for Partition 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.


WILLIAM A. BOWES

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

WILLIAM A. BOWES, Petitioner

-VS-

MARGO L. ROYER and PATRICE
TRUBIC, Respondents

PETITION FOR PARTITION

FILED

104/3cc a/c
MAR 29 2000
William A. Shaw
Prothonotary
John A. Ayres
Q1. \$80.00

John A. Ayres, Jr.
Attorney At Law
101 South Second Street
Clearfield, PA 16830

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

WILLIAM A. BOWES,

Petitioner

DOCKET NO. 00-387-CO

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Respondents

CODE PAGE

O R D E R

Filed on behalf of Plaintiff:

WILLIAM A. BOWES,
PETITIONER

Attorney of Record for this Party:

John A. Ayres, Jr.
PA ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

FILED

MAR 29 2000

William A. Shaw
P.A.

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

WILLIAM A. BOWES,

Plaintiff

DOCKET NO. 00-387-CO

VS.

MARGO L. ROYER and PATRICE TRUBIC,

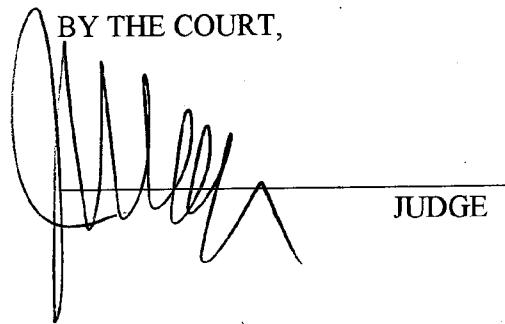
Defendants

ORDER

AND NOW, this 29th day of March, 2000, upon consideration of the attached Petition, a Rule is hereby issued upon MARGO L. ROYER and PATRICE TRUBIC, to Show Cause why the Petition should not be granted.

RULE RETURNABLE the 3rd day of May, 2000, for filing written response.

BY THE COURT,



JUDGE

FILED

MAR 2 5 2000

William A. Shaw
Prothonotary

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

WILLIAM A. BOWES,
Petitioner

-vs-

MARGO L. ROYER and PATRICE
TRUBIC,
Respondents

O R D E R

FILE

22 MAR 29 2013
DIO:2013CC
William A. Shaw
Prothonotary

John A. Ayres, Jr.

Attorney At Law
101 South Second Street
Clearfield, PA 16830

(3)

JOHN A. AYRES JR.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BOWES, WILLIAM A.

VS

ROYER, MARGO L.

00-387-CD

PETITION FOR PARTITION OF PERSONAL PROPERTY & ORDER
SHERIFF RETURNS

NOW APRIL 4, 2000 AT 12:33 PM DST SERVED THE WITHIN PETITION
FOR PARTITION OF PERSONAL PROPERTY & ORDER ON MARGO L.
ROYER, DEFENDANT AT RESIDENCE 528 1/2 JUNIATA ST., DUBOIS,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MARGO ROYER A
TRUE AND ATTESTED COPY OF THE ORIGINAL PETITION FOR
PARTITION OF PERSONAL PROPERTY & ORDER AND MADE KNOWN TO HER
THE CONTENTS THEREOF.

SERVED BY: MCINTOSH

NOW APRIL 6, 2000 AT 9:52 AM DST SERVED THE WITHIN PETITION
FOR PARTITION OF PERSONAL PROPERTY & ORDER ON PATRICE
TRUBIC, FORMERLY PATRICE R. MCKEE & A/K/A/ PATRICE ROYER,
DEFENDANT AT RESIDENCE P.O. BOX 30, RAMEY, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO PATRICE TRUBIC A TRUE AND
ATTESTED COPY OF THE ORIGINAL PETITION FOR PARTITION OF
PERSONAL PROPERTY & ORDER AND MADE KNOWN TO HER THE CONTENTS
THEREOF.

SERVED BY: DAVIS/MORGILLO

96.61 SHFF. HAWKINS PAID BY: *W.H.*
20.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

3rd DAY OF MAY 2000
W.H.

SO ANSWERS,

Chester A. Hawkins
by Marilynn Hearn

CHESTER A. HAWKINS
SHERIFF

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

FILED

MAY 03 2000
13:45 PM
William A. Shaw
Prothonotary
W.A.S.

