

00-708-CD
RALPH A. WOLFE et al -vs- KRISTA LIN BEHFER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

⑧ RALPH A. WOLFE, Administrator
of the Estate of KENNETH J. WOLFE,
Deceased, and RALPH A. WOLFE and
⑨ PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiff,

vs.

⑩ KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

No.: 88-708-C

PRAECIPE FOR WRIT
OF SUMMONS

Filed on Behalf of Plaintiff

Counsel of Record for This
Party:

Peter J. Mansmann, Esquire
Pa. I.D. #11494

Francis M. Moore, Esquire
Pa. I.D. #60039

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219
(412) 232-0661

FILED

JUN 14 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator
of the Estate of KENNETH J. WOLFE,
Deceased, and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

CIVIL DIVISION

Plaintiff,

No.: 00-708-CO

vs.

KRISTA LIN BEHRER,

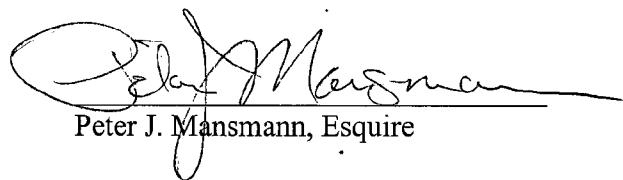
Defendant.

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Kindly issue a Writ of Summons against the Defendant in an amount in excess of
TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.


Peter J. Mansmann, Esquire

FILED

JUN 14 2000

120/atty Mansmann
William A. Shaw
Prothonotary
Pd \$80.00

Writ to Atty Mansmann

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

RALPH A. WOLFE, Administrator of the
Estate of KENNETH J. WOLFE, Deceased
and RALPH A. WOLFE and PEGGY WOLFE,
his wife, as individuals in their
own right,

COPY

Plaintiff(s)

S U M M O N S
No: 00-708-CD

vs.

KRISTA LIN BEHRER,

Defendant(s)

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

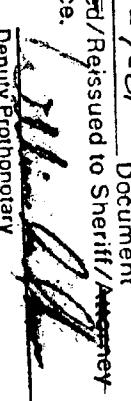
Date June 14, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

Francis M. Moore, Esquire
220 Grant Street
Pittsburgh, PA 15219



3-9-01 Document
Retired/Reissued to Sheriff/Attorney
for service. 

Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

CIVIL DIVISION

No.: 00-708-CD

Plaintiffs,

PRAECIPE TO REISSUE
WRIT OF SUMMONS

-vs-

KRISTA LIN BEHRER,

Filed on Behalf of Plaintiffs

Defendant.

Counsel of Record for This
Party:

Peter J. Mansmann, Esquire
Pa. I.D. #11494

Francis M. Moore, Esquire
Pa. I.D. #60039

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219
(412) 232-0661

JURY TRIAL DEMANDED

FILED

MAR 09 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

CIVIL DIVISION

No.: 00-708-CD

Plaintiffs,

-VS-

KRISTA LIN BEHRER,

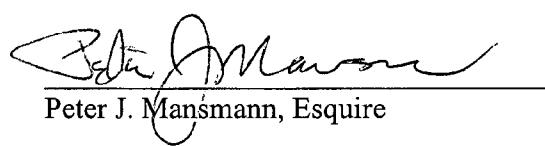
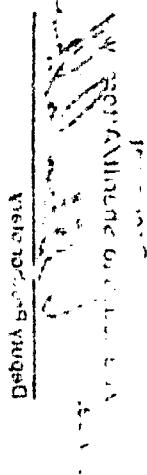
Defendant.

PRAECIPE TO REISSUE WRIT OF SUMMONS

TO: Prothonotary of Clearfield County

SIR:

Kindly reissue the complaint regarding the within matter.



Peter J. Mansmann, Esquire

FILED

MAR 09 2001
12:00 PM
William A. Shaw
Prothonotary
Camp. Reinstated
Com. Sheriff

3.9.01 Document
~~Reissued~~ / Reissued to Sheriff / Attorney
for service.
William A. Shaw
~~Prothonotary~~ Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10778

WOLFE, RALPH A., Administrator of estate of Kenneth J. Wolfe al

00-708-CD

VS.

BEHRER, KRISTA LIN

COMPLAINT

SHERIFF RETURNS

**NOW MARCH 9, 2001 DAVID L.. HARKER, SHERIFF OF HUNTINGDON COUNTY
WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY
TO SERVE THE WITHIN COMPLAINT ON KRISTA LIN BEHRER, DEFENDANT.**

**NOW MARCH 13, 2001 SERVED THE WITHIN COMPLAINT ON KRISTA LIN BEHRER,
DEFENDANT BY DEPUTIZING THE SHERIFF OF HUNTINGDON COUNTY. THE
RETURN OF SHERIFF HARKER IS HERETO ATTACHED AND MADE A PART OF
THIS RETURN STATING THAT HE SERVED MICHAEL A. BEHRER, FATHER.**

Return Costs

Cost Description

**27.89 SHFF. HAWKINS PAID BY: ATTY.
32.24 SHFF. HARKER PAID BY: ATTY.
10.00 SURCHARGE PAID BY: ATTY.**

Sworn to Before Me This

16 Day of March 2001

9/8/01

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

MAR 16 2001

Attest:

