

00-505-CD  
CHERI MARIE LEHMAN vs- HOWARD G. MOYER, INC. t/a HOWARD'S  
BI-10

CHERI MARIE LEHMAN,  
Plaintiff

**VS.**

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\* No.: 00-505-C.D.  
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\* Type of Case: Civil  
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\* Type of Pleading: Complaint  
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\* Filed on Behalf of: Plaintiff  
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\*  
\* Counsel of Record for this Party:  
\*  
\* Kim C. Kesner, Esquire  
\* Supreme Court I.D. #28307  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* Phone: (814) 765-1706  
\* Fax: (814) 765-7006  
\*  
\* Other Counsel of Record:

**\* JURY TRIAL DEMANDED**

FILED

MAY 02 2000

**William A. Shaw**  
**Prothonotary**

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

CHERI MARIE LEHMAN,  
Plaintiff

vs.

HOWARD G. MOYER INC., t/a HOWARD'S  
BI-LO,  
Defendant

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No. 00- -C.D.  
CIVIL ACTION

**JURY TRAIL DEMANDED**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may process without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP.**

Court Administrator's Office  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830  
Telephone: (814) 765-2941

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

CHERI MARIE LEHMAN,  
Plaintiff

vs.

HOWARD G. MOYER INC., t/a HOWARD'S  
BI-LO,  
Defendant

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No. 00- -C.D.  
CIVIL ACTION

**JURY TRIAL DEMANDED**

**COMPLAINT**

1. Plaintiff is Cheri Marie Lehman, an adult individual residing at Substation Road, Box 452, Madera, Bigler Township, Clearfield County, Pennsylvania 16661.

2. Howard G. Moyer Inc. is a Pennsylvania Business corporation with a registered address of 811 McAteer Street, Houtzdale, Clearfield County, Pennsylvania, which conducts a business of retail sales of groceries and grocery products at Route 53, Woodward Plaza, Houtzdale, Pennsylvania 16551 under the fictitious name of Howard's Bi-Lo.

3. Defendant at all times relevant hereto had possession of and control over Howard's Bi-Lo.

4. On May 13, 1998, at approximately 7:30 p.m. Plaintiff was shopping at Howard's Bi-Lo. At the aforesaid time and place, as Plaintiff was attempting to check out and pay for her groceries, she was tripped and fell to the ground due to Defendant's negligence as more fully set forth hereinafter causing her to suffer severe personal injuries.

5. Said accident and the injuries and damages suffered by Plaintiff as set forth more fully hereinafter were caused by the negligence and carelessness of the Defendant in the care, custody, and/or control of real property in the possession of Defendant in some or all of the following respects:

- a. Maintaining a magazine rack at the check out counter which protruded dangerously into the checkout isle and which could not be seen and/or reasonably apprehended;
- b. Maintaining the magazine rack and checkout aisle in a latent and dangerous condition which Defendant knew or with reasonable caution should have known could cause danger and injury to Defendant's customers;
- c. Improper maintenance and repair and/or failure to properly maintain the checkout isle;
- d. Improper inspection or failure to properly inspect the checkout isle and/or the location of the magazine rack which protruded dangerously into the checkout isle in a manner that could foreseeably cause unexpected sudden rapid and dangerous tripping of a patron;
- e. Failure to eliminate the dangerous conditions existing in the checkout isle;
- f. Failure to comply with applicable building codes, laws, rules, regulations pertaining to the proper design, construction, maintenance, and repair of such business premises;
- g. Otherwise maintaining a dangerous condition on its premises which Defendant knew or with the reasonable exercise of care and caution should have known could cause the accident and personal injury suffered by Plaintiff.

6. The resulting injuries and damages to Plaintiff were the result of Defendant's negligence, directly, and by and through the actions of its agents, servants, workmen, employees, and/or contractors.

7. As a direct and proximate result of Defendant's negligence as aforesaid and the resulting fall, Plaintiff has in the past, does presently, and/or in the future will suffer or incur the following injuries and damages, some are all of which are permanent in nature and/or continuing in nature:

- (a) A torn rotator cuff;
- (b) A tear of her right shoulder;
- (c) Post-traumatic impingement syndrome;
- (d) Post-traumatic patellofemoral chondromalacia of the right and left knees;
- (e) Various lacerations, contusions, and abrasions;
- (f) Extensive medical treatment and expense, including, but not limited to, surgery and subsequent rehabilitative physical therapy;
- (g) Severe physical and mental pain and suffering, emotional upset, anxiety, agony, and mental anguish;
- (h) Past and future loss of earnings and/or earning capacity;
- (i) Humiliation and embarrassment;
- (j) Loss of enjoyment of life's pleasures;
- (k) Inability to engage in normal daily activities;
- (l) Loss and diminution of social life and pleasure;
- (m) Past and future medical expenses and costs by reason of her injury.

8. As a result of the injuries sustained due the negligence of the Defendant, Plaintiff has been treated by, among others, the following physicians, hospitals, and medical providers: Thomas Ellis, M.D., 101 Regent Court, State College, Pennsylvania, 16801; University Orthopedics and Sports Medicine Center, 101 Regent Court, State College, Pennsylvania, 16801; Advanced

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

CHERI MARIE LEHMAN,  
PLAINTIFF

VS.

