

J0-494-CD
COUNTY NATIONAL BANK et al -vs- JOHN NATALIE

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

⑫ COUNTY NATIONAL BANK, :
EXECUTOR OF THE ESTATE OF :
⑬ PAUL E. LYNCH :
PLAINTIFF :
vs. : NO. 00-494 - CD
⑮ JOHN NATALIE :
DEFENDANT :
:

Filed on Behalf of:
Plaintiff

Counsel of Record for
This Party:

Carl A. Belin, Jr., Esquire
PA I.D. #06805

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

APR 28 2000

William A. Shaw
Prothonotary

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

COUNTY NATIONAL BANK, :
EXECUTOR OF THE ESTATE OF :
PAUL E. LYNCH :
PLAINTIFF :
vs. : NO. 00 - 494 - CD
JOHN NATALIE :
DEFENDANT :

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue a writ of summons in the above-captioned
matter.

BELIN & KUBISTA


Carl A. Belin, Jr., Esquire

Plaintiffs (GTH, Belm PD
W/ ~~Stray~~
Purchaser) \$80.00

Summons to J. Natalie
5/18/00 Summons issued to Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION

COPY

COUNTY NATIONAL BANK, EXECUTOR OF

THE ESTATE OF PAUL E. LYNCH,

Plaintiff(s)

S U M M O N S
No: 00-494-CD

vs.

JOHN NATALIE

Defendant(s)

To the above named Defendant(s) you are hereby notified
that the above named Plaintiff(s), has/have commenced a Civil Action
against you.

Date April 28, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

Carl A. Belin, Jr, Esq.
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION

COUNTY NATIONAL BANK, EXECUTOR OF
THE ESTATE OF PAUL E. LYNCH,

COPY

Plaintiff(s)

S U M M O N S
No: 00-494-CD

vs.

JOHN NATALIE

Defendant(s)

To the above named Defendant(s) you are hereby notified
that the above named Plaintiff(s), has/have commenced a Civil Action
against you.

Date April 28, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

Carl A. Belin, Jr, Esq.
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

2nd copy
to Atty Belin
5/17/00

CARL A. BELIN JR. (3)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
COUNTY NATIONAL BANK, EXECUTOR
VS
NATALIE, JOHN

SUMMONS

SHERIFF RETURNS

NOW MAY 19, 2000 AT 11:20 AM DST SERVED THE WITHIN SUMMONS
ON JOHN NATALIE, DEFENDANT AT RESIDENCE RR 1 BOX 538,
HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO
NANCY NATALIE, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL
SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: NEVLING

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

SWORN TO BEFORE ME THIS

1st DAY OF June 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
by Marly Hawn

CHESTER A. HAWKINS
SHERIFF

FILED

JUN 01 2000

09:47 AM

William A. Shaw

Prothonotary

WAS

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

COUNTY NATIONAL BANK,
EXECUTOR OF THE ESTATE OF
PAUL E. LYNCH

: NO. 00 - 494 - C.D.
:

PETITION TO CONDUCT
DISCOVERY

Filed on Behalf of:
Plaintiff

Counsel of Record for
This Party:

Carl A. Belin, Jr., Esquire
PA I.D. #06805

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED

MAY 25 2000

William A. Shaw
Prothonotary

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

COUNTY NATIONAL BANK, :
EXECUTOR OF THE ESTATE OF : NO. 00 - 494 - C.D.
PAUL E. LYNCH :
:

ORDER

AND NOW this 25th day of May, 2000, upon
reading and considering the foregoing Petition To Conduct
Discovery, a Rule is hereby issued upon John Natalie to show
cause why the Court should not enter an order authorizing the
County National Bank to conduct discovery and take the
deposition of John Natalie prior to filing a complaint.

RULE returnable for written response June 15, 2000,
2000, hearing to be held thereon if necessary,
June 19, 2000, at 1:30 o'clock P M., in
Courtroom No. 1, Clearfield County Courthouse,
Clearfield, Pennsylvania.

BY THE COURT,

FILED

MAY 25 2000

William A. Shaw
Prothonotary

FILED 3 CC
01 03684 May 25 2000
MAY 25 2000 Berlin
William A. Shaw
Prothonotary

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

COUNTY NATIONAL BANK, :
EXECUTOR OF THE ESTATE OF : NO. 00 - 494 - C.D.
PAUL E. LYNCH :
:

PETITION TO CONDUCT DISCOVERY

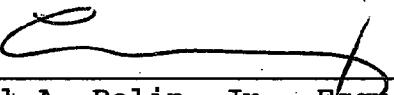
NOW COMES the Plaintiff, County National Bank, Executor of the Estate of Paul E. Lynch, and sets forth the following Petition to Conduct Discovery prior to filing the complaint:

1. That Petitioner is County National Bank, Executor of the Estate of Paul E. Lynch.
2. That Respondent is John Natalie, an individual, of R.R. #1, Box 538, Houtzdale, Pennsylvania 16651 ("Natalie").
3. That Petitioner has filed a Praecept for Writ of Summons on April 28, 2000, which was served on May 19, 2000, based on injuries which Paul E. Lynch, sustained as a result of a vehicle accident which occurred on February 2, 2000.
4. That no communication has taken place between the parties, except that counsel for Plaintiff Has been in contact with the insurer of Natalie.
5. That in order to file the proper Complaint, it is necessary for the Petitioner to conduct discovery and take the deposition of John Natalie, who was the driver of the vehicle in order to determine whether Natalie was the agent or lessor

of any third party trucking company to assure proper parties are named to this suit as well as to determine certain information pertaining to Natalie's business and activities the day of the accident.

WHEREFORE, Petitioner requests Your Honorable Court to issue a rule upon Respondent to show cause why Petitioner should not be permitted to take the deposition of John Natalie prior to filing a Complaint in this matter.

BELIN & KUBISTA

By 

Carl A. Belin, Jr., Esquire
Attorney for Petitioner

F-11-111
O/G: 3/10/02
MAY 25 2002
C/S
FBI

William A. Shaw
Prothonotary

(4)

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

**COUNTY NATIONAL BANK,
EXECUTOR OF THE ESTATE
OF PAUL E. LYNCH,**

CIVIL ACTION

No. 00 - 494 - C.D.

Plaintiff,

PRAECIPE FOR APPEARANCE

vs.

JOHN NATALIE,

Defendant.

Code No.

Issue No.