William A. Hark
Prothonotary

So Answers,

*Chester A. Hawkins
by Marilyn Haskins*
Chester A. Hawkins
Sheriff



SHERIFF'S OFFICE

HUNTINGDON COUNTY, PENNSYLVANIA

241 Mifflin Street
Huntingdon, PA 16652
Telephone: 814-643-0880
David L. Harker, Sheriff

RALPH A. WOLFE, ADMINISTRATOR OF THE

ESTATE OF KENNETH J. WOLFE, DECEASED

AND RALPH A. WOLFE AND PEGGY WOLFE, HIS WIFE, AS INDIVIDUALS IN THEIR OWN
RIGHT

NO. 708 TERM 00

VS:

KRISTA LIN BEHRER

NOW, MARCH 13, 2001, AT 1527 A.M./P.M. I SERVED THE WITHIN

COMPLAINT / JURY TRIAL DEMANDED UPON

KRISTA LIN BEHRER AT

HC01 BOX 103A, SPRUCE CREEK, PA 16683

BY HANDING TO MICHAEL A. BEHRER, FATHER OF KRISTA LIN BEHRER

ONE TRUE AND CORRECT COPY/COPIES OF THE WITHIN COMPLAINT / JURY TRIAL DEMANDED

AND MADE KNOWN TO MICHAEL

THE CONTENTS THEREOF.

SWORN AND SUBSCRIBED TO
BEFORE ME THIS 15th
DAY OF March
2001, A.D.

Kay Coons

PROTHONOTARY/NOTARY PUBLIC

KAY COONS PROTHONOTARY HUNTINGDON COUNTY, PENNSYLVANIA MY COMMISSION EXPIRES JANUARY 7, 2002

SO ANSWERS,

David L. Harker
David L. Harker, Sheriff

DEPUTY ROBERT PYLANT *Robert Pylant*
CHIEF DEPUTY/DEPUTY

COSTS:

REC & DOC	9.00
SERVICE	9.00
MILEAGE/POSTAGE .	14.24
SURCHARGE	---
AFFIDAVIT	N/C
MISCELLANEOUS . . .	---

TOTAL COSTS

\$32.24 PAID

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

NO: 00-708-CD

COMPLAINT

**FILED ON BEHALF OF:
PLAINTIFFS**

**COUNSEL OF RECORD
FOR THIS PARTY:**

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

39-91 Document
Searched/Reissued to Sheriff/Attorney
or service. *William A. O'Brien*

Deputy Prothonotary

NOTICE TO DEFEND

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

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

COURT ADMINISTRATOR OF CLEARFIELD COUNTY
ONE NORTH SECOND STREET
CLEARFIELD, PA 16830
814-765-2641

COMPLAINT

AND NOW COME the Plaintiffs, **RALPH A. WOLFE AND PEGGY WOLFE**, by and through their attorneys **PETER J. MANSMANN, ESQUIRE AND FRANK M. MOORE, ESQUIRE of MANSMANN & MOORE**, filing the following Complaint in Civil Action:

1. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, residing at RD3, Box 136, Tyrone, PA 16686, County of Blair, are parents of their deceased son, Kenneth J. Wolfe, who died on December 18, 1999.
2. On May 24, 2000, Plaintiffs Ralph A. Wolfe and Peggy Wolfe were appointed Administrators of the Estate of Kenneth J. Wolfe by the Register of Wills of Blair County at No. 2000-00290.
3. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, are the only persons entitled to recover damages in this wrongful death and survival action.
4. Defendant, Krista Lin Behrer, resides at HC01, Box 103A, Spruce Creek, PA 16683, County of Huntingdon, Pennsylvania.

COUNT I - WRONGFUL DEATH
RALPH A. WOLFE AND PEGGY WOLFE IN THEIR OWN RIGHT

5. Plaintiffs incorporate by reference paragraphs 1 through 5 of this Complaint.
6. On December 18, 1999, Defendant Krista Lin Behrer operated a vehicle at an excessive rate of speed around a bend on North S.R. 0453, in Gulich Township, Pennsylvania. She lost control, left the roadway, and struck a tree. The vehicle then rotated clockwise, at which time her front seat passenger, Kathy Drake, was ejected. Decedent, Kenneth J. Wolfe, was a rear seated passenger who died later that night at Conemaugh Hospital.

7. Kenneth J. Wolfe died on December 18, 1999 as a result of a subarachnoid hemorrhage, subdural hematoma and blunt force trauma suffered in that motor vehicle accident.
8. Kenneth J. Wolfe's injuries and death, and Ralph A. Wolfe and Peggy Wolfe's damages were the direct and proximate result of the Defendant's negligence, carelessness, and recklessness as listed in the following lettered particulars:
 - a. In driving the vehicle at an excessive, dangerous, and reckless rate of speed;
 - b. In failing to keep the vehicle under proper control;
 - c. In allowing the vehicle to exit the roadway;
 - d. In failing to use due care and in acting without due regard for the rights and safety of her passengers;
 - e. In continuing to operate the vehicle in a reckless and dangerous manner after beginning to lose control of the vehicle;
 - f. In failing to operate the brakes in such a manner that the vehicle could round the bend in the roadway properly and without leaving the roadway; and
 - g. In failing to observe the condition of the roadway.
9. There were no highway defects which may have contributed to this collision and there were no pre-existing mechanical defects discovered upon inspection of the vehicle.
10. Ralph A. Wolfe and Peggy Wolfe are entitled to recover damages for Kenneth J. Wolfe's wrongful death and have suffered the following damages:
 - a. They have expended money for medical services and supplies incident to the treatment and subsequent death of the decedent, Kenneth J. Wolfe;
 - b. They have expended money for funeral and estate expenses because

of the death of Kenneth J. Wolfe;