HOWARD G. MOYER INC., t/a HOWARD'S  
BI-LO,  
DEFENDANT

COMPLAINT

Att. pd.  
\$80.00

01/18/2001 4 CC Atty  
William A. Shaw  
Prosecutor

KIM C. KESNER  
ATTORNEY AT LAW  
23 North Second Street  
CLEARFIELD, PA 16830  
(814) 765-1706

KIM C. KESNER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LEHMAN, CHERI MARIE

00-505-CD

VS

MOYER, HOWARD G. INC. T/A

COMPLAINT

SHERIFF RETURNS

NOW MAY 3, 2000 AT 10:20 AM DST SERVED THE WITHIN COMPLAINT  
ON HOWARD G. MOYER, INC. T/A HOWARD'S BI-LO, DEFENDANT AT  
EMPLOYMENT 811 MCATEER ST. & RT. 53, HOUTZDALE, CLEARFIELD  
COUNTY, PENNSYLVANIA BY HANDING TO GREG DAVIS, ASST. MANAGER  
A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE  
KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: DAVIS/MORGILLO

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

SWORN TO BEFORE ME THIS

8th Day OF May 2000

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

SO ANSWERS,

*Chester A. Hawkins*  
*by Nancy Hamr*  
CHESTER A. HAWKINS  
SHERIFF

FILED

MAY 08 2000  
01155  
William A. Shaw  
Prothonotary *E. Shaw*

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,

Defendant.

NO. 00-505-CD

Type of Case: Civil

Type of Pleading:

Entry of Appearance

Filed on Behalf of: Defendant

Counsel of Record for this Party:

Tracey G. Benson, Esquire  
Miller, Kistler, Campbell,  
Miller, Williams & Benson, Inc.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

To: Hon. J. Edgar P. Prothonotary  
Court of Common Pleas, Clearfield County, Pa.

Whereof one copy is to be on behalf of Defendant (814) 355-5474. Moyer, Inc. t/a

Howard's Bi-Lo. All papers may be served on the

defendant at the above address.

Tracey G. Benson

Tracey G. Benson, Esquire  
Miller, Kistler, Campbell,  
Miller, Williams & Benson, Inc.  
124 North Allegheny Street  
Bellefonte, PA 16823  
Telephone No. (814) 355-5474

Howard G. Moyer, Inc. t/a  
Howard's Bi-Lo

Dated: May 14, 2000

FILED

MAY 16 2000

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION - 1000

GENERAL RETURN

Plaintiff

1000-1000-00

RETURN TO: 1000-1000-00

1000-1000-00

1000-1000-00

1000-1000-00

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FILED  
MAY 16 2000  
William A. Shaw  
Prothonotary

1000-1000-00

1000-1000-00

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,

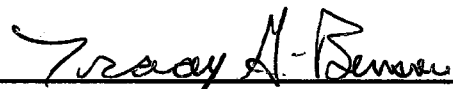
Defendant.

No.: 00-505-CD

**NOTICE TO PLEAD**

TO THE WITHIN NAMED PLAINTIFF:

You are hereby notified to plead to the enclosed New Matter within twenty (20) days  
from service hereof or a default judgment may be entered against you.

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc., t/a  
Howard's Bi-Lo

Dated: June 6, 2000

**FILED**

JUN 07 2000

William A. Shaw  
Prothonotary

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

**CHERI MARIE LEHMAN,**

**Plaintiff,**

**v.**

**HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,**

**Defendant.**

**NO. 00-505-CD**

**Type of Case: Civil**

**Type of Pleading:**

**ANSWER AND NEW MATTER**

**Filed on Behalf of: Defendant**

**Counsel of Record for this Party:**

**Tracey G. Benson, Esquire  
Miller, Kistler, Campbell,  
Miller, Williams & Benson, Inc.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,

Defendant.

No.: 00-505-CD

**ANSWER AND NEW MATTER**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo ("Howard's Bi-Lo"), by its  
counsel, Tracey G. Benson, Esquire and Miller, Kistler, Campbell, Miller, Williams &  
Benson, Inc. hereby responds to the complaint of plaintiff, Cheri Marie Lehman, as  
follows:

**ANSWER**

1. Defendant admits that Cheri Marie Lehman is an adult individual.

Defendant is without knowledge or information sufficient to form a belief as to the truth  
of any remaining allegations contained in paragraph 1 of the Complaint, said  
allegations are deemed to be denied, and proof thereof is demanded.

2. Defendant admits the allegations contained in paragraph 2 of the  
Complaint.

3. Defendant admits only that it operated and owned a retail food store  
known as Howard's Bi-Lo. Any remaining allegations contained in paragraph 3 of the  
Complaint constitute conclusions of law to which no response is required.

h. In failing to use reasonable care, and to exercise appropriate caution, while wearing sandals in defendants' store; and

i. In failing to take an alternate path around any obstruction or hazardous condition in the store which is alleged to have caused plaintiff's injuries.

14. In the event that it is determined plaintiff sustained any harm or injuries as a result of any alleged defective or dangerous condition on premises occupied or controlled by this defendant, which is specifically denied, then Howard's Bi-Lo avers that any such condition was, or should have been, known to plaintiff or obvious to any reasonably prudent person walking in the area and maintaining a proper lookout.

15. Defendant Howard's Bi-Lo avers that plaintiff has not sustained any injuries or damages as alleged in the Complaint, due to any conduct, errors, or omissions on the part of this defendant.

16. Defendant Howard's Bi-Lo avers that in the event it is judicially determined that Howard's Bi-Lo was negligent, which is specifically denied, then it is averred that plaintiff did not sustain any injuries or harm as a direct, proximate, or legal result of any such negligent conduct on the part of this defendant.

17. Defendant Howard's Bi-Lo avers that to the extent plaintiff sustained any injuries or harm as alleged in the Complaint, which is denied, then said injuries or harm were directly, proximately, and/or solely caused by the negligence of others over whom Howard's Bi-Lo had neither the opportunity nor duty of control.

18. Defendant Howard's Bi-Lo avers that plaintiff's Complaint fails to state any claim upon which relief can be granted as against this defendant.