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

WILLIAM A. BOWES,
Petitioner

DOCKET NO. 00-387-CD

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Respondents

CODE PAGE

**MOTION TO MAKE RULE
ABSOLUTE**

Filed on behalf of Plaintiff:

WILLIAM A. BOWES,
PETITIONER

Attorney of Record for this Party:

John A. Ayres, Jr.
PA ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

William A. Shaw
Prothonotary

JUL 19 2000

FILED

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

WILLIAM A. BOWES, :
Petitioner : DOCKET NO. 00-387-CD

VS.

MARGO L. ROYER and PATRICE TRUBIC, :
Respondents :

NOTICE

A MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING MOTION YOU MAY DO SO 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 PETITIONER OR MOVANT. 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, Extension 5982

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

WILLIAM A. BOWES,

Plaintiff

DOCKET NO. 00-387-CD

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Defendants

MOTION TO MAKE RULE ABSOLUTE

AND NOW, comes JOHN A. AYRES, JR., Attorney for the Petitioner, WILLIAM A. BOWES, who states as follows:

- (1) Petitioner filed a Petition for Partition with Order for Rule to Show Cause on March 29, 2000.
- (2) Respondent Margo Royer was served on April 4, 2000, and Respondent Patrice Trubic was served on April 6, 2000.
- (3) The Rule was Returnable on May 3, 2000, and to date neither of the Respondents have filed an Answer or response.
- (4) Petitioner requests that the Court make the Rule absolute and that the Court grant the following relief:
 - (a) That the Court appoint a Trustee in accordance with the former Act of April 27, 1927, Pub. L. 460 (the "Act");

(b) That since the share certificates which are the subject of this proceeding are all owned jointly and cannot be negotiated by Petitioner, William A. Bowes alone, that the Court permit possession of the share certificates to remain with Petitioner, unless the Court requires that possession of the shares be transferred to the Trustee pursuant to the Act;

(c) For the reasons stated in Item 4 (b) above, and since the shares are not tangible personal property and if lost or destroyed could be replaced, that the Court not require that bond or security for double the amount of property be entered by the Trustee, which requirement of bond or security is pursuant to the Act;

(d) The partition of said personal property according to the respective rights of the parties hereto, unless Partition cannot be had without prejudice to the owners, or if some shares cannot practically be divided, then for the sale of so much of said shares as is not partitioned and division of the proceeds of sale according to the respective interest of the parties;

(e) That the requirement of appraisal pursuant to the Act be waived, and that the Trustee, with the Court's approval, may value the shares as of the date of the division of the shares or as the date of the sale of shares, since the shares, except for the Bryan Steam Corporation Capital stock shares, are sold on exchanges and the values may be determined as of the date of any distribution or sale;

(f) As to any shares owned by Petitioner, WILLIAM A. BOWES, and Respondent, MARGO L. ROYER, not divided by the Trustee, and which are sold, that one-half of the net proceeds be paid to the Petitioner, WILLIAM A. BOWES, and that one-half of the net proceeds be paid to Respondent, MARGO L. ROYER;

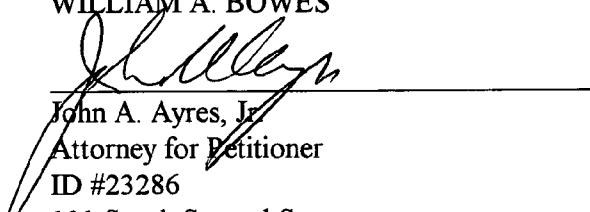
(g) As to any shares owned by Petitioner, WILLIAM L. BOWES, and Respondent, PATRICE TRUBIC, not divided by the Trustee, and which are sold, that one-half of the net proceeds be paid to the Petitioner, WILLIAM A. BOWES, and that one-half of the net proceeds be paid to Respondent, PATRICE TRUBIC;

(h) That as to the Bryan Steam Corporation Capital Stock, that as to any shares that are not divided one-third (1/3) each to Petitioner, WILLIAM A. BOWES, and Respondents, MARGO L. ROYER and PATRICE TRUBIC, and which are sold, that one-third of the net sale proceeds be paid to Petitioner, WILLIAM A. BOWES, and that one-third (1/3) of the net sale proceeds be paid to Respondents, MARGO L. ROYER and PATRICE TRUBIC.

(i) The Court grant such other and further relief as may be deemed necessary and proper.

Respectfully submitted:


WILLIAM A. BOWES


John A. Ayres, Jr.
Attorney for Petitioner
ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

VERIFICATION

I verify that the statements made in this Petition for Partition 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.

William A. Bowes
WILLIAM A. BOWES

John A. Ayres
John A. Ayres, Jr.,
Attorney for Petitioner,
WILLIAM A. BOWES

IN THE COURT OF COMMON PLEAS
IN CLEARFIELD COUNTY,
PENNSYLVANIA

DOCKET NO. 00-387-CD

WILLIAM A. BOWES,
Petitioner

-VS-

MARGO L. ROYER and PATRICE
TRUBIC,
Respondents

MOTION TO MAKE
RULE ABSOLUTE

FILED

JUL 19 2000
OBI 3cc atty
William A. Shaw
Prothonotary
D. Ayres
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D. Ayres

John A. Ayres, Jr.
Attorney At Law
101 South Second Street
Clearfield, PA 16830

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

WILLIAM A. BOWES,
Petitioner

DOCKET NO. 00-387-CD

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Respondents

CODE PAGE

O R D E R

Filed on behalf of Plaintiff:

WILLIAM A. BOWES,
PETITIONER

Attorney of Record for this Party:

John A. Ayres, Jr.
PA ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

FILED

JUL 19 2000

William A. Shaw
Prothonotary

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

WILLIAM A. BOWES,

Plaintiff

DOCKET NO. 00-387-CD

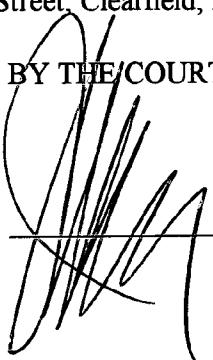
VS.

MARGO L. ROYER and PATRICE TRUBIC,
Defendants

ORDER

AND NOW, this 19th day of July, 2000, Petitioner's Motion to Make Rule
Absolute having been presented to the Court, IT IS ORDERED that hearing on said Motion be
held on the 29th day of September, 2000, at 9:00 AM/PM, in Courtroom No.
1, at the Clearfield County Courthouse, 1 North Second Street, Clearfield, Pennsylvania 16830.

BY THE COURT,


JUDGE

FILED

JUL 19 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DOCKET NO. 00-387-CD

WILLIAM A. BOWES,
Petitioner

-vs-

MARGO L. ROYER and PATRICE
TRUBIC,
Respondents

ORDER

FILED

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O/A 13C Catty
William A. Shaw Ayres
Prothonotary

John A. Ayres, Jr.
Attorney At Law
101 South Second Street
Clearfield, PA 16830

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

WILLIAM A. BOWES,

Petitioner

DOCKET NO. 00-387-CD

VS.

MARGO L. ROYER and PATRICE TRUBIC,
Respondents

CODE PAGE

CERTIFICATE OF SERVICE

Filed on behalf of Plaintiff:

WILLIAM A. BOWES,
PETITIONER

Attorney of Record for this Party:

John A. Ayres, Jr.
PA ID #23286
101 South Second Street
Clearfield, PA 16830
(814) 765-2611

FILED

SEP 13 2000

William A. Shaw
Prothonotary

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

WILLIAM A. BOWES,
Plaintiff

* DOCKET NO.: 00-387-CD

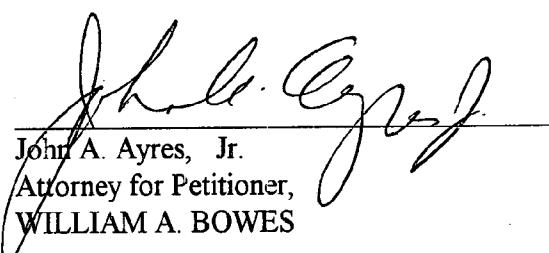
-vs-

MARGO L. ROYER and PATRICE
TRUBIC, Defendants

*
*
*
*

CERTIFICATE OF SERVICE

I, John A. Ayres, Jr., Attorney for Petitioner, WILLIAM A. BOWES, certify that service of Motion to Make Rule Absolute and Order of Court in the above-captioned matter was made upon Respondent, PATRICE TRUBIC, by mailing, United States First Class Mail, postage prepaid, a certified true and correct copy, on the 21st day of July, 2000.