- c. They have been denied and have forever lost the services, assistance, guidance, counseling, companionship, society and joy of their son, Kenneth J. Wolfe;
- d. They have been and will forever be deprived of the financial support and all pecuniary benefits which they would have received from Kenneth J. Wolfe; and
- e. They have incurred expenses of administration and they have incurred and suffered the pain and expense of being required to pursue this litigation and to relive the painful events surrounding the death of their son, Kenneth J. Wolfe.

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendant for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS and costs.

COUNT II - SURVIVAL ACTION
RALPH A. WOLFE AND PEGGY WOLFE, ADMINISTRATORS OF THE
ESTATE OF KENNETH J. WOLFE, DECEASED

- 11. Plaintiffs incorporate by reference paragraphs 1 through 11 of this Complaint.
- 12. As a result of the previously described negligent conduct of the Defendant, Plaintiffs, as the Administrators of the estate of Kenneth J. Wolfe, seek damages for the following items:
 - a. The physical pain, and mental anguish which Kenneth J. Wolfe suffered up to the time of his death;
 - b. Loss of Kenneth J. Wolfe's earnings during his expected lifetime less the cost of his maintenance.

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendant for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.

BY:



PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct to the best of my knowledge, information and belief.

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 Feb. 13th 2001

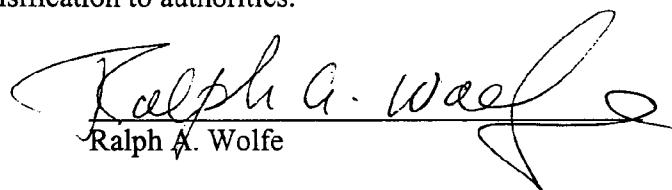
Peggy Wolfe
Peggy Wolfe

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct to the best of my knowledge, information and belief.

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 Feb. 13th 2001


Ralph A. Wolfe

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiffs,
v.

KRISTA LIN BEHRER,
Defendant.

No. 00-708-CD

Praeclipe for Appearance

FILE ON BEHALF OF DEFENDANT

PFAFF, McINTYRE, DUGAS, HARTYE
& SCHMITT
LOUIS C. SCHMITT, JR., ESQUIRE
Pa. I.D. #52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581
(814) 696-9399

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
FORWARDED TO ALL COUNSEL/PARTIES
OF RECORD ON March 22, 2001.

Attnorneys for Defendant

FILED

MAR 26 2001

William A. Shaw
Prothonotary

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Kindly enter my appearance as counsel of record for the Defendant,

KRISTA LIN BEHRER, in the above-captioned action.

**PFAFF, McINTYRE, DUGAS, HARTYE &
SCHMITT**

Attorneys for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
PA I.D.#: 52459
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

REC'D
MAR 26 2001
Wm A. Shaw
Prothonotary

100-39365
100-4245185
100-4245186

RECEIVED
MAY 1 2001
PROTHONOTARY OF THE
SUPREME COURT
OF PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

NO: 00-708-CD

AMENDED COMPLAINT

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED

MAY 04 2001

m/1200 (mr)
William A. Shaw
Prothonotary
1 cent to Atty

NOTICE TO DEFEND

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

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

COURT ADMINISTRATOR OF CLEARFIELD COUNTY
ONE NORTH SECOND STREET
CLEARFIELD, PA 16830
814-765-2641

AMENDED COMPLAINT

AND NOW COME the Plaintiffs, **RALPH A. WOLFE AND PEGGY WOLFE**, by and through their attorneys **PETER J. MANSMANN, ESQUIRE AND FRANK M. MOORE, ESQUIRE of MANSMANN & MOORE**, filing the following Amended Complaint in Civil Action:

1. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, residing at RD3, Box 136, Tyrone, PA 16686, County of Blair, are parents of their deceased son, Kenneth J. Wolfe, who died on December 18, 1999.
2. On May 24, 2000, Plaintiffs Ralph A. Wolfe and Peggy Wolfe were appointed Administrators of the Estate of Kenneth J. Wolfe by the Register of Wills of Blair County at No. 2000-00290.
3. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, are the only persons entitled to recover damages in this wrongful death and survival action.
4. Defendant, Krista Lin Behrer, resides at HC01, Box 103A, Spruce Creek, PA 16683, County of Huntingdon, Pennsylvania.

COUNT I - WRONGFUL DEATH
RALPH A. WOLFE AND PEGGY WOLFE IN THEIR OWN RIGHT

5. Plaintiffs incorporate by reference paragraphs 1 through 5 of this Complaint.
6. On December 18, 1999, Defendant Krista Lin Behrer operated a vehicle at an excessive rate of speed around a bend on North S.R. 0453, in Gulich Township, Pennsylvania. She lost control, left the roadway, and struck a tree. The vehicle then rotated clockwise, at which time her front seat passenger, Kathy Drake, was ejected. Decedent, Kenneth J. Wolfe, was a rear seated passenger who died later that night at Conemaugh Hospital.