CHERNOBYL DISASTER

UNITED STATES OF AMERICA

DEPARTMENT OF JUSTICE

CHERNOBYL DISASTER

100

UNITED STATES OF AMERICA

UNITED STATES OF AMERICA  
DEPARTMENT OF JUSTICE  
UNITED STATES OF AMERICA

FILED

JUN 07 2000

William A. Shaw  
Prothonotary

UNITED STATES OF AMERICA  
DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA  
DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA

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

CHERI MARIE LEHMAN,  
Plaintiff

vs.

HOWARD G. MOYER INC., t/a HOWARD'S  
BI-LO,  
Defendant

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\* No.: 00-505-CD  
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\* Type of Case: Civil  
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\* Type of Pleading: Reply to New Matter  
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\* Filed on Behalf of: Plaintiff  
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\*  
\* Counsel of Record for this Party:  
\*  
\* Kim C. Kesner, Esquire  
\* Supreme Court I.D. #28307  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* Phone: (814) 765-1706  
\* Fax: (814) 765-7006  
\*  
\* Other Counsel of Record:  
\*  
\* Tracey G. Benson, Esquire  
\* MILLER, KISTLER, CAMPBELL,  
\* MILLER, WILLIAMS & BENSON, INC.  
\* 124 North Allegheny Street  
\* Bellefonte, PA 16823  
\* Phone: (814) 355-5474  
\*  
\* JURY TRIAL DEMANDED

**FILED**

JUN 16 2000

William A. Shaw  
Prothonotary

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

CHERI MARIE LEHMAN,  
Plaintiff

vs.

HOWARD G. MOYER INC., t/a HOWARD'S  
BI-LO,  
Defendant

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\*  
\*  
\* No.: 00-505-CD  
\* CIVIL ACTION  
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\* JURY TRIAL DEMANDED

**PLAINTIFF'S REPLY TO DEFENDANT'S NEW MATTER**

10. The averments contained in paragraph 10 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, it is specifically denied that Plaintiff was comparatively negligent.

11. The averments contained in paragraph 11 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, it is specifically denied that Plaintiff was contributorily negligent.

12. The averments contained in paragraph 12 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, it is specifically denied that Plaintiff assumed the risk of her injuries.

13. The averments contained in paragraph 13 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response

is required and is relevant, Plaintiff specifically denies each and every allegation of negligent conduct in paragraph 13.

14. The averments contained in paragraph 14 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 14.

15. The averments contained in paragraph 15 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 15.

16. The averments contained in paragraph 16 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 16.

17. The averments contained in paragraph 17 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 17.


18. The averments contained in paragraph 18 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 18.

19. The averments contained in paragraph 19 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 19.

20. The averments contained in paragraph 20 of Defendant's New Matter constitute contentions or conclusions of law to which no response is required. To the extent that a response is required and is relevant, Plaintiff specifically denies the averments in paragraph 20.

WHEREFORE, Plaintiff demands judgment against Defendant, in the excess of Twenty Thousand (\$20,000) Dollars, plus interest and her record costs expended.

Respectfully submitted,



---

Kim C. Kesner, Esquire  
Attorney for Plaintiff  
Supreme Court ID NO. 28307  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1706  
Fax: (814) 765-7006

**VERIFICATION**

I, KIM C. KESNER, ESQUIRE, verify that the statements made in this REPLY TO DEFENDANT'S NEW MATTER are true and correct to the best of my knowledge. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 , relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

6/16/00

  
\_\_\_\_\_  
Kim C. Kesner, Esquire

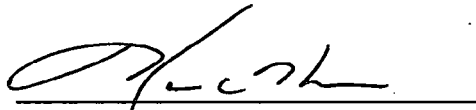
**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on the 16<sup>th</sup> day of June, 2000, I caused to be served a true and correct copy of Plaintiff's Reply to New Matter on the following and in the manner indicated below:

By United States Mail, First Class,  
Postage Prepaid, Addressed as Follows:

Tracey G. Benson, Esquire  
MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823

Date: June 16, 2000

  
Kim C. Kesner, Esquire

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

CHERI MARIE LEHMAN,  
PLAINTIFF

VS.

HOWARD G. MOYER INC., t/a  
HOWARD'S BI-LO,  
DEFENDANT

NO.: 00-505-CD

PLAINTIFF'S REPLY TO NEW  
MATTER

FILED

JUN 16 2000

012003cc att

William A. Shaw

Prothonotary

*Kim C. Kesner*

KIM C. KESNER

ATTORNEY AT LAW

23 North Second Street

CLEARFIELD, PA 16830

(814) 765-1706

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


|                                     |   |                |
|-------------------------------------|---|----------------|
| CHERI MARIE LEHMAN,                 | ) |                |
|                                     | ) |                |
| Plaintiff,                          | ) |                |
|                                     | ) |                |
| v.                                  | ) | No.: 00-505-CD |
|                                     | ) |                |
| HOWARD G. MOYER, INC., t/a HOWARD'S | ) |                |
| BI-LO,                              | ) |                |
|                                     | ) |                |
| Defendant.                          | ) |                |

**NOTICE OF SERVICE OF INTERROGATORIES**

TO: William Shaw, Prothonotary  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16830

Please take notice that the undersigned has served the original and two (2) copies of Defendant's First Set of Interrogatories to Plaintiff by mailing them, first-class, postage prepaid, on this date to the following:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

  
Tracey G. Benson, Esquire  
MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

Counsel for Defendant  
Howard G. Moyer, Inc., t/b  
Howard's Bi-Lo

Dated: July 25, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Notice of Service of Interrogatories and Defendant's First Set of Interrogatories to Plaintiff**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson, Esquire

Dated: July 25, 2000

FILED

JUL 26 2000

M 11 31 10 cc  
William A. Shaw  
Prothonotary

*WAS*

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: University Orthopedics and Sports Medicine Center, 101 Regent Court,  
State College, PA 16801(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. ~~You have the right to seek in advance the reasonable cost of  
preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

mla:tnoc

William A. Shaw

Prothonotary

624

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

  
Tracey G. Benson

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Moshannon Valley School District, RR 1 Box 314, Houtzdale, PA 16651  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. ~~You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.

ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

**ATTACHMENT**

Any and all employment records, payroll records, earnings records, and workmens' compensation records pertaining to Cheri Marie Lehman (Social Security No. 179-42-7929) during her course of employment with the Moshannon Valley School District.

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

mla:17 nocc

William A. Shaw

Prothonotary

*ES*  
*108*

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

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AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

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**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI-MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Thomas Ellis, M.D. 101 Regent Court, State College, PA 16801  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)


You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474  
SUPREME COURT ID # 34984  
ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

m la 17110 cc

William A. Shaw

Prothonotary

*WAS*

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

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**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22**

TO: Advanced Imaging Associates, 101 Regent Court, State College, PA 16801  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. ~~You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

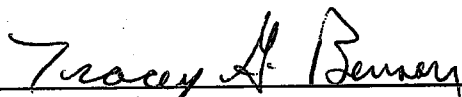
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

mlb no ss

William A. Shaw  
Prothonotary



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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI-MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: State College Anesthetic Associates, 1850 East Park Avenue, Suite 103,  
State College, PA 16801 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. ~~You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
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United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

md:17/noc  
William A. Shaw  
Prothonotary Eds


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

|                                     |   |                |
|-------------------------------------|---|----------------|
| CHERI MARIE LEHMAN,                 | ) |                |
|                                     | ) |                |
| Plaintiff,                          | ) |                |
|                                     | ) |                |
| v.                                  | ) | No.: 00-505-CD |
|                                     | ) |                |
| HOWARD G. MOYER, INC., t/a HOWARD'S | ) |                |
| BILO,                               | ) |                |
|                                     | ) |                |
| Defendant.                          | ) |                |

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**  
JUL 26 2000  
William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Clearfield Hospital, 809 Turnpike Avenue, Clearfield, PA 16803  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

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THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.

ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
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Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

M 12:17 PM  
William A. Shaw  
Prothonotary

*[Handwritten signature]*

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
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**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Centre Community Surgical Center, 1850 East Park Avenue, Suite 103  
State College, PA 16801 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

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NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

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Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

12:17 noon

William A. Shaw

Prothonotary

8

XX

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
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**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: University Orthopedic and Sports Medicine Center - Joyner Sports  
Medicine Institute - 101 Regent Court, State College, PA 16801  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474  
SUPREME COURT ID # 34984  
ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v. d

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

mla:innoc

William A. Shaw

Prothonotary

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

Tracey H. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

HERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Mercy Joyner Associates, 2525 9th Avenue, Suite 1A, Altoona, PA 16602

TO:

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. ~~You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

mla:lnoc  
William A. Shaw  
Prothonotary

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

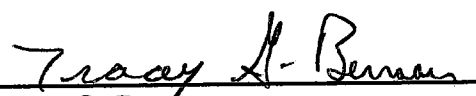
**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

TO: Scenery Park Open MRI, 101 Regent Court, Suite 102, State College, PA 16803  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)


You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. ~~You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474  
SUPREME COURT ID # 34984  
ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:

  
William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

m 12:17 NOC

William A. Shaw

Prothonotary

200

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CHERI-MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

HOWARD G. MOYER, INC. t/a HOWARD'S

BI-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Therapy Works of Clearfield Hospital  
RD 2 Box 245, B-1 - Wolf Run, Clearfield, PA 16830

TO:

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. ~~You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.~~

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.


THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

FILED

JUL 26 2000

12/17/00  
William A. Shaw  
Prothonotary

*WAS*

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
- (2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) no objections to the subpoena have been received, and
- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000  
m/4:00/447  
William A. Shaw  
Prothonotary

1 sent to Mr. [unclear]

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

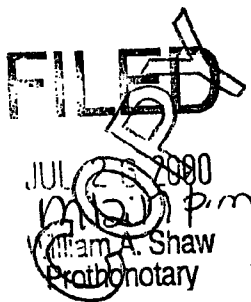
HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.



Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COURT OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Therapy Works of Clearfield Hospital  
RD 2 Box 245, B-1 - Wolf Run, Clearfield, PA 16830

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823

(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.


ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:

  
William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v:

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
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- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Tracey A. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000

M/4:00/WS  
William A. Shaw  
Prothonotary

1 SENT TO ATT

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 25 2000

M. A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
CO' TY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

0

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

University Orthopedic and Sports Medicine Center - Joyner Sports  
Medicine Institute - 101 Regent Court, State College, PA 16801

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
dered by the court to produce the following documents or things:

SEE ATTACHMENT

aller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

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ompliance, to the party making this request at the address listed  
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THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.


ADDRESS: 124 N Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:

  
William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.** --

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO**

**SERVE SUBPOENA** was hereby served by depositing the same within the custody of the

United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

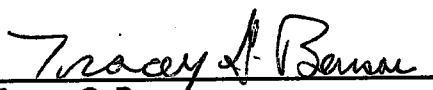
Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
- (2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) no objections to the subpoena have been received, and
- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000

W/4:00/6  
William A. Shaw  
Prothonotary

1 copy to Att

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000  
12:17pm  
William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

0

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Mercy Joyner Associates, 2525 9th Avenue, Suite 1A, Altoona, PA 16602

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.