John A. Ayres, Jr.
Attorney for Petitioner,
WILLIAM A. BOWES

DATE: SEPTEMBER 13, 2000

FILED

SEP 13 2000
1:46 PM '00
William A. Shaw
Prothonotary

(7)

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

WILLIAM A. BOWES,
Plaintiff

* DOCKET NO.: 00-387-CD

-VS-

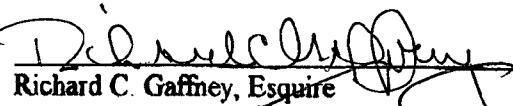
MARGO L. ROYER and PATRICE
TRUBIC, Defendants

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ACCEPTANCE OF SERVICE

I accept service for the Defendant, MARGO L. ROYER, of the Motion to Make Rule
Absolute and Order.

25 Sep 2000
DATE


Richard C. Gaffney, Esquire
Attorney for Plaintiff, MARGO L. ROYER
101 Front Street, P. O. Box 627
Boiling Springs, PA 17007-0627

FILED

SEP 27 2000

William A. Shaw
Prothonotary

FILED

SEP 27 2000
O 10 32 110
William A. Shaw
Prothonotary
cc
cc

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

WILLIAM A. BOWES :
-vs- : No. 00-387-CD
MARGO L. ROYER and :
PATRICE TRUBIC :

ORDER

NOW, this 29th day of September, 2000, this being the day and date set for hearing into the above-captioned partition proceeding, upon agreement of all the parties, it is the ORDER of this Court that the matter shall be settled in accordance with the attached Settlement Agreements and the Complaint be marked settled and discontinued.

By the Court,

President Judge

FILED

OCT - 2 2000

William A. Shaw
Prothonotary

SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF ALL CLAIMS

THIS AGREEMENT, made this 29th day of September, 2000, by and between WILLIAM A. BOWES, of 1303 Parkview Drive, Clearfield, Pennsylvania 16830, hereinafter called "BOWES",

A

N

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*PT
185*

PATRICE TRUBIC, of P. O. Box 30, Ramey, Pennsylvania 16671, hereinafter called "TRUBIC", is a compromise settlement and mutual release, whereby the above-mentioned parties hereby extinguish their mutual rights and claims, arising from their disputes and differences, as to the rights, duties and obligations each has arising from joint ownership of 160 shares of Textron, Inc. Common Stock, 700 shares of Fortune Brands, Inc. Common Stock, 700 shares of Gallaher Group, P.L.C. stock, and 5 shares of Bryan Steam Corporation Capital Stock (which Bryan Steam Corporation Capital Stock is co-owned by the Parties with Margo L. Royer), and from any matters arising from the assets or claimed assets of Elizabeth Royer, a/k/a Elizabeth Bowes and from any matters relating to the Estate of Elizabeth Royer, a/k/a Elizabeth Bowes, deceased.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and in consideration of either receipt by each party of their share of said stock in kind, or their receipt of sale proceeds from their share of said stock, as each party may elect, in consideration of payment by BOWES to TRUBIC of TRUBIC'S claimed share of dividends on said stock to date in the sum of **TEN THOUSAND TWO HUNDRED NINETY-SEVEN AND 47/100 (\$10,297.47)** DOLLARS, in consideration of the BOWES' agreement to account to and pay to TRUBIC, one-

half of dividends that BOWES may receive from this date until the stocks are sold or divided in kind, in consideration of TRUBIC'S agreement that she does not contest Motion to Make Rule Absolute filed by BOWES on July 19, 2000, and scheduled for hearing on September 29, 2000, her agreement not to file an Answer or objections to BOWES Petition for Partition in the case of William A. Bowes versus Margo L. Royer and Patrice Trubic, docketed to No. 00-387-CD, Court of Common Pleas of Clearfield County, Pennsylvania, and her agreement to the settlement of said action as it relates to her, the parties agree as follows:

(1) Each of the above-mentioned parties on behalf of himself/herself, his or her descendants, ancestors, dependents, heirs executors, administrators, and assigns hereby fully releases and discharges the other party and his and her descendants, ancestors, dependents, heirs, executors, administrators, and assigns, from all rights, claims, and actions which each party and his or her above-mentioned successors has or claims, stemming from their differences arising from the ownership of said stock and from any other and all matters relating to any assets owned or claimed to have been owned by Elizabeth Royer, a/k/a Elizabeth Bowes, and from any other or all matters relating to the Estate of Elizabeth Royer, a/k/a Elizabeth Bowes.

(2) This settlement is the compromise of the above-mentioned Partition Action and shall never be treated as an admission of liability by either party for any purpose.

(3) This compromise settlement is intended to be a full settlement of said dispute, claim, cause of action, and any and all matters relating to any assets or claimed assets of Elizabeth Royer, a/k/a Elizabeth Bowes and any and all matters relating to the Estate of Elizabeth Royer, a/k/a Elizabeth Bowes. Such compromise settlement shall act as a release of future claims that may arise from the above-mentioned dispute and matters whether such claims are currently

known, unknown, foreseen, or unforeseen. The parties understand and acknowledge the significance and consequence of such specific intention to release all claims and hereby assume full responsibility for any injuries, damages, losses, or liability that they may hereafter incur from the above-specified dispute and matters.

(4) The parties agree to sign all documents necessary to effectuate the terms of this Settlement Agreement, including but not limited to, Stock Powers, Authorizations, Signature Guarantees, Letters of Instruction and W-9 Forms.

(5) PATRICE TRUBIC, agrees not to initiate, prosecute or participate in any criminal proceeding or prosecution concerning the stocks or dividends that are the subject matter of this agreement, or otherwise, or to refer to or use any intermediary or third party to prosecute or participate in any such criminal proceeding.

William A. Bowes
WILLIAM A. BOWES
Patrice R. Trubic
PATRICE TRUBIC

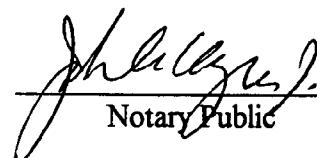
COMMONWEALTH OF PENNSYLVANIA:

: SS:

COUNTY OF CLEARFIELD

On this, the 29th day of September, 2000, before me, a Notary Public, personally appeared **WILLIAM A. BOWES**, known to me [or satisfactorily proven] to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



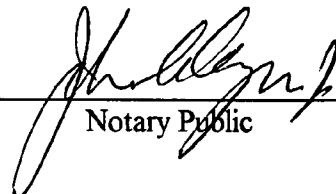
John A. Ayres Jr.
Notary Public

Notarial Seal John A. Ayres Jr., Notary Public Clearfield Boro, Clearfield County My Commission Expires Jan. 30, 2003
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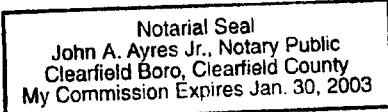
COMMONWEALTH OF PENNSYLVANIA:
: SS:
COUNTY OF CLEARFIELD

On this, the 29th day of September, 2000, before me, a Notary Public, personally appeared **PATRICE TRUBIC**, known to me [or satisfactorily proven] to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



Notary Public



SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF ALL CLAIMS

THIS AGREEMENT, made this 29th day of September, 2000, by and between WILLIAM A. BOWES, of 1303 Parkview Drive, Clearfield, Pennsylvania 16830, hereinafter called "BOWES",

A

N

D

MARGO L. ROYER, of 528 1/2 Juniata Street, DuBois, Pennsylvania 15801, hereinafter called "ROYER", is a compromise settlement and mutual release, whereby the above-mentioned parties hereby extinguish their mutual rights and claims, arising from their disputes and differences, as to the rights, duties and obligations each has arising from joint ownership of 160 shares of Textron, Inc. Common Stock, 700 shares of Fortune Brands, Inc. Common Stock, 700 shares of Gallaher Group, P.L.C. stock, and 5 shares of Bryan Steam Corporation Capital Stock (which Bryan Steam Corporation Capital Stock is co-owned by the Parties with Patrice Trubic), and from any matters arising from the assets or claimed assets of Elizabeth Royer, a/k/a Elizabeth Bowes and from any matters relating to the Estate of Elizabeth Royer, a/k/a Elizabeth Bowes, deceased.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and in consideration of either receipt by each party of their share of said stock in kind, or their receipt of sale proceeds from their share of said stock, as each party may elect, in consideration of payment by BOWES to ROYER of the sum of TEN THOUSAND EIGHT HUNDRED AND NO/100 (\$10,800.00) DOLLARS, by October 13, 2000, in exchange for a receipt and release from ROYER giving BOWES full credit for said sum, in consideration of payment of FIVE