7. Kenneth J. Wolfe died on December 18, 1999 as a result of a subarachnoid hemorrhage, subdural hematoma and blunt force trauma suffered in that motor vehicle accident.
8. Kenneth J. Wolfe's injuries and death, and Ralph A. Wolfe and Peggy Wolfe's damages were the direct and proximate result of the Defendant's negligence, carelessness, and recklessness as listed in the following lettered particulars:
 - a. In driving the vehicle at an excessive, dangerous, and reckless rate of speed;
 - b. In failing to keep the vehicle under proper control;
 - c. In allowing the vehicle to exit the roadway;
 - d. In failing to use due care and in acting without due regard for the rights and safety of her passengers;
 - e. In continuing to operate the vehicle in a reckless and dangerous manner after beginning to lose control of the vehicle;
 - f. In failing to operate the brakes in such a manner that the vehicle could round the bend in the roadway properly and without leaving the roadway; and
 - g. In failing to observe the condition of the roadway.
9. There were no highway defects which may have contributed to this collision and there were no pre-existing mechanical defects discovered upon inspection of the vehicle.
10. Ralph A. Wolfe and Peggy Wolfe are entitled to recover damages for Kenneth J. Wolfe's wrongful death and have suffered the following damages:
 - a. They have expended money for funeral and estate expenses because of the death of Kenneth J. Wolfe;

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendant for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS and costs.

COUNT II - SURVIVAL ACTION
RALPH A. WOLFE AND PEGGY WOLFE, ADMINISTRATORS OF THE
ESTATE OF KENNETH J. WOLFE, DECEASED

11. Plaintiffs incorporate by reference paragraphs 1 through 11 of this Complaint.
12. As a result of the previously described negligent conduct of the Defendant, Plaintiffs, as the Administrators of the estate of Kenneth J. Wolfe, seek damages for the following items:
 - a. The physical pain, and mental anguish which Kenneth J. Wolfe suffered up to the time of his death;
 - b. Loss of Kenneth J. Wolfe's earnings during his expected lifetime less the cost of his maintenance; and
 - c. Monies expended for medical services and supplies incident to the treatment and subsequent death of the decedent, Kenneth J. Wolfe.

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendant for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.

BY: 
PETER J. MANSMANN, ESQ.
PA I.D.#: 11494
FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219
Tele: 412-232-0661
Fax: 412-232-0233

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

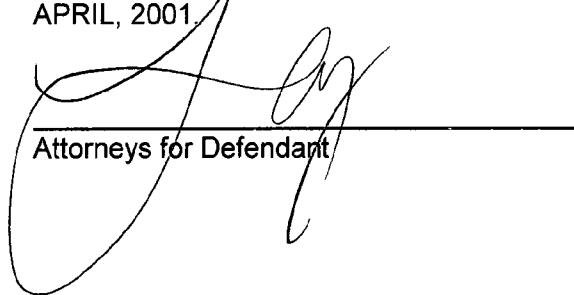
No. 00-708-CD

PRELIMINARY OBJECTIONS

FILE ON BEHALF OF DEFENDANT

PFAFF, McINTYRE, DUGAS, HARTYE
& SCHMITT
LOUIS C. SCHMITT, JR., ESQUIRE
Pa. I.D. #52459
P.O. Box 533
Hollidaysburg, PA 16648
Ph: (814) 696-3581
Fax: (814) 696-9399

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
FORWARDED TO ALL COUNSEL
OF RECORD THIS 2nd DAY OF
APRIL, 2001.



Attorneys for Defendant

FILED

APR 03 2001

M 10:25 AM

William A. Shaw

Prothonotary

No C/c.



RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

PRELIMINARY OBJECTIONS

AND NOW, comes Defendant Krista Lin Behrer, by and through her attorneys, Pfaff, McIntyre, Dugas, Hartye & Schmitt, and files the following Preliminary Objections to Plaintiff's Complaint, saying as follows:

1. This lawsuit arises out of a one-car motor vehicle accident which occurred on December 18, 1999, when Defendant Krista Lin Behrer allegedly was operating a motor vehicle around a bend northbound on State Route 053 in Gulich Township, Pennsylvania, when that motor vehicle left the roadway and struck a tree, allegedly resulting in the death of Decedent, Kenneth J. Wolfe.

2. On March 16, 2001, Defendant was served with a copy of Plaintiff's Complaint. (See true and correct copy of Plaintiff's Complaint, attached hereto as Exhibit "A".)

3. Plaintiffs Ralph A. Wolfe and Peggy Wolfe, parents of the Decedent, request in Paragraph 10.a. damages "for medical services and supplies incident to the treatment and subsequent death of the decedent, Kenneth J. Wolfe". At Paragraph 10.c. they also request damages for the loss of "services, assistance, guidance, counseling, companionship, society, and joy of their son, Kenneth J. Wolfe". At Paragraph 10.d. they also request damages for "financial support and all pecuniary benefits which they would have received from Kenneth J. Wolfe". Finally, at Paragraph 10.e., they request

damages for the "pain and expense of being required to pursue this litigation and to relieve the painful events surrounding the death of their son, Kenneth J. Wolfe."