Filed on behalf of:

**Defendant,
JOHN NATALIE**

FILED

Counsel of Record for this Party:

JUN 14 2000

**RICHARD E. BLISS, ESQUIRE
PA I.D. #41932**

**William A. Shaw
Prothonotary**

**MARGOLIS EDELSTEIN
Firm #244
1500 Grant Building
Pittsburgh, Pennsylvania 15219
(412) 281-4256**

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

COUNTY NATIONAL BANK,
EXECUTOR OF THE ESTATE
OF PAUL E. LYNCH,

:

:

:

Plaintiff,

:

No. 00-494-C.D.

vs.

:

JOHN NATALIE,

:

Defendant.

:

PRAECIPE FOR APPEARANCE

TO: WILLIAM SHAW, PROTHONOTARY

Kindly enter my appearance on behalf of the Defendant, JOHN NATALIE, in the
above-captioned matter.

Respectfully Submitted,

MARGOLIS EDELSTEIN

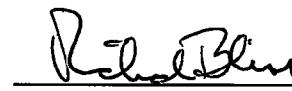


RICHARD E. BLISS, ESQUIRE
Attorneys for Defendant,
John Natalie

CERTIFICATE OF SERVICE

I hereby certify that I have served the original PRAECIPE FOR APPEARANCE on the following counsel of record, by facsimile, and by U.S. Mail, postage prepaid, on the 13TH day of June, 2000:

Carl A. Belin, Jr., Esquire
BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, Pennsylvania 16830



RICHARD E. BLISS, ESQUIRE

(5)

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

**COUNTY NATIONAL BANK,
EXECUTOR OF THE ESTATE
OF PAUL E. LYNCH,**

CIVIL ACTION

No. 00 - 494 - C.D.

Plaintiff,

vs.

JOHN NATALIE,

Defendant.

Code No.

Issue No.

Filed on behalf of:

**Defendant,
JOHN NATALIE**

FILED

JUN 14 2000

**William A. Shaw
Prothonotary**

Counsel of Record for this Party:

**RICHARD E. BLISS, ESQUIRE
PA I.D. #41932**

**MARGOLIS EDELSTEIN
Firm #244
1500 Grant Building
Pittsburgh, Pennsylvania 15219
(412) 281-4256**

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

COUNTY NATIONAL BANK,
EXECUTOR OF THE ESTATE
OF PAUL E. LYNCH,

Plaintiff, :
: No. 00 - 494 - C.D.
vs. :
: JOHN NATALIE, :
: Defendant. :

RESPONSE AND NEW MATTER TO PETITION TO CONDUCT DISCOVERY

AND NOW, comes the Respondent, John Natalie, by and through his attorneys, MARGOLIS EDELSTEIN and RICHARD E. BLISS, ESQUIRE, and files the following Response and New Matter to Petition to Conduct Discovery, and in support thereof avers the following:

RESPONSE

1. The allegations and averments of paragraph 1 of Plaintiff's Petition are admitted.
2. The allegations and averments of paragraph 2 of Plaintiff's Petition are

admitted.

3. The allegations and averments of paragraph 3 of Plaintiff's Petition are admitted.

4. The allegations and averments of paragraph 4 of Plaintiff's Petition are denied as stated. Since Petitioner has filed this pleading, there have been communications between counsel for Petitioner and also counsel for Respondent.

5. The allegations and averments of paragraph 5 of Plaintiff's Petition are denied. By way of further answer, it is not necessary that any discovery at this time be completed in order for Plaintiff to file his Complaint. Plaintiff wishes to engage in discovery at this time in order to settle this case, but this is not a proper subject for pre-Complaint discovery proceedings.

WHEREFORE, Respondent requests that Petitioner's request to conduct discovery be denied.

NEW MATTER

6. Paragraphs 1 through 5, inclusive, are incorporated by reference as though the same were more fully set forth at length herein.

7. Respondent is aware that Plaintiff has full and complete knowledge of all of the facts related to the accident related to this litigation, and that Plaintiff has obtained full and complete information that would enable him to file a Complaint in this action, and no further discovery is required.

8. Counsel for Respondent has been authorized by both Respondent and his insurance carrier to provide the underlying insurance policy related to the vehicle involved in this accident, and is also prepared to provide responses to written discovery regarding the Respondent's business organization and activities related to this incident, even though this is not information necessary for the filing of a Complaint.

9. Respondent and his insurance carrier are willing to provide this information in the hopes that an amicable resolution of this claim can be made rather quickly, but Respondent should not be subject to some type of discovery fishing expedition by Plaintiff's counsel prior to the filing of a Complaint in this action, and such discovery should not be permitted.

WHEREFORE, Respondent requests that Petitioner's Petition to Conduct Discovery be denied, or that any pre-Complaint discovery that is permitted be limited to the production of the insurance policy on which the vehicle involved in the accident was listed as an insured vehicle, and discovery regarding whether or not Respondent was under the employ, direction or control of any other party, individual or entity at the time of this accident.

Respectfully Submitted,

MARGOLIS EDELSTEIN

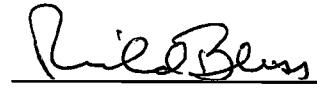


RICHARD E. BLISS, ESQUIRE
Attorneys for Respondent,
John Natalie

CERTIFICATE OF SERVICE

I hereby certify that I have served the original RESPONSE AND NEW MATTER TO PETITION TO CONDUCT DISCOVERY on the following counsel of record, by facsimile, and by U.S. Mail, postage prepaid, on the 13TH day of June, 2000:

Carl A. Belin, Jr., Esquire
BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, Pennsylvania 16830



RICHARD E. BLISS, ESQUIRE

(6)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

COUNTY NATIONAL BANK, :
EXECUTOR OF THE ESTATE OF :
PAUL E. LYNCH :
-vs- : No. 00-⁴⁹⁴~~949~~- Cd
JOHN NATALIE :
: 494

ORDER

NOW, this 19th day of June, 2000, following argument into Petition to Conduct Discovery filed on behalf of Plaintiff above-named, it is the ORDER of this Court that said Petition be and is hereby granted to the extent that Plaintiff shall be permitted to depose John Natalie with regards to the existence and identification of any existing insurance policies that may apply in this matter and to any agency relationship involving the Defendant, John Natalie. It is the further ORDER of this Court that all questions for Mr. Natalie shall be included in said deposition and Plaintiff precluded from thereafter deposing him in any further regard on these issues.