THOUSAND AND NO/100 (\$5,000.00) DOLLARS to ROYER out of the sale proceeds of said shares, with the balance of the sales proceeds of said stock to be divided equally between BOWES and ROYER, in consideration of the parties' agreement to waive any claim they have or may have for stock dividends received by the other party, whether for dividends received in the past or received before the stock is divided in kind or sold, in consideration of ROYER'S agreement that she does not contest Motion to Make Rule Absolute filed by BOWES on July 19, 2000, and scheduled for hearing on September 29, 2000, her agreement not to file an Answer or objections to BOWES Petition for Partition in the case of William A. Bowes versus Margo L. Royer and Patrice Trubic, docketed to No. 00-387-CD, Court of Common Pleas of Clearfield County, Pennsylvania, and her agreement to the settlement of said action as it relates to her, the parties agree as follows:

(1) Each of the above-mentioned parties on behalf of himself/herself, his or her descendants, ancestors, dependents, heirs executors, administrators, and assigns hereby fully releases and discharges the other party and his and her descendants, ancestors, dependents, heirs, executors, administrators, and assigns, from all rights, claims, and actions which each party and his or her above-mentioned successors has or claims, stemming from their differences arising from the ownership of said stock and from any other and all matters relating to any assets owned or claimed to have been owned by Elizabeth Royer, a/k/a Elizabeth Bowes, and from any other or all matters relating to the Estate of Elizabeth Royer, a/k/a Elizabeth Bowes.

(2) This settlement is the compromise of the above-mentioned Partition Action and shall never be treated as an admission of liability by either party for any purpose.

(3) This compromise settlement is intended to be a full settlement of said dispute, claim, cause of action, and any and all matters relating to any assets or claimed assets of Elizabeth Royer, a/k/a Elizabeth Bowes and any and all matters relating to the Estate of Elizabeth Royer, a/k/a Elizabeth Bowes. Such compromise settlement shall act as a release of future claims that may arise from the above-mentioned dispute and matters whether such claims are currently known, unknown, foreseen, or unforeseen. The parties understand and acknowledge the significance and consequence of such specific intention to release all claims and hereby assume full responsibility for any injuries, damages, losses, or liability that they may hereafter incur from the above-specified dispute and matters.

(4) The parties agree to sign all documents necessary to effectuate the terms of this Settlement Agreement, including but not limited to, Stock Powers, Authorizations, Signature Guarantees, Letters of Instruction and W-9 Forms.

(5) MARGO L. ROYER, agrees not to initiate, prosecute or participate in any criminal proceeding or prosecution concerning the stocks or dividends that are the subject matter of this agreement, or otherwise, or to refer to or use any intermediary or third party to prosecute or participate in any such criminal proceeding.

(6) The parties have read this release and had the terms used herein, and the consequences thereof explained by their attorneys, being John A. Ayres, Jr., of Clearfield, Clearfield County, Pennsylvania, Attorney for BOWES, and Richard C. Gaffney, of Boiling Springs, Pennsylvania, Attorney for ROYER.

William A. Bowes
WILLIAM A. BOWES
Margo L. Royer
MARGO L. ROYER

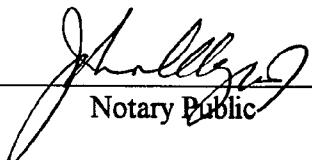
COMMONWEALTH OF PENNSYLVANIA:

: SS:

COUNTY OF CLEARFIELD

On this, the 29th day of September, 2000, before me, a Notary Public, personally appeared **WILLIAM A. BOWES**, known to me [or satisfactorily proven] to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



Notary Public

Notarial Seal John A. Ayres Jr., Notary Public Clearfield Boro, Clearfield County My Commission Expires Jan. 30, 2003
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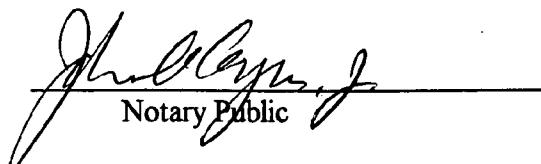
COMMONWEALTH OF PENNSYLVANIA:

: SS:

COUNTY OF CLEARFIELD

On this, the 29th day of September, 2000, before me, a Notary Public, personally appeared **MARGO L. ROYER**, known to me [or satisfactorily proven] to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



John A. Ayres Jr.
Notary Public

Notarial Seal John A. Ayres Jr., Notary Public Clearfield Boro, Clearfield County My Commission Expires Jan. 30, 2003
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1ccatty (yes)

FILED

OCT 3 1998
OCT - 2 2000

William A. Shaw
Prothonotary

1cc to Roger E
1cc to R. Jeffrey E