DEMURER

4. The allegations set forth in Paragraphs 1 through 3 of these Preliminary Objections are hereby incorporated by reference, as if fully set forth herein.

The law of the Commonwealth of Pennsylvania does not recognize any right of parents to recover damages for medical expenses, loss of services, or loss of a child's comfort, society and companionship through a cause of action for loss of filial consortium.

5. Additionally, no one forced Mr. and Mrs. Wolfe to file a lawsuit and to suffer the "pain and expense" of being "required" (sic) to pursue this litigation and to relieve the painful events surrounding the death of their son, Kenneth J. Wolfe. No such cause of action is recognized in Pennsylvania.

WHEREFORE, Defendant Krista Lin Behrer respectfully requests that this Honorable Court grant her demurer and dismiss Subparagraphs a., c., d., and e. of Paragraph 10 of Plaintiff's Complaint.

Respectfully submitted:

Pfaff, McIntyre, Dugas, Hartye & Schmitt

Atorneys for Defendant
LOUIS C. SCHMITT, JR., ESQUIRE
PA I.D. NO. 52459
Post Office Box 533
Hollidaysburg, PA 16648
Ph: (814) 696-3581

TO THE WITHIN NAMED PARTIES:

You are hereby notified to plead to the enclosed **Preliminary Objections** within **twenty (20)** days from service hereof or a Default Judgment may be entered against you.

Attnorneys for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

NO: 00-708-CD

COMPLAINT

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

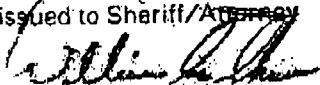
FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

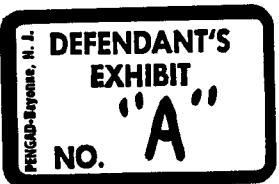
220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

3-9-01 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary



NOTICE TO DEFEND

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

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

COURT ADMINISTRATOR OF CLEARFIELD COUNTY
ONE NORTH SECOND STREET
CLEARFIELD, PA 16830
814-765-2641

COMPLAINT

AND NOW COME the Plaintiffs, **RALPH A. WOLFE AND PEGGY WOLFE**, by and through their attorneys **PETER J. MANSMANN, ESQUIRE AND FRANK M. MOORE, ESQUIRE of MANSMANN & MOORE**, filing the following Complaint in Civil Action:

1. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, residing at RD3, Box 136, Tyrone, PA 16686, County of Blair, are parents of their deceased son, Kenneth J. Wolfe, who died on December 18, 1999.
2. On May 24, 2000, Plaintiffs Ralph A. Wolfe and Peggy Wolfe were appointed Administrators of the Estate of Kenneth J. Wolfe by the Register of Wills of Blair County at No. 2000-00290.
3. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, are the only persons entitled to recover damages in this wrongful death and survival action.
4. Defendant, Krista Lin Behrer, resides at HC01, Box 103A, Spruce Creek, PA 16683, County of Huntingdon, Pennsylvania.

COUNT I - WRONGFUL DEATH
RALPH A. WOLFE AND PEGGY WOLFE IN THEIR OWN RIGHT

5. Plaintiffs incorporate by reference paragraphs 1 through 5 of this Complaint.
6. On December 18, 1999, Defendant Krista Lin Behrer operated a vehicle at an excessive rate of speed around a bend on North S.R. 0453, in Gulich Township, Pennsylvania. She lost control, left the roadway, and struck a tree. The vehicle then rotated clockwise, at which time her front seat passenger, Kathy Drake, was ejected. Decedent, Kenneth J. Wolfe, was a rear seated passenger who died later that night at Conemaugh Hospital.

7. Kenneth J. Wolfe died on December 18, 1999 as a result of a subarachnoid hemorrhage, subdural hematoma and blunt force trauma suffered in that motor vehicle accident.
8. Kenneth J. Wolfe's injuries and death, and Ralph A. Wolfe and Peggy Wolfe's damages were the direct and proximate result of the Defendant's negligence, carelessness, and recklessness as listed in the following lettered particulars:
 - a. In driving the vehicle at an excessive, dangerous, and reckless rate of speed;
 - b. In failing to keep the vehicle under proper control;
 - c. In allowing the vehicle to exit the roadway;
 - d. In failing to use due care and in acting without due regard for the rights and safety of her passengers;
 - e. In continuing to operate the vehicle in a reckless and dangerous manner after beginning to lose control of the vehicle;
 - f. In failing to operate the brakes in such a manner that the vehicle could round the bend in the roadway properly and without leaving the roadway; and
 - g. In failing to observe the condition of the roadway.
9. There were no highway defects which may have contributed to this collision and there were no pre-existing mechanical defects discovered upon inspection of the vehicle.
10. Ralph A. Wolfe and Peggy Wolfe are entitled to recover damages for Kenneth J. Wolfe's wrongful death and have suffered the following damages:
 - a. They have expended money for medical services and supplies incident to the treatment and subsequent death of the decedent, Kenneth J. Wolfe;
 - b. They have expended money for funeral and estate expenses because

of the death of Kenneth J. Wolfe;

- c. They have been denied and have forever lost the services, assistance, guidance, counseling, companionship, society and joy of their son, Kenneth J. Wolfe;
- d. They have been and will forever be deprived of the financial support and all pecuniary benefits which they would have received from Kenneth J. Wolfe; and
- e. They have incurred expenses of administration and they have incurred and suffered the pain and expense of being required to pursue this litigation and to relive the painful events surrounding the death of their son, Kenneth J. Wolfe.