ADDRESS: 124 N Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

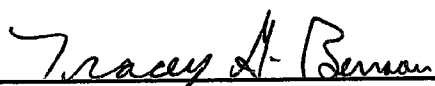
Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
- (2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) no objections to the subpoena have been received, and
- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000

William A. Shaw  
Prothonotary

I came to court



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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000  
4:31 pm  
William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

0

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Scenery Park Open MRI, 101 Regent Court, Suite 102, State College, PA 16803  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Eller, Kistler, Cambell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
reparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.


ADDRESS: 124 N Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo.

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
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- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000  
m/4:00/ny  
William A. Shaw  
Prothonotary  
1 CEN. TO ATTY  
KEL

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

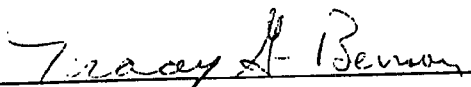
Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

MD 11 pm

William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
CO. OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD. G. MOYER, INC. t/a HOWARD'S

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Clearfield Hospital, 809 Turnpike Avenue, Clearfield, PA 16803

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823

(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.


ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:

  
William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within, NOTICE OF INTENT TO

SERVE SUBPOENA was hereby served by depositing the same within the custody of the

United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000


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

CHERI MARIE LEHMAN, )  
 )  
Plaintiff, )  
 )  
v. ) No.: 00-505-CD  
 )  
HOWARD G. MOYER, INC., t/a HOWARD'S )  
BILO, )  
 )  
Defendant. )

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
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Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000  
m/4:00/00  
William A. Shaw  
Prothonotary  
1 SENT TO ATTORNEY

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

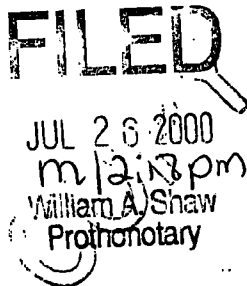
HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.



Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD. G. MOYER, INC. t/a HOWARD'S

O

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Centre Community Surgical Center, 1850 East Park Avenue, Suite 103  
State College, PA 16801 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Eller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### **ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the

United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
- (2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) no objections to the subpoena have been received, and
- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000

M/4:00/MS  
William A. Shaw  
Prothonotary

( SENT TO MARY

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD. G. MOYER, INC. t/a HOWARD'S

O

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

State College Anesthetic Associates, 1850 East Park Avenue, Suite 103,  
State College, PA 16801 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
reparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Renson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

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Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,


Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
- (2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
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- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000  
M/ 4:00 / hr  
William A. Shaw  
Prothonotary  
I SENT TO ATT

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**  
JUL 26 2000  
m 12:17 pm  
William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

0

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Advanced Imaging Associates, 101 Regent Court, State College, PA 16801  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
reparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.

ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

12:17 pm

William A. Shaw

Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

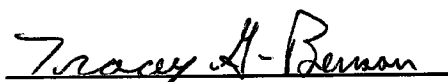
Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
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Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000

William A. Shaw  
Prothonotary

( SENT TO ATTORNEY )

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

JUL 26 2000

12:17 pm

William A. Shaw  
Prothonotary

Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

: University Orthopedics and Sports Medicine Center, 101 Regent Court,  
State College, PA 16801(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
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preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

---

### ATTACHMENT

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

---

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

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Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD


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23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE PREREQUISITE TO SERVICE OF  
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Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000

m/4:00/uy  
William A. Shaw  
Prothonotary

( SENT TO ATT )

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

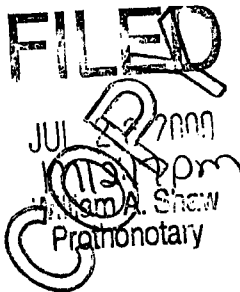
HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.



Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
JNTY OF CLEARFIELD

ERI MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

WARD G. MOYER, INC. t/a HOWARD'S

-LO

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

O: Moshannon Valley School District, RR 1 Box 314, Houtzdale, PA 16651  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Miller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.

ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

**ATTACHMENT**

Any and all employment records, payroll records, earnings records, and workmens' compensation records pertaining to Cheri Marie Lehman (Social Security No. 179-42-7929) during her course of employment with the Moshannon Valley School District.

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

CERTIFICATE OF SERVICE

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Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

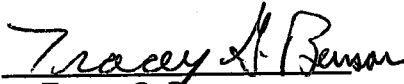
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: September 15, 2000


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

|                                     |   |                |
|-------------------------------------|---|----------------|
| CHERI MARIE LEHMAN,                 | ) |                |
|                                     | ) |                |
| Plaintiff,                          | ) |                |
|                                     | ) |                |
| v.                                  | ) | No.: 00-505-CD |
|                                     | ) |                |
| HOWARD G. MOYER, INC., t/a HOWARD'S | ) |                |
| BILO,                               | ) |                |
|                                     | ) |                |
| Defendant.                          | ) |                |

**CERTIFICATE PREREQUISITE TO SERVICE OF  
A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Tracey G. Benson, Esquire certifies that:

- (1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served.
- (2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) no objections to the subpoena have been received, and
- (4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.


  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Attorney for Defendant  
Howard G. Moyer, Inc. t/a Howard's Bi-Lo

Dated: September 15, 2000

**FILED**

SEP 18 2000  
M/4:00 PM  
William A. Shaw  
Prothonotary  
1 CENT TO ATTORNEY  


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

CHERI MARIE LEHMAN,

Plaintiff,

v.

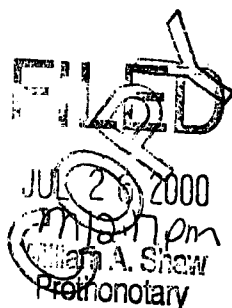
HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.



Tracey G. Benson  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: July 24, 2000

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

MARIE LEHMAN,

Plaintiff(s)

vs.

No. 00-505-CD

RD G. MOYER, INC. t/a HOWARD'S

0

Defendant(s)

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
FOR DISCOVERY PURSUANT TO RULE 4009.22

Thomas Ellis, M.D. 101 Regent Court, State College, PA 16801  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are  
ordered by the court to produce the following documents or things:

SEE ATTACHMENT

Eller, Kistler, Campbell 124 North Allegheny St., Bellefonte, PA 16823  
(Address)

You may deliver or mail legible copies of the documents or produce  
things requested by this subpoena, together with the certificate of  
compliance, to the party making this request at the address listed  
above. You have the right to seek in advance the reasonable cost of  
reparing the copies or producing the things sought.

If you fail to produce the documents or things required by this  
subpoena within twenty (20) days after its service, the party serving  
this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823

TELEPHONE: 814-355-5474

SUPREME COURT ID # 34984

ATTORNEY FOR: Defendant Howard C. Moyer, Inc.,  
t/a Howard's Bi-Lo

BY THE COURT:



William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: July 20, 2000  
Seal of the Court

**ATTACHMENT**

The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman(Social Security No. 179-42-7929), including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO**

**SERVE SUBPOENA** was hereby served by depositing the same within the custody of the

United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: July 24, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within **Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson  
Tracey G. Benson

Dated: September 15, 2000

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

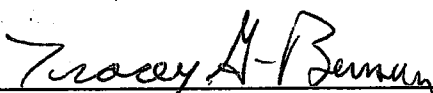
No.: 00-505-CD

**NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS  
AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Howard G. Moyer, Inc., t/a Howard's Bi-Lo, intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made the subpoena may be served.

**FILED**

NOV 09 2001  
William A. Shaw  
Prothonotary

  
Tracey G. Benson

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. t/a/  
Howard's Bi-Lo

Dated: November 8, 2001

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Cheri Marie Lehman  
Plaintiff(s)

Vs.

Howard G. Moyer, Inc.  
Howard's Bi-Lo  
Defendant(s)

No. 2000-00505-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE  
4009.22

TO: Amy Hays, M.D., 605 State Street, Curwensville, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce  
the following documents or things:

SEE ATTACHMENT

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this  
subpoena, together with the certificate of compliance, to the party making this request at the address  
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or  
producing the things sought.

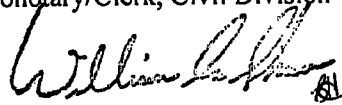
If you fail to produce the documents or things required by this subpoena within twenty (20) days  
after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Tracey G. Benson, Esq.  
ADDRESS: 124 N. Allegheny Street  
Bellefonte, PA 16823  
TELEPHONE: (814) 355-5474  
SUPREME COURT ID # 34984  
ATTORNEY FOR: Defendants

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, October 29, 2001  
Seal of the Court

### ATTACHMENT

(1) The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929) rendered by Dr. Hays or other physicians or health care providers affiliated with Dr. Hays, including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

(2) The deponent is directed to bring with him/her copies of all records pertaining to the medical, psychiatric or psychological care of Cheri Marie Lehman (Social Security No. 179-42-7929) rendered by Dr. Shelock or any other physician whose records are in the custody or control of Dr. Hays, including but not limited to a full and complete copy of any and all records, office notes, admission summaries, discharge summaries, operative reports, lab reports, medication records, reports, notes, correspondence, x-ray reports, test results, consultations, progress notes or other material or information relating to any consultation, examination, medical history, diagnosis or treatment. **We reserve the right to obtain copies of radiology films using this authorization once we have had an opportunity to review any records or radiology reports that are received in response to this request.**

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BILO,

Defendant.

No.: 00-505-CD

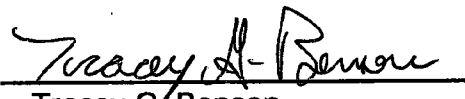
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within, **NOTICE OF INTENT TO  
SERVE SUBPOENA** was hereby served by depositing the same within the custody of the  
United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.

By:

  
Tracey G. Benson

Dated: November 8, 2001

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC. t/a  
HOWARD'S BI-LO

Defendant.

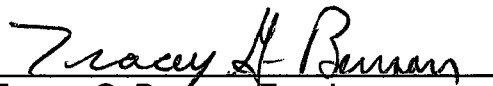
Civil Action No. 00-505-CD

**NOTICE OF SERVICE OF INTERROGATORIES**

TO: William Shaw, Prothonotary  
Court of Common Pleas of Clearfield County, PA  
Clearfield, PA 16830

Please take notice that the undersigned has served the original and two copies  
of Defendants' Second Set of Interrogatories to Plaintiff by mailing them, first-class,  
postage prepaid, on this date to the following:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

  
Tracey G. Benson, Esquire  
MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON, INC.  
124 North Allegheny Street  
Bellefonte, PA 16823  
(814) 355-5474

Counsel for Defendant  
Howard G. Moyer, Inc. v/b  
Howard's Bi-Lo

**FILED**

Dated: September 25, 2002

SEP 26 2002

William A. Shaw  
Prothonotary

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC. t/a  
HOWARD'S BI-LO

Defendant.

Civil Action No. 00-505-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **NOTICE OF SERVICE OF DEFENDANT'S SECOND SET OF INTERROGATORIES ON PLAINTIFF**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Kim C. Kesner, Esquire  
23 North Second Street  
Clearfield, PA 16830

MILLER, KISTLER, CAMPBELL,  
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson  
Tracey G. Benson, Esquire

Dated: September 25, 2002

FILED

SEP 20 2002

3/1135

APCC

REDA

William A. Shaw  
Prothonotary

CA

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

CHERI MARIE LEHMAN,  
Plaintiff

No. 00-505-CD

vs.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,  
Defendant

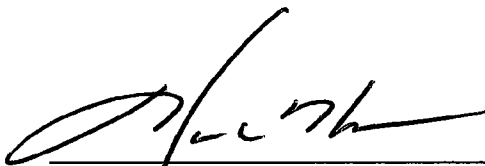
**PRAECIPE FOR TRIAL**

TO: WILLIAM A. SHAW, PROTHONOTARY

Please list the above-captioned matter for trial on the civil jury trial list.

I hereby certify that no motions are outstanding; that discovery has been completed;  
and/or I reasonably believe completion of remaining discovery will not obstruct proceedings in  
this case; and that the case is ready for trial.

I further certify that notice of this praecipe has been given to the attorney of record repre-  
senting the Defendant.

  
\_\_\_\_\_  
Kim C. Kesner, Esquire  
Attorney for Plaintiff

Dated: July 13, 2004

cc: Tracey G. Benson, Esquire

FILED

012:09:00  
JUL 13 2004

3cc  
Amy Kesner

William A. Shaw  
Prothonotary/Clerk of Courts

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on the 13<sup>th</sup> day of July, 2004, I caused to be served a true and correct copy of Plaintiff's Certification of Readiness and Praeipie For Trial on the following and in the manner indicated below:


**BY PERSONAL SERVICE**

Court Administrator's Office  
Courthouse  
1 North Second Street  
Clearfield, PA 16830

**BY UNITED STATES MAIL, FIRST CLASS, POSTAGE PREPAID**

Tracey G. Benson, Esquire  
Miller, Kistler, Campbell, Miller  
Williams & Benson, Inc.  
124 North Allegheny Street  
Bellefonte, PA 16823-1695

Date: July 13, 2004

  
\_\_\_\_\_  
Kim C. Kesner, Esquire  
Attorney for Plaintiff

|                     |  |  |    |
|---------------------|--|--|----|
| Kim C. Kesner, Esq. | CHERI MARIE LEHMAN                                 | MAY 2, 2000, COMPLAINT IN CIVIL ACTION, filed by Kim C. Kesner, Esq., Attorney for the Plaintiff<br>One Certified Copy to Sheriff<br>Four Certified Copies to Attorney                                     | 1  |
|                     |  | MAY 08, 2000, SHERIFF RETURN, COMPLAINT UPON DEFENDANT: SO ANSWERS, CHESTER A. HAWKINS, SHERIFF by s/Marilyn Hamm  | 2  |
|                     | 00-505-CD  | MAY 16, 2000, ENTRY OF APPEARANCE, filed by s/TRACEY G. BENSON, ESQ.   | 3  |
|                     |  | CERTIFICATE of SERVICE, filed.   |    |
| Tracey G. Benson    | HOWARD G. MOYER, INC. t/a                          | JUN 07, 2000, ANSWER and NEW MATTER, filed by s/TRACEY G. BENSON, ESQ.   | 4  |
|                     | HOWARD'S BI-LO                                     | NOTICE TO PLEAD, filed<br>VERIFICATION, s/JOHN DRESE<br>CERTIFICATE OF SERVICE, filed.   |    |
|                     |  | JUN 16, 2000, REPLY TO NEW MATTER, filed by s/KIM C. KESNER, ESQ.<br>THREE (3) CC. ATTY KESNER<br>VERIFICATION, s/KIM S. KESNER, ESQ.<br>CERTIFICATE of SERVICE, filed.                                    | 5  |
|                     |  | JUL 26, 2000, NOTICE OF SERVICE OF INTERROGATORIES, UPON ATTY KESNER, filed by s/TRACEY G. BENSON, ESQ.<br>CERTIFICATE OF SERVICE  | 6  |
|                     | Pro BY ATTY 80.00<br>Shff<br>Hawkins By Atty 37.69 | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: UNIVERSITY ORTHOPEDICS and SPORTS MEDICINE CENTER: s/TRACEY G. BENSON, ESQ.   | 7  |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: MOSHANNON VALLEY SCHOOL DISTRICT: s/TRACEY G. BENSON, ESQ.                    | 8  |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: THOMAS ELLIS, M.D.: s/TRACEY G. BENSON, ESQ.                                  | 9  |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: ADVANCED IMAGING ASSOCIATES: s/TRACEY G. BENSON, ESQ.                         | 10 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: STATE COLLEGE ANESTHETIC ASSOCIATES: s/TRACEY G. BENSON, ESQ.                 | 11 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: CLEARFIELD HOSPITAL: s/TRACEY G. BENSON, ESQ.                                 | 12 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: CENTRE COMMUNITY SURGICAL CENTER: s/TRACEY G. BENSON, ESQ.                    | 13 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: UNIVERSITY ORTHOPEDIC and SPORTS MEDICINE CENTER: s/TRACEY G. BENSON, ESQ.    | 14 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: MERCY JOYNER ASSOCIATES: s/TRACEY G. BENSON, ESQ.                             | 15 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: SCENERY PARK OPEN MRI: s/TRACEY G. BENSON, ESQ.                               | 16 |
|                     |  | JUL 26, 2000, NOTICE OF INTENT TO SERVE SUBPOENA TO PRODUCE DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21, RE: THERAPY WORKS of CLEARFIELD HOSPITAL: s/TRACEY G. BENSON, ESQ.                | 17 |
|                     |  | SEP. 18, 2000, CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22 ON THERAPY WORKS OF CLEARFIELD HOSPITAL, s/TRACEY G. BENSON, ESQ.  | 18 |
|                     |  | SEP. 18, 2000, CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22 ON UNIVERSITY ORTHOPEDIC AND SPORTS MEDICINE CENTER - JOYNER SPORTS MEDICINE INSTITUTE, s/TRACEY G. BENSON, ESQ. | 19 |
|                     |  | SEP. 18, 2000, CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22 ON MERCY JOYNER ASSOCIATES, s/TRACEY G. BENSON, ESQ.   | 20 |
|                     |  | SEP. 18, 2000, CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22 ON SCENERY PARK OPEN MRI, s/TRACEY G. BENSON, ESQ.   | 21 |
|                     |  | SEP. 18, 2000, CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22 ON CLEARFIELD HOSPITAL, s/TRACEY G. BENSON, ESQ.   | 22 |

23 24 25 26 27 28

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on the 11 day of August, 2004, I caused to be served a true and correct copy of Plaintiff's Pre-Trial Memorandum on the following and in the manner indicated below:

**BY UNITED STATES MAIL, FIRST CLASS, POSTAGE PREPAID**

Julia Cronin & Tracey G. Benson, Esquires  
Miller, Kistler, Campbell, Miller  
Williams & Benson, Inc.  
124 North Allegheny Street  
Bellefonte, PA 16823-1695

Date: August 11, 2004



Kim C. Kesner, Esquire  
Attorney for Plaintiff

FILED <sup>EGK</sup>  
013-3201  
AUG 12 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHERI MARIE LEHMAN,  
Plaintiff

No. 00-505-CD

vs.

HOWARD G. MOYER, INC., t/a HOWARD'S  
BI-LO,  
Defendant

RECEIVED

AUG 11 2004

CLERK OF COURT  
ADMINISTRATOR'S  
OFFICE

**PLAINTIFFS' PRE-TRIAL MEMORANDUM**

TO: The Honorable Paul E. Cherry, Judge

AND NOW, comes Plaintiff, Cheri Marie Lehman, by her attorney, Kim C. Kesner, Esquire, who files this Pre-Trial Statement in accordance with Local Rule 1306(A).

**I. Brief Factual Statement of the Case**

This is a premises liability case. Plaintiff was shopping at Howard's Bi-Lo and was attempting to check out and pay for her groceries when she was tripped and fell to the ground when her foot caught on a protrusion on a magazine rack at the checkout counter. As a result of her fall, she suffered shoulder and knee injuries. The shoulder injury required surgery and months of physical therapy.

**II. List of Exhibits to be offered in Evidence**

1. List of special (medical and lost wages) damages to be available at pretrial conference).
2. Plaintiff's sketch of rack (to be available at pre-trial conference).
3. Deposition transcript of Dr. Thomas Ellis, M.D.
4. Plaintiff's shoes worn at the accident.
5. Handwritten notes of Gregory Davis/Linda Lumadue and/or John Dreese.

CA

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

CHERI MARIE LEHMAN

V.

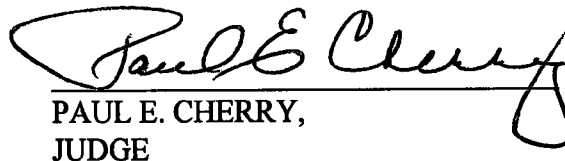
HOWARD G. MOYER, INC. t/a  
HOWARD'S BI-LO

NO. 00-505-CD  
03-1845-CD

**ORDER**

AND NOW, this 16<sup>th</sup> day of August, 2004, the Court having been advised by Kim Kesner, Esquire, attorney for Plaintiff, that the parties have reached an agreement and that Pre-Trial Conference scheduled for Wednesday, August 18, 2004 is no longer necessary, it is the ORDER of the Court that said Pre-Trial Conference be and is hereby cancelled. It is the further ORDER of this Court that counsel shall submit to the Court a signed Stipulation within ten (10) days of this date.

BY THE COURT,

  
PAUL E. CHERRY,  
JUDGE

FILED

AUG 17 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC. t/a  
HOWARD'S BI-LO

Defendant.

Civil Action No. 00-505-CD

**PRAECIPE TO SETTLE AND DISCONTINUE**

TO THE PROTHONOTARY:

Please mark the above-captioned action settled and discontinued with prejudice.



Kim C. Kesner, Esquire  
Attorney at Law

23 North Second Street  
Clearfield, PA 16830  
(814) 765-1706

Counsel for Plaintiff Cheri M. Lehman

Dated:

8/31/04

FILED 2cc & 2 Cert.  
0/2:31/04 of Disc. to Atty  
AUG 31 2004 Kesner

William A. Shaw  
Prothonotary/Clerk of Courts

copy to CIA

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

CHERI MARIE LEHMAN,

Plaintiff,

v.

HOWARD G. MOYER, INC. t/a  
HOWARD'S BI-LO

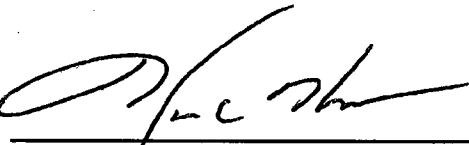
Defendant.

Civil Action No. 00-505-CD

**CERTIFICATE OF SERVICE**

I, Kim C. Kesner, Esquire, hereby certify that the foregoing Praecipe to Settle and Discontinue was served this 31<sup>st</sup> day of August, 2004 by mailing same first class United States mail, postage prepaid, addressed to:

Julia R. Cronin, Esquire  
Miller, Kistler, Campbell,  
Miller, Williams & Benson, Inc.  
124 N. Allegheny Street  
Bellefonte, PA 16823

  
\_\_\_\_\_  
Kim C. Kesner, Esquire

**FILED**

**AUG 31 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

**CIVIL DIVISION**

COPY

**Cheri Marie Lehman**

**Vs.**

**No. 2000-00505-CD**

**Howard G. Moyer, Inc. t/a  
Howard's Bi-Lo**

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on August 31, 2004, marked:

Settled and Discontinued with Prejudice

Record costs in the sum of \$80.00 have been paid in full by Kim C. Kesner, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 31st day of August A.D. 2004.

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William A. Shaw, Prothonotary