By the Court,

President Judge

FILED

JUN 19 2000

William A. Shaw
Prothonotary

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

COUNTY NATIONAL BANK, EXECUTOR OF :
THE ESTATE OF PAUL E. LYNCH : 494
: NO. 00-949-CD
VS. :
: NOTICE OF DEPOSITION
JOHN NATALIE :
:

Filed on behalf of:
County National Bank,
Executor of the Estate of
Paul E. Lynch

Counsel of record for This
party:

CARL A. BELIN JR.,
ESQUIRE
P.A. I.D. #:06805

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

(814) 765-8972

FILED

JUN 26 2000

William A. Shaw
Prothonotary

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

COUNTY NATIONAL BANK, EXECUTOR OF :
THE ESTATE OF PAUL E. LYNCH : : 494
: NO. 00-949-CD
vs. : :
: :
JOHN NATALIE : :

NOTICE OF DEPOSITION

TO: RICHARD E. BLISS, ESQUIRE
Margolis Edelstein
1500 Grant Building
Pittsburgh, PA 15219-2203
Attorney for John Natalie

Please take notice that on Monday, July 17, 2000, at 1:00 P.M., the deposition by oral examination of John Natalie will be taken in this action before a representative of Cameron Reporting, at the offices of Belin & Kubista, 15 North Front Street, Clearfield, Pennsylvania 16830. The deposition shall continue until completed. You are invited to attend and participate in the examination.

The defendant is requested to produce at the scheduled deposition all of the following documents: copies of all motor vehicle liability insurance policies issued to John Natalie and which were in effect as of February 2, 2000; copies of all leases, contracts, trip leases, or agreements of any nature that John Natalie had with third parties relating to the

transportation of goods, commodities, or loads of any nature that were in effect as of January 1, 2000 through and to the time of the deposition.

BELIN & KUBISTA

By 

Carl A. Belin, Jr., Esquire
Attorney for County National
Bank, Executor of the Estate
of Paul E. Lynch

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

COUNTY NATIONAL BANK, EXECUTOR OF :
THE ESTATE OF PAUL E. LYNCH : *494*
: NO. 00-949-CD
vs. :
: :
JOHN NATALIE :
:

CERTIFICATE OF SERVICE

This is to certify that the undersigned has sent a Notice of Deposition of John Natalie in the above-captioned matter to the following parties by postage prepaid First Class Mail on the 26 day of June, 2000:

Richard E. Bliss, Esquire
Margolis Edelstein
1500 Grant Building
Pittsburgh, PA 15219-2203

BELIN & KUBISTA

By 

Carl A. Belin, Jr., Esquire
Attorney for County National
Bank, Executor of the Estate
of Paul E. Lynch

FILED

JUN 26 2000
3:40 PM
William A. Shaw
Prothonotary

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

COUNTY NATIONAL BANK, EXECUTOR OF : NO. 00 **FILED**
THE ESTATE OF PAUL E. LYNCH : *F 949 C.D.*
: *494*
vs. : OCT 24 2000
:
JOHN NATALIE : William A. Shaw
: Prothonotary

PETITION TO SETTLE WRONGFUL DEATH AND SURVIVAL ACTION
AND FIRST PARTY CLAIM

Petitioner, County National Bank, Executor of the Estate of Paul Lynch, Deceased, by and through its undersigned attorney, respectfully requests permission to enter into the below described settlement, and in support thereof avers:

1. Petitioner, County National Bank, was appointed Executor of the Estate of Paul Lynch, Deceased, on March 3, 2000, by the Register of Wills of Clearfield County, a copy of the Grant of Letters is attached hereto and made a part hereof as Exhibit "1."

2. This wrongful death/survival action arises from an accident occurring February 2, 2000, in which Paul E. Lynch was killed as a result of the negligence of Defendant, John Natalie.

3. Pursuant to Rules of Civil Procedure No. 2206, petitioner has served a copy of this petition on the legatees/devisees named in the will of the decedent who also

are all the heirs of Plaintiff's decedent had he died intestate pursuant to 20 Pa.C.S. § 2101 et seq., as follows:

7. Kari L. Lynch settlement has been proposed: that the c/o David R. Thompson insurance 308 Walton Street, Suite 4c, John Natalie, which is P.O. Box 587 National Philipsburg PA, 16866 be policy limits of \$300,000.00 to settle Michael J. Lynch for, that the insurance company of Paul E. Lynch, Jr. the Plaintiff's James A. Naddeo, Esquire, Esq. Company, pay its 211-1/2 East Locust Street policy limits P.O. Box 552 insurance of \$30,000.00 to settle the Clearfield, PA 16830. first party claim.

4. Pursuant to Rules of Civil Procedure Nos. 2205 and 2206, Petitioner has served a copy of this petition and a copy of the Notice of Filing on the following parties listed below who may have a possible interest: he has no assets that can be reached by Kari L. Lynch and that the costs of a trial would not c/o David R. Thompson result in 308 Walton Street, Suite 4 funds for distribution. P.O. Box 587

9. Philipsburg, PA 16866 opinion that the proposed settlement Michael J. Lynch the reasons listed in Paragraph C. Paul E. Lynch, Jr.

10. C/o James A. Naddeo, Esquire, Esq. to prepare an economic P.O. Box 552 to the loss occasioned by Mr. Lynch's Clearfield, PA 16830. death and to determine from the facts of the case an appropriate decedent died intestate, the wrongful death and survival actions. There are no unpaid claims. The Department of Public Welfare has no claim for relief against the petitioner, the

Cameron Reporting
Deposition of Natalies 249.90

13. Petitioner requests allocation of the net proceeds of the settlement based upon Gerald Glyde's opinion and relevant cases be made as follows:

(a) Wrongful Death Claim \$ 260,050.00
(b) Survival Claim \$ 89,950.00.

14. That the attorneys fees and costs of Seventy-Two Thousand One Hundred Ninety-Seven and 69/100 Dollars (\$72,197.69) be allocated among the two (2) actions on a pro rata basis as follows:

(a) Wrongful Death Claim:

Belin & Kubista - fee	\$52,010.00
Belin & Kubista - costs	<u>1,632.89</u>
Belin & Kubista Total	\$53,642.89

(b) Survival Claim

Belin & Kubista - fee	\$17,990.00
Belin & Kubista - costs	<u>564.80</u>
Belin & Kubista Total	\$18,554.80

15. That the beneficiaries of the decedent are related to him as follows:

Kari L. Lynch wife

Michael J. Lynch son

Paul E. Lynch, Jr., Kubistason.

Counsel 6000

16. That at the present time outstanding issues exist
c. The monetary balance of the estate between
between wife and adult sons of the decedent as to the proper
sum thousand Eight Hundred Two and One Thousand One Hundred
distribution as to the wrongful death and survival action for
Dollars shall be paid as follows:
the following reasons: wife's counsel, David Thompson, has
County National Bank
filed an action seeking to have a prenuptial agreement between
wife and decedent declared to be invalid. The effect of this
decision may result in a modification of testate shares under
the survival action and the proportions to be divided within
the wrongful death action. As a result, with the agreement of
counsel for the wife and adult sons are agreeing to escrow the
money with Petitioner pending the resolution of the issues as
to distribution.