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendant for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS and costs.

COUNT II - SURVIVAL ACTION
RALPH A. WOLFE AND PEGGY WOLFE, ADMINISTRATORS OF THE
ESTATE OF KENNETH J. WOLFE, DECEASED

- 11. Plaintiffs incorporate by reference paragraphs 1 through 11 of this Complaint.
- 12. As a result of the previously described negligent conduct of the Defendant, Plaintiffs, as the Administrators of the estate of Kenneth J. Wolfe, seek damages for the following items:
 - a. The physical pain, and mental anguish which Kenneth J. Wolfe suffered up to the time of his death;
 - b. Loss of Kenneth J. Wolfe's earnings during his expected lifetime less the cost of his maintenance.

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendant for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.

BY:


PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219

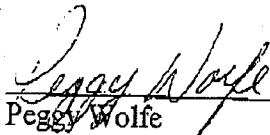
Tele: 412-232-0661
Fax: 412-232-0233

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct to the best of my knowledge, information and belief.

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 Feb. 13th 2001



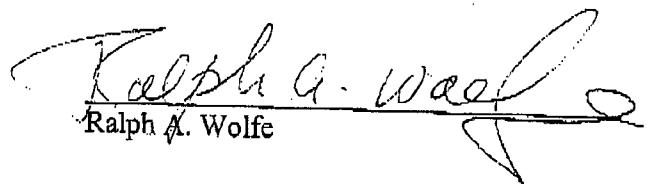
Peggy Wolfe

VERIFICATION

I verify that the statements made in the foregoing pleading are true and correct to the best of my knowledge, information and belief.

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 Feb. 13th 2001


Ralph A. Wolfe

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

No. 00-708-CD

Answer and New Matter

FILE ON BEHALF OF DEFENDANT

PFAFF, McINTYRE, DUGAS, HARTYE
& SCHMITT

LOUIS C. SCHMITT, JR., ESQUIRE

Pa. I.D. #52459

P.O. Box 533

Hollidaysburg, PA 16648

(814) 696-3581

(814) 696-9399

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
FORWARDED TO ALL COUNSEL/PARTIES
OF RECORD ON May 24, 2001

Attnorneys for Defendant

FILED

MAY 25 2001

William A. Shaw
Prothonotary

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiffs,
v.

KRISTA LIN BEHRER,

Defendant.

: IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA
No. 00-708-CD

ANSWER AND NEW MATTER

AND NOW, comes defendant, KRISTA LIN BEHRER, by and through her
attorneys, PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT, and files the following
Answer and New Matter in response to plaintiffs' Amended Complaint, saying as follows:

1. Defendant is without sufficient knowledge or information, after
reasonable investigation, to form a belief as to the truth of the allegations contained in
Paragraph 1 of plaintiffs' Amended Complaint; those allegations are therefore denied,
and strict proof thereof is demanded at the time of trial.

2. Defendant is without sufficient knowledge or information, after
reasonable investigation, to form a belief as to the truth of the allegations contained in
Paragraph 2 of plaintiffs' Amended Complaint; those allegations are therefore denied,
and strict proof thereof is demanded at the time of trial.

3. Defendant is without sufficient knowledge or information, after
reasonable investigation, to form a belief as to the truth of the allegations contained in
Paragraph 3 of plaintiffs' Amended Complaint; those allegations are therefore denied,
and strict proof thereof is demanded at the time of trial.

4. Admitted.

COUNT I

5. By way of response to Paragraph 5 of plaintiffs' Amended Complaint, defendant hereby incorporates by reference her responses to Paragraphs 1 through 4 thereof, as if fully set forth herein.

6. Denied. To the contrary, plaintiffs' decedent, Kenneth James Wolfe, was the operator of the motor vehicle at issue.

7. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in Paragraph 7 of plaintiffs' Amended Complaint; those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

8. Denied. Subparagraphs a through g, denied.

9. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in Paragraph 9 of plaintiffs' Amended Complaint; those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

10. Denied. Subparagraph a, denied.

WHEREFORE, defendant, Krista Lin Behrer, denies any and all liability to the plaintiffs upon Count I of their Amended Complaint, and respectfully requests that this Honorable Court enter judgment in her favor, with prejudice.

COUNT II

11. By way of response to the allegations contained in Paragraph 11 of plaintiffs' Amended Complaint, defendant hereby incorporates by reference her responses to Paragraphs 1 through 10 thereof, as if fully set forth herein.

12. Denied. Subparagraphs a through c, denied.

WHEREFORE, defendant, Krista Lin Behrer, denies any and all liability to the

plaintiffs upon Count II of their Amended Complaint, and respectfully requests that this Honorable Court enter judgment in her favor, with prejudice.

NEW MATTER

13. By way of further answer to the allegations contained in plaintiffs' Amended Complaint, and in support of her defenses against those allegations, defendant, Krista Lin Behrer, sets forth the following statements as New Matter:

14. Defendant, Krista Lin Behrer, hereby raises and asserts the rights, privileges, defenses, and immunities provided to her within the Pennsylvania Motor Vehicle Financial Responsibility Act, 75 Pa. C.S.A. Section 1701 et seq.

WHEREFORE, defendant, Krista Lin Behrer, denies any and all liability to the plaintiffs upon their Complaint, and respectfully requests that this Honorable Court enter judgment in her favor, with prejudice.

Respectfully submitted,

PFAFF, MCINTYRE, DUGAS, HARTYE
& SCHMITT

Atorneys for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
Pa. I.D. #52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

Notice to Plead

To: Plaintiff

You are hereby notified to file a written response to the enclosed Answer and New Matter within twenty (20) days from service hereof or a judgment may be entered against you.

Attny for Defendant

NW 282 NH

VERIFICATION

I, **KRISTA LIN BEHRER**, do hereby verify that I have read the foregoing **ANSWER AND NEW MATTER**. The statements therein are correct to the best of my personal knowledge or information and belief.

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

Krista L Behrer
Krista Lin Behrer

Date: 5/12/01

FILED

MAY 25 2001
M 1104172
William A. Shaw
Prothonotary

cc

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

NO: 00-708-CD

REPLY TO NEW MATTER

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED

JUN 27 2001
m 11:25/nocc
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

CIVIL DIVISION

NO: 00-708-CD

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

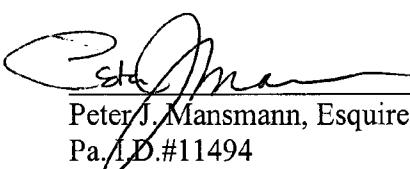
Defendant.

REPLY TO NEW MATTER

AND NOW, comes the Plaintiffs, by and through their counsel, Peter J. Mansmann,
Esquire, and Francis M. Moore, Esquire, and replies to Defendant's New Matter as follows:

13-14. Paragraphs 13 and 14 of Defendant's New Matter are denied as they state
conclusions of law to which no responsive pleading is required.

WHEREFORE, Plaintiffs demand judgment against the Defendant Krista Lin Behrer.


Peter J. Mansmann, Esquire

Pa. I.D.#11494

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219
(412) 232-0661

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

**NOTICE OF SERVICE OF INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: PROTHONOTARY

You are hereby notified that on the **28th** day of **SEPTEMBER, 2001**, Defendant,
Krista Lin Behrer served Interrogatories and Request for Production of Documents by
mailing the original of same via First Class U.S. Mail, postage prepaid, addressed to the
following:

Peter J. Mansmann, Esquire
MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219

PFAFF, McINTYRE, DUGAS, HARTYE &
SCHMITT

Attorneys for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
PA.I.D #: 52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

OCT 01 2001

m18146 NOCC
John A. Shaw
Prothonotary

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

NOTICE OF SERVICE OF SUPPLEMENTAL INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS

TO: PROTHONOTARY

You are hereby notified that on the **11th** day of **OCTOBER, 2001**, Defendant,
Krista Lin Behrer served Supplemental Interrogatories and Request for Production of
Documents by mailing the original of same via First Class U.S. Mail, postage prepaid,
addressed to the following:

Peter J. Mansmann, Esquire
MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219

McINTYRE, DUGAS, HARTYE & SCHMITT

Attorneys for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
P.A.I.D #: 52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

OCT 12 2001
m11057/nsc
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

No. 00-708-CD

MOTION TO COMPEL

FILE ON BEHALF OF DEFENDANT

McINTYRE, DUGAS, HARTYE
& SCHMITT

LOUIS C. SCHMITT, JR., ESQUIRE

Pa. I.D. #52459

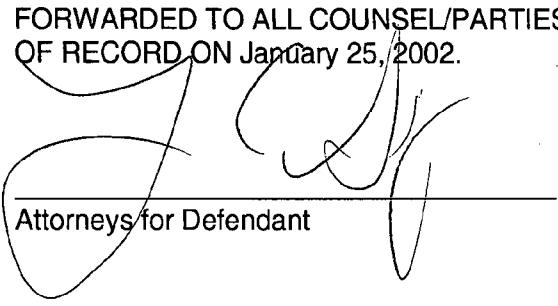
P.O. Box 533

Hollidaysburg, PA 16648

(814) 696-3581

(814) 696-9399

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
FORWARDED TO ALL COUNSEL/PARTIES
OF RECORD ON January 25, 2002.


Attnorneys for Defendant

FILED

JAN 29 2002

William A. Shaw
Prothonotary

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

v.
Plaintiffs,

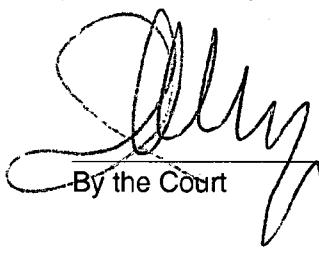
KRISTA LIN BEHRER,

Defendant.