By

James A. Naddeo, Esquire

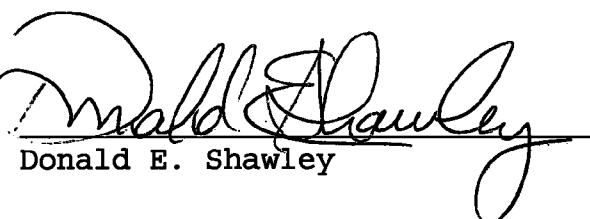
17. The adult sons of decedent, Michael J. Lynch and Paul
E. Lynch, Jr., are represented by James A. Naddeo, Esquire, and
the wife of decedent is represented by David Thompson, Esquire
and both have joined in the request to place the net amount
received in an escrow account.

WHEREFORE, Petitioner requests that it be permitted to
enter into the settlement recited above, and that the court
enter an Order of Distribution as follows:

a. To: Belin & Kubista
Reimbursement of costs \$ 2,197.69

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

On this the 12th day of October, 2000 before me,
a notary public, the undersigned officer, personally appeared
Donald E. Shawley, Vice President and Trust Officer of County
National Bank, and that he as such Vice President and Trust
Officer is authorized to do so, acknowledged that facts
contained in the foregoing Petition to Settle Wrongful Death and
Survival Action and First Party Claim are true and correct to
the best of his knowledge, information and belief.


Donald E. Shawley

Sworn and Subscribed to this 12th day of October, 2000.


Susan M. Hartzfeld
Notary Public



**Register of Wills
Certificate of Grant of Letters**

No. 2000-139

**ESTATE OF Paul E. Lynch, Sr. a/k/a Paul Edward Lynch,
Sr.**

**Late of West Decatur
Clearfield County, PA
DECEASED**

Social Security No. 109-44-0336

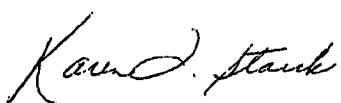
WHEREAS, on the 3rd day of March, 2000,
instrument(s) dated December 16, 1993
was admitted to probate as the last will of Paul E. Lynch, Sr. a/k/a Paul Edward Lynch,
Sr.
late of West Decatur, Clearfield County, PA
who died on the 2nd day of February, 2000, and

WHEREAS, a true copy of the will as probated is annexed hereto.

THEREFORE, I, Karen L Starck, Register of Wills in and for the County of
Clearfield, in the Commonwealth of Pennsylvania, hereby certify that I have this
day granted Letters Testamentary to County National Bank
who has duly qualified as Executor

and has agreed to administer the estate according to law, all of which fully
appears of record in my office at Clearfield, Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
seal of my Office the 3rd day of March, 2000.



**Register of Wills
My Commission Expires
First Monday in January, 2004**

Last Will and Testament

I, PAUL EDWARD LYNCH, SR. of Boggs Township, Clearfield County, Pennsylvania, being of sound mind, memory and understanding, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking and making void any and all wills and codicils at any time heretofore made by me.

FIRST: I direct that my Executor hereinafter named shall pay all my just debts and funeral expenses as soon after my death as shall be practicable in the best interest of my estate.

SECOND: All the rest, residue and remainder of my estate, whether real, personal or mixed, I give devise and bequeath in equal shares unto my sons, Paul Edward Lynch, Jr. born on April 8, 1975 and Michael Joseph Lynch, born January 8, 1979 provided they survive me for thirty days. In the event that one fails to so survive me, I direct that his share shall go to his brother. If both fail to so survive me, I direct that my estate shall pass to my then heirs at law.

If either or both of my sons has not or will not attain age 25 within one year of the date of my death, I give, devise and bequeath such share or shares unto the County National Bank, Trustee of the "PAUL EDWARD LYNCH, SR. 1993 TRUST" created by me on December 16, 1993, including any alterations or amendments thereto.

PAGE ONE OF THREE PAGES

Paul Edward Lynch, Sr.
Paul Edward Lynch, Sr.

THIRD: If at the time of my death my sons have not attained the age 18, I direct that C. Edward and Nancy J. Lynch be the guardian of their body.

FOURTH: I nominate, constitute and appoint County National Bank as Executor of this my Last Will and Testament, without bond being required.

FIFTH: All estate, inheritance, transfer, legacy or succession taxes, or death duties, which may be assessed or imposed with respect to my estate, or any part thereof, wheresoever situated, whether or not passing under my Will, including the taxable value of all policies of insurance on my life and of all transfers, powers, rights or interest includible in my estate for the purposes of such taxes and duties, shall be paid out of my residuary estate as an expense of administration and without apportionment.

SIXTH: I hereby authorize and empower my Executor, at its discretion, without approval of Court or consent of any beneficiary, either at a private or public sale or otherwise, to sell, lease, convey, mortgage, assign or transfer any or all of my estate, real personal, mixed or otherwise not specifically bequeathed or devised, for whatever prices and on whatever terms the Executor may deem desirable, and at its sole discretion, to

PAGE TWO OF THREE PAGES

Paul Edward Lynch, Sr.
Paul Edward Lynch, Sr.

distribute the assets of my estate in kind, or partially in kind and partially in cash, and to determine the item and the value of the item distributed to a beneficiary, to compromise, settle, arbitrate or abandon any claim or demand in favor of or against my estate, and at its option, to make demands or claims and institute any proceedings or actions against my estate. My Executor is authorized to take all steps and execute all instruments necessary or desirable to carry out the authority and power herein granted, including the execution of assignments, bills of sale, deeds, mortgages, leases for any term, including terms beyond the period of the Executor holding office, proxies, releases, settlement papers, and any other instruments.

WITNESSETH my hand and seal this 16th day of December,
1993.

WITNESS:

John Morgan

Lisa R. Picard

Paul Edward Lynch Sr. (SEAL)
Paul Edward Lynch Sr.

PAGE THREE OF THREE PAGES

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CLEARFIELD: : SS.

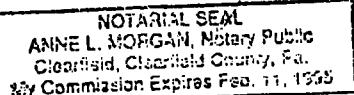
I, PAUL EDWARD LYNCH, SR., Testator, whose name is signed to the attached or foregoing instrument, having been duly qualified according to law, do hereby acknowledge that I

signed and executed the instrument as my Last Will; that I signed it willingly, and that I signed it as my free and voluntary act for the purposes therein expressed.

Sworn or affirmed to and acknowledged before me by PAUL EDWARD LYNCH, SR. the Testator, this 16th day of December, 1993.

Thomas F. Morgan

Notary



COMMONWEALTH OF PENNSYLVANIA:

: SS.

COUNTY OF CLEARFIELD:

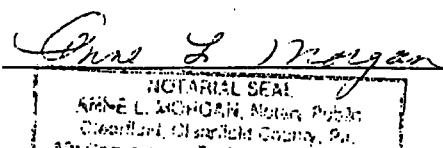
We, Thomas F. Morgan and Lisa R. Picard, the witnesses whose names are signed to the attached or foregoing instrument, being duly qualified according to law, do depose and say that we were present and saw Testator sign and execute the instrument as his Last Will; that PAUL EDWARD LYNCH, SR. signed willingly, and that he executed it as his free and voluntary act for the purposes therein expressed; that each of us in the hearing and sight of Testator signed the will as witnesses; and that to the best of our knowledge the Testator was at that time 18 or more years of age, of sound mind, and under no constraint or undue influence.

Sworn or affirmed to and subscribed to before me by

Thomas F. Morgan and Lisa R. Picard, witnesses, this 16th day of December, 1993.

Thomas F. Morgan Witness

Lisa R. Picard Witness



Notary

September 28, 2000

Attorney Carl A. Belin, Jr.
Belin & Kubista
Attorneys at Law
15 North Front Street
P.O. Box 1
Clearfield PA 16830

Re: Paul E. Lynch (Economic Loss Report)

Dear Attorney Belin:

I have received your request for an economic appraisal of loss associated with the death of Paul Lynch, who was killed in a vehicular accident on February 2, 2000. In particular, your instructions were to divide my economic loss estimate into two components: the loss under the Pennsylvania Wrongful Death Act and the economic loss under the Pennsylvania Survival Act.

In preparing this economic report I have had access to the following materials: a copy of your letter of August 17, 2000 to Helmbold & Stewart; a copy of your letter of August 17, 2000 to Mr. Bliss; your letter of May 1, 2000 to Mr. Bachmaier; a copy of the accident report in this case; copies of filed income tax forms and W-2's for Mr. And Mrs. Lynch for 1997, 1998 and 1999; a copy of a May 3, 2000 letter from Attorney Thompson to you, including copies of Mr. Lynch's training certificates and information on contributions made by Mr. Lynch to his wife's welfare.

Mr. Lynch was born on September 27, 1956 and, therefore, at his date of death (2/2/00) he was 43.4 years old. A white male of this age has a life expectancy of an additional 30 years to age 73.4 (see: US Department of Health and Human Services, Vital Statistics of the US, 1994). Moreover, Mr. Lynch at age 43.4 would have a minimum worklife expectancy of an additional 18.6 years to age 62 (see: US Department of Labor, Worklife Estimates: Effects of Race and Education, Bulletin #2254, February, 1986). Age 62 is the earliest that he could have retired under reduced social security; his full social security retirement age, for his birth year, is 66 and 4 months, however, I assume an 18.6 year worklife in this report.

At the time of his death, Mr. Lynch was employed by the Pennsylvania Department of Corrections; his occupation was "plumber." In this capacity he earned \$44,104 in 1997, \$45,703 in 1998 and \$47,112 in 1999. Moreover, he received numerous fringe benefits in his unionized position with Corrections: Geisinger health plan, life insurance, retirement with the State Employees Retirement System in addition to required benefits. His health and retirement fringes amount to approximately 20 percent of his salary.

Utilizing Mr. Lynch's latest (1999) salary and his expected worklife of 18.6 years, from the accident date, to age 62, suggests a lifetime gross earnings loss of \$876, 283 as a result of his untimely death. At 20 percent, the loss in retirement and health benefits amounts to \$175,257. Moreover, there are substantial household economic contributions that Mr. Lynch made to the Lynch household.

The focus of the remainder of this economic report is on apportioning the economic loss of Mr. Lynch's earnings under the Pennsylvania Wrongful Death Act and

the Pennsylvania Survival Act. There are five variables that come into play in this apportionment: Gross earnings (GE); net earnings (NE); Mr. Lynch's personal maintenance (PM), not including joint costs (costs such as housing, heat and light that do not diminish for his family in the absence of Mr. Lynch); contributions to his family (CF) that Mr. Lynch would have made from his net earnings; and Mr. Lynch's residual estate (RE) that remains from his net earnings after contributions to his wife and children are deducted.

The relationship of the above factors is as follows: $GE - PM - CF = RE$. That is, Mr. Lynch's gross earnings less his personal maintenance, less an amount representing his contributions to his family, leaves an estimate of his residual estate.

You can also see from the above relationship that $GE - PM = CF + RE$. That is, Mr. Lynch's gross lifetime earnings minus his own personal maintenance, equals the net earnings loss (NE) as a result of this accident. Net earnings loss also equals the sum of his contributions to his family (CF) and residual estate loss (RE), (i.e. $NE = CF + RE$).

Under Pennsylvania law, and given that $NE = CF + RE$, the wrongful death loss element is the contribution that Mr. Lynch would have made to his family from his net earnings, while the survival loss element is the lost estate portion (RE) of his net earnings (not used in contributions to his family). The task below, therefore, is to estimate net earnings loss (gross earnings less personal maintenance) and then divide this net economic loss into contributions to family and residual estate.

Table 1 below presents the relevant estimates of the parameters involved in estimating the net economic (earnings) loss and the division among wrongful death and survivor portions.

TABLE 1: ECONOMIC LOSS COMPONENTS
(Including Wrongful Death and Survivor Portions)

1. Mr. Lynch's Gross Earnings (GE)	\$876,283
2. Mr. Lynch's Personal Maintenance (PM) (@ 31% of Gross Earnings, Not Including Joint Maintenance) (-)	<u>271,648</u>
3. Net Earnings Loss (NE = GE - PM = CF + RE) {To be divided into Wrongful Death (CF) and Survivor (RE)}	\$ <u>604,635</u> (100%)
4. Mr. Lynch's Contributions to His Family (CF) (Wrongful Death Act Portion)	\$ <u>449,195</u> (74.3%)
5. Residual Estate (GE - PM - CF = RE) (Survivor Act Portion)	\$ <u>155,440</u> (25.7%)

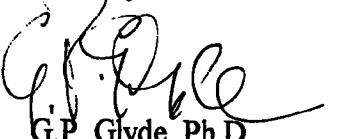
From Table 1, gross earnings loss of \$876,283 (1) is reduced by Mr. Lynch's personal maintenance at 31 percent, not including joint maintenance, (see: Gerald Martin and Ted Valvoulis, Determining Economic Damages Sec. 520, p. 5-5 and USDL, BLS Bulletin 1965, Revised Equivalence Scales, and various BLS Consumer Expenditure Surveys, for individual maintenance estimates). This reduction for maintenance results in a net earnings loss (3) estimate of \$604,635, this amount to be apportioned according to the Wrongful Death and Survival Acts. I estimate that the lost residual estate (5) in this case would be \$155,440 (comprised of a \$100,000 home, \$5,000 of household contents, a \$10,000 vehicle, and \$40,000 in savings. This residual estate of \$155,440 represents a

25.7 percent portion of the net earnings loss. Mr. Lynch's contributions to his family (4) represent 74.3 percent of his net earnings, in the amount of \$449,195.

In conclusion, I estimate that the net earnings loss of \$604,635 in this case be apportioned at 74.3 percent (\$449,195) under the Wrongful Death Act; under the Survival Act, the suggested share the of net earnings loss is 25.7 percent (\$155,440). Under a structured settlement in this case, the same apportionment percentages (74.3% under wrongful death and 25.7% under survival) would be appropriate.

In my professional judgment, these are accurate and fair estimates within a reasonable degree of economic certainty. Please let me know if you require any additional information.

--Sincerely,



G.P. Glyde, Ph.D.
Economist
701 West Foster Avenue
State College, PA 16801

September 2000

Summary of Professional Activities:
Dr. G.P. Glyde, B.S., M.A., Ph.D. (Economics)

Specialization: Labor Market Economics and Industrial Relations

Dr. Glyde received his B.Sc. in Business Administration from Colorado State University in 1963 with an emphasis in economics. In 1969 he obtained the M.A. in Economics from the University of British Columbia with a major in labor market economics. In 1973 he was awarded the Ph.D. degree in Economics from the University of Illinois with a major in labor economics.

Professor Glyde was continuously employed by The Pennsylvania State University at the main campus at University Park, PA from 1973 to 1999 until his recent retirement. Dr. Glyde received tenure from that institution in 1979. At retirement, he was awarded emeritus status (an honorary title granting him in retirement a permanent professional association with Penn State).

While at Penn State he had appointments with the Economics Department, the Labor Studies and Industrial Relations Department, and the Institute for Research on Human Resources. Dr. Glyde taught both graduate and undergraduate courses in both departments--courses included microeconomics, labor economics, economics of collective bargaining and negotiation theory and practice, industrial relations, employee involvement, comparative international industrial relations and employment policy. He taught ten different courses at Penn State. These courses often dealt with economic issues such as wage and price determination and differentials; lifetime earnings experience of the labor force; occupational choice and the

relationship between occupational choice and formal and informal training; labor market effects of inflation; employment and unemployment; union contracts and bargaining; and occupational preparation and education (human capital) and returns to this investment in training.

Dr. Glyde has published in both scholarly and more popular journals and he has received a number of government grants to carry out research on the labor market--a study of underemployment for the National Institute of Education, U.S. Office of Education; written testimony before the U.S. Congress Joint Economic Committee on underemployment of women; research on the Trade Adjustment Act for the U.S. Department of Labor; and a study of nationwide cooperative vocational education to determine earnings and employment experiences of graduates of these programs. The Canadian Embassy in Washington, D.C. provided Dr. Glyde with three research grants to carry out research on the labor market implications of the Canadian-U.S Free Trade Agreement(1988) and the North American Free Trade Agreement(1994). He published articles based on this research most recently in 1995 with an article titled: "International Trade Policy: Implications for Labor and Employment in the United States."

In academic circles, he has published labor economics articles in journals such as the Journal of Economic Issues; articles of his appear in the 1983 (Fall), 1984 (Winter), and 1993 (Winter) issues of the Labor Studies Journal; articles of his appear in Pennsylvania Labor (1986, 1987, 1989), the Ohio Journal of Economics and Politics (1993) and the National Social Science Journal (1989). He has published three articles in the Proceedings of the Southern Industrial Relations and Human Resources Academic Seminar, most recently in 1994 and 1996, on topics dealing with labor and international

trade, and the effects of economic change on employment and labor unions. He is currently (2000) preparing an economic article on changing agency relations of unions, an institutional approach, for a journal such as: Industrial Relations, (published by the University of California, Berkeley).

Dr. Glyde is a co-editor of a book of readings titled Contemporary Labor Issues published by Kendall/Hunt Publishers and has contributed a chapter to that book on the economy and the transition in employment and industrial relations. He contributed a book chapter on labor markets and collective bargaining to another book that focuses on reindustrialization in the U.S. He wrote a book chapter on the underemployment of women in a book published by Praeger, titled: Women in the United States Labor Force. In 1995 he authored a book chapter on the economics of unions and international trade policy as part of the book: Unions and Public Policy: the New Economy and Democratic Politics (Greenwood Press). Dr Glyde is currently (2000) writing a book with the tentative title: Labor Market Change, Corporate Restructuring, and the Agency Role of Unions.

Dr. Glyde has written popular articles on labor questions for the New York Times OP-ED page, Philadelphia Inquirer OP-ED page and U.S. Today (the higher education magazine) publications; he has been interviewed by newspapers, radio, and television on labor economics issues (e.g. minimum wages, baseball salaries, and international trade issues). He has been quoted on the front page of The Wall Street Journal.

In 1983-84 he was a visiting research professor at The Industrial Relations Unit of the University of Warwick, England. He gave talks at the University of Aston, the University of Warwick, and in Germany; he attended

labor economics conferences at Oxford University and the University of London. He presented an invited paper at an international industrial relations conference in England in 1987 at The University of Nottingham.

In the United States Dr. Glyde has presented numerous papers in labor economics and industrial relations to various professional academic associations such as: The American Economics Association, the National Social Science Association, the Eastern Economic Association, the Southern Industrial Relations Academic Seminar, the University and College Labor Studies Association, and the American Association of Canadian Studies. These professional papers have been presented in numerous locations throughout the country, for example: Washington, D.C., New York City, Boston, San Francisco, Portland (Oregon), New Orleans, Atlanta, St Louis, Madison (Wisconsin), Columbus (Ohio), Atlantic City, Morgantown (West Virginia), Pittsburgh, and Philadelphia.

In addition to his academic background and credentials in labor economics, Dr. Glyde for the last 20 years has become familiar with forensic economics, a field in which his extensive labor economics experience is directly applicable. He has written many estimates of economic losses in wrongful death and survivor actions and has testified numerous times as an expert witness in court in this regard. His background in forensic economics over 20 years, along with his academic experience in teaching and research, has given him a strong theoretical and practical understanding of the labor market, its institutions and its processes.

ACT 24 2000
Oct 13th 2000 (th Beln)
William A. Shaw
Prothonotary
first

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

COUNTY NATIONAL BANK, EXECUTOR OF : NO. 00-949 C.D.
THE ESTATE OF PAUL E. LYNCH :
vs. :
JOHN NATALIE :
: OCT 24 2000

494
FILED
William A. Shaw
Prothonotary

ORDER

AND NOW, this 24 day of Oct, 2000, upon
consideration of the Petition to Settle Wrongful Death and
Survival Action the settlement proposed between the County
National Bank to settle the Wrongful Death Action, the Survival
Action, and the First Party Claim, be and is hereby approved
for the total sum of \$350,000.00.

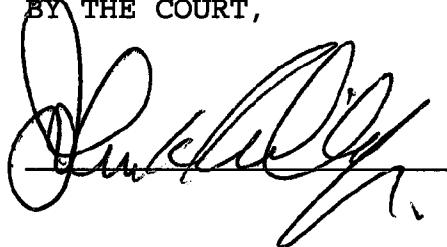
IT IS THE FURTHER ORDER of the Court that the County
National Bank is hereby authorized to execute releases to the
National Casualty Company for the sum of \$300,000.00, and
Travelers Indemnity Company for the sum of \$50,000.00.

IT IS THE FURTHER ORDER of the Court that the fees of
Belin & Kubista in representing the estate and the Wrongful
Death beneficiaries is hereby approved in the amount of
\$70,000.00 and costs in the amount of \$2,197.69.

IT IS THE FURTHER ORDER of the Court that the County
National Bank is hereby directed to pay to Belin & Kubista the

sum of \$72,197.69. County National Bank is further directed to hold \$206,407.12 in a Wrongful Death Claim Escrow account and \$71,395.19 in a Survival Claim Escrow Account in an interest bearing account until such time as the wife and sons of the decedent, Paul E. Lynch, have reached a settlement and said settlement is approved by Order of the Court.

BY THE COURT,

A handwritten signature in black ink, appearing to be a judge's name, is written over a horizontal line. The signature is fluid and cursive, with a large, stylized initial letter.

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

113
COUNTY NATIONAL BANK, EXECUTOR OF :
13 THE ESTATE OF PAUL E. LYNCH : NO. 00 - 494 - C.D.
VS. : PRAECIPE
53 JOHN NATALIE :
:

FILED ON BEHALF OF:
Plaintiff

Counsel of Record for
This Party:

Carl A. Belin, Jr., Esquire
PA I.D. #06805

Kimberly M. Kubista, Esquire
PA I.D. #52782

BELIN & KUBISTA
15 North Front Street
P.O. Box 1
Clearfield, PA 16830

(814) 765-8972

FILED

OCT 25 2000

William A. Shaw
Prothonotary

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

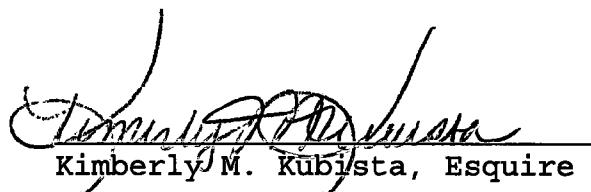
COUNTY NATIONAL BANK, EXECUTOR OF :
THE ESTATE OF PAUL E. LYNCH : NO. 00 - 494 - C.D.
: :
vs. : :
: :
JOHN NATALIE : :

PRAECIPE

TO THE PROTHONOTARY:

Please mark the above matter settled, discontinued and
ended.

BELIN & KUBISTA



Kimberly M. Kubista, Esquire

OCT 25 2000
816.00 Cont. Due to
William A. Shaw
Prothonotary
Cont. Due to
City
Copy to CA ~~free~~

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

COUNTY NATIONAL BANK, EXECUTOR
OF THE ESTATE OF PAUL E. LYNCH

COPY

Plaintiff(s)

vs.

No. 00-949-CD

JOHN NATALIE

Defendant(s)

CERTIFICATE OF DISCONTINUANCE
COUNTY OF CLEARFIELD
COMMONWEALTH OF PENNSYLVANIA

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 this day, the 25th of OCTOBER, 2000, marked:

SETTLED, DISCONTINUED and ENDED.

Record costs in the sum of \$117.69 have been paid in full by

Carl A. Belin, Jr, Esquire

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of October A.D. 2000.

Prothonotary

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

COUNTY NATIONAL BANK, EXECUTOR OF *
THE ESTATE OF PAUL E. LYNCH *

v. *

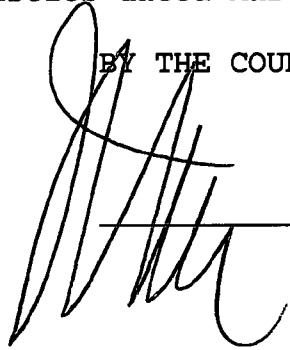
* No. 00 - 494 - CD

JOHN NATALIE *

ORDER

AND NOW, this 5th day of April, 2001, upon consideration of the Motion to Approve Settlement and Authorize Distribution filed in the above-captioned case, it is the ORDER of this Court that the Settlement Agreement be and is hereby approved. It is the further ORDER of this Court that County National Bank make distribution in accordance with the Settlement Agreement of the parties dated March 23, 2001.

BY THE COURT



FILED

APR 05 2001

William A. Shaw
Prothonotary

FILED

APR 05 2001
30473041
04/09/01
William A. Shaw
Prothonotary
Nacogdoches

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

COUNTY NATIONAL BANK, EXECUTOR OF *
THE ESTATE OF PAUL E. LYNCH *

v. *

* No. 00 - 494 - CD

JOHN NATALIE *

FILED

APR 05 2001

MOTION TO APPROVE SETTLEMENT AND AUTHORIZE DISTRIBUTION ^{William A. Shaw}
^{Prothonotary}

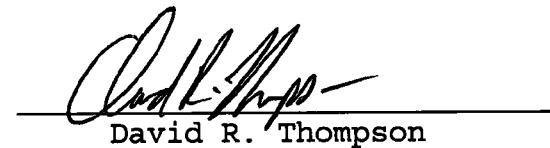
NOW COME, KARI L. LYNCH and by her attorney, David R. Thompson, Esquire, and CLYDE E. LYNCH, attorney-in-fact for Michael J. Lynch and Paul E. Lynch, Jr. and by his attorney, James A. Naddeo, Esquire, set forth the following:

1. That suit was filed in the above-captioned case to recover for the wrongful death/survival action arising from an accident occurring February 2, 2001 in which Paul E. Lynch was killed.
2. That the beneficiaries of the decedent, Paul E. Lynch, are as follows: Kari L. Lynch, wife; Michael J. Lynch, son; and Paul E. Lynch, Jr., son.
3. That the adult sons of decedent, Michael J. Lynch and Paul E. Lynch, Jr., are represented by James A. Naddeo, Esquire, and the wife of decedent, Kari L. Lynch, is represented by David R. Thompson, Esquire.
4. That an agreement has been reached between the adult sons of decedent and the wife of decedent for settlement

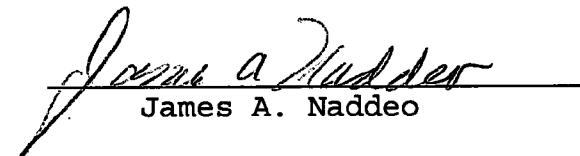
of the wrongful death recovery and survival action. A copy of the Settlement Agreement is attached hereto as Exhibit "A".

5. That County National Bank of Clearfield, Pennsylvania, is in possession of the wrongful death recovery fund and the survival claim fund pursuant to an Order of Court dated October 24, 2000. A copy of said Order is attached hereto as Exhibit "B".

WHEREFORE, the parties hereto request that Your Honorable Court approve the settlement reached between the parties and order distribution.



David R. Thompson



James A. Naddeo

SETTLEMENT AGREEMENT

THIS AGREEMENT made the 23rd day of March, 2001, by
and between KARI L. LYNCH, an individual of _____,

AND

CLYDE E. LYNCH, attorney-in-fact for Michael J. Lynch, and CLYDE
E. LYNCH, attorney-in-fact for PAUL E. LYNCH, JR., of R. R. 1,
Box 217, West Decatur, Pennsylvania.

WHEREAS, Paul E. Lynch died on February 2, 2000 as the
result of an automobile accident; and

WHEREAS, at the time of his death Paul E. Lynch was
survived by his wife, Kari L. Lynch, and his sons, Michael J.
Lynch and Paul E. Lynch, Jr.; and

WHEREAS, an agreement was reached for the settlement
of the wrongful death action, the survival action and the first
party claim on behalf of Paul E. Lynch; and

WHEREAS, the proceeds of said settlement were
allocated by the Court in accordance with an Order dated October
24, 2000; and

WHEREAS, Kari L. Lynch and the decedent, Paul E.
Lynch, had entered into an Antenuptial Agreement prior to their
marriage; and

WHEREAS, the parties hereto have reached an agreement
to eliminate the necessity of litigating the Antenuptial

Agreement and the right of Kari L. Lynch to elect against the Will of the decedent, Paul E. Lynch.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained the parties hereto agree as follows:

1. Kari L. Lynch shall receive one-half of the wrongful death recovery funds.
2. Michael J. Lynch shall receive one-fourth of the wrongful death recovery funds.
3. Paul E. Lynch, Jr. shall receive one-fourth of the wrongful death recovery funds.
4. Kari L. Lynch shall received one-third of the net estate after payment of taxes, administration costs, etc.
5. Michael J. Lynch shall receive one-third of the net estate after payment of taxes, administration costs, etc.
6. Paul E. Lynch, Jr. shall receive one-third of the net estate after payment of taxes, administration costs, etc.
7. Kari L. Lynch shall receive the following items of personal property: 1999 Eagle 1 ounce fine gold coin, 357 Ruger Pistol, refrigerator, sweeper, table and bench.
8. Kari L. Lynch shall be afforded the opportunity to purchase the real property from the estate for the fair market value of Ninety-Eight Thousand (\$98,000.00) Dollars less the sum

of One Thousand (\$1,000.00) Dollars for repairs. Kari L. Lynch shall be given credit for her one-third interest in the estate.

9. Kari L. Lynch shall reimburse the estate for her share of joint debt in the amount of \$3,892.94.

10. Clyde E. Lynch shall be paid the sum of Six Thousand Nine Hundred (\$6,900.00) Dollars from the Estate representing the amount owed by Decedent to the said Clyde E. Lynch.

11. Except for the obligations of the parties contained in this Agreement, and such rights as are expressly reserved herein, each party gives to the other by the execution of this Agreement an absolute and unconditional release and discharge from all causes of action, claims, rights or demands whatsoever, in law or in equity, which either party ever had or now has against the other.

12. This Agreement may not be modified or altered except in writing signed by all of the parties.

13. This Agreement constitutes the entire understanding of the parties and supersedes any and all prior agreements between them.

14. This Agreement shall be binding upon the parties hereto, their heirs, executors and assigns.

IN WITNESS WHEREOF, the parties have hereunto set

their hands and seals the day and year first above noted.

WITNESS:

John

Jamie L. Single

Jamie L. Single

Kari L. Lynch

Kari L. Lynch

Clyde E. Lynch

Clyde E. Lynch, Attorney-
In-Fact for Michael J.
Lynch

Clyde E. Lynch

Clyde E. Lynch, Attorney-
In-Fact for Paul E.
Lynch, Jr.

OCT 26 2000

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

COUNTY NATIONAL BANK, EXECUTOR OF :
THE ESTATE OF PAUL E. LYNCH : NO. 00 - ~~494~~ - C.D.
: vs.
: JOHN NATALIE :

ORDER

AND NOW, this 24th day of October, 2000, upon
consideration of the Petition to Settle Wrongful Death and
Survival Action the settlement proposed between the County
National Bank to settle the Wrongful Death Action, the Survival
Action, and the First Party Claim, be and is hereby approved
for the total sum of \$350,000.00.

IT IS THE FURTHER ORDER of the Court that the County
National Bank is hereby authorized to execute releases to the
National Casualty Company for the sum of \$300,000.00, and
Travelers Indemnity Company for the sum of \$50,000.00.

IT IS THE FURTHER ORDER of the Court that the fees of
Belin & Kubista in representing the estate and the Wrongful
Death beneficiaries is hereby approved in the amount of
\$70,000.00 and costs in the amount of \$2,197.69.

IT IS THE FURTHER ORDER of the Court that the County
National Bank is hereby directed to pay to Belin & Kubista the

sum of \$72,197.69. County National Bank is further directed to hold \$206,407.12 in a Wrongful Death Claim Escrow account and \$71,395.19 in a Survival Claim Escrow Account in an interest bearing account until such time as the wife and sons of the decedent, Paul E. Lynch, have reached a settlement and said settlement is approved by Order of the Court.

BY THE COURT,

/s/JOHN K. REILLY, JR.

I hereby certify this to be a true and attested copy of the original statement filed in this case.

OCT 24 2000

Attest:

John K. Reilly
Prothonotary

FILED

APR 05 2001
09:47/3CC 35
William A. Shaw
Prothonotary

Nacdeco