ORDER OF COURT

AND NOW, this 31 day of Jan, 2002, upon
consideration of the Motion to Compel filed on behalf of defendant Krista Lin Behrer, and
any response thereto, it is hereby ORDERED, JUDGED and DECREED that the
plaintiffs shall within twenty (20) days:

1. File full, complete, and responsive answers to defendant's Interrogatories and Supplemental Interrogatories; and
2. File a written response to defendant's Request for Production of Documents and Supplemental Request for Production of Documents; and
3. Produce all documents sought by way of defendant's Request for Production of Documents and Supplemental Request for Production of Documents.


By the Court

FILED

JAN 31 2002

William A. Shaw
Prothonotary

FILED

01207-07-00
JAN 31 2002

cc
Amy Schmitt

William A. Shaw
Prothonotary

Q
KOB

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

MOTION TO COMPEL

AND NOW, comes defendant KRISTA LIN BEHRER, by and through her attorneys, McINTYRE, DUGAS, HARTYE & SCHMITT, and respectfully requests that this Honorable Court order the plaintiffs to respond to defendant's outstanding discovery requests, saying as follows:

1. This lawsuit arises out of a motor vehicle accident which occurred on December 18, 1999 on State Route 0453 in Gulich Township, Pennsylvania. At that

time and place, it is alleged that defendant Krista Lin Behrer was operating a motor vehicle at an excessive rate of speed around a bend and lost control, causing the motor vehicle to leave the roadway and strike a tree, and resulting in the death of plaintiff's decedent, Kenneth J. Wolfe, who was allegedly a rear seated passenger.

2. On September 28, 2001, defendant served Interrogatories and Requests for Production of Documents upon the plaintiffs.

3. On October 11, 2001, defendant served Supplemental Interrogatories and Requests for Production of Documents upon the plaintiffs.

4. To date, the plaintiffs have failed and/or refused in any manner whatsoever to respond to defendant's long-outstanding discovery requests, in direct violation of the Pennsylvania Rules of Civil Procedure applicable to discovery.

5. The information and documentation sought by way of defendant's outstanding discovery requests is vital to the further evaluation and defense of this matter. To the extent the defendant is deprived of that information and documentation, she is irremediably prejudice in defending this matter.

WHEREFORE, defendant Krista Lin Behrer respectfully requests that this Honorable Court order the plaintiffs to within twenty (20) days respond to defendant's outstanding discovery requests.

Respectfully submitted,

MCINTYRE, DUGAS, HARTYE & SCHMITT

Attorney for Defendant

**Louis C. Schmitt, Jr., Esquire
PA I.D. #52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581
(814) 696-9399 Fax**

FILED

IAN 29 2002

10/10/2002

William A. Shaw
Prothonotary

no cc

cc

[Handwritten signature]

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

NO: 00-708-CD

**PLAINTIFFS' NOTICE OF
SERVICE OF
INTERROGATORIES AND
REQUEST FOR PRODUCTION
OF DOCUMENTS**

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED

MAR 14 2002

111.02100 RC
William A. Shaw
Prothonotary
E
2002

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

CIVIL DIVISION

NO: 00-708-CD

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

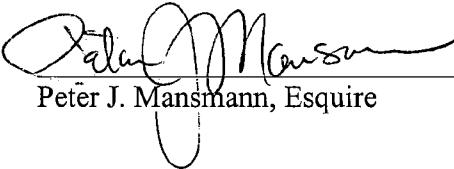
Defendant.

NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS DIRECTED TO DEFENDANT

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Plaintiff, Ralph A. Wolfe, et al., through their counsel, Peter J. Mansmann, Esquire, and Frank M. Moore, Esquire, hereby notifies the Court that Interrogatories have been served upon the Defendant, Krista Lin Behrer, by mailing an original and two (2) copies of same to Defendant's counsel, Louis C. Schmitt, Jr. on March 11, 2002.

BY:


Peter J. Mansmann, Esquire

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE and
PEGGY WOLFE, his wife, as individuals
in their own right,

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

No. 00-708-CD

Plaintiffs,

v.

KRISTA LIN BEHRER,

Defendant.

**NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES AND
RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: PROTHONOTARY

You are hereby notified that on the **17th** day of **APRIL, 2002**, Defendant, Krista Lin Behrer served Answers to Interrogatories and a Response to Request for Production of Documents by mailing the original of same via First Class U.S. Mail, postage prepaid, addressed to the following:

Peter J. Mansmann, Esquire
MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219

McINTYRE, DUGAS, HARTYE & SCHMITT

Attorneys for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
PA I.D #: 52459
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

APR 18 2002
m 10:45
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

KRISTA LIN BEHRER,

Defendant.

CIVIL DIVISION

NO: 00-708-CD

PRAECLPTE TO DISCONTINUE

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED
M - 10.17 08/1/2002
DEC 09 2002

William A. Shaw
Prothonotary

PRAECIPE TO DISCONTINUE

TO: Prothonotary of Clearfield County

SIR:

Please discontinue the above case and mark it off the docket.



Peter J. Mansmann, Esquire
Attorney for Plaintiffs

MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219
(412) 232-0661

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Ralph A. Wolfe
Kenneth J. Wolfe
Peggy Wolfe

Vs.
Krista Lin Behrer

No. 2000-00708-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on December 9, 2002 marked:

Discontinued, Settled and Ended

Record costs in the sum of \$157.13 have been paid in full by Attorney Mansmann.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 9th day of December A.D. 2002.



William A. Shaw, Prothonotary

Deputy Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA