

00-738-0D
MAINE ECKBERG -vs- DAWN BROCK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00.738. CD

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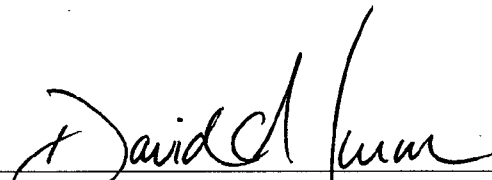
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PRAECIPE FOR ISSUANCE OF

WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue a Writ of Summons in the above captioned matter to the Defendant above named and forward to the Sheriff for service.


David C. Mason, Esquire
Attorney for Plaintiff

Writ
Summons

to ~~edit~~

~~proton~~

Shaw

FILED

JUN 21 2000 12:42 pm

William A. Shaw
Prothonotary

DO CG

W a Hym pd. \$80

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

COPY

ELAINE ECKBERG,

Plaintiff(s)

vs.

S U M M O N S
No: 00-738-CD

DAWN BROCK,

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 21, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

David C. Mason, Esquire
P.O. Box 28
Philipsburg, PA 16866

DAVID C. MASON

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ECKBERG, ELAINE

00-738-CD

VS

BROCK, DAWN

SUMMONS

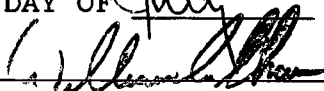
SHERIFF RETURNS

NOW JULY 25, 2000 RETURN THE WITHIN SUMMONS "NOT SERVED,
TIME EXPIRED" AS TO DAWN BROCK, DEFENDANT.

14.33 SHFF. HAWKINS PAID BY: ATTY.

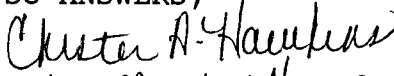

10.00 SURCHARGE PAID BY: ATTY.

SWORN TO BEFORE ME THIS

25th DAY OF July 2000


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

SO ANSWERS,

CHESTER A. HAWKINS
SHERIFF

FILED

JUL 25 2000

013:30am

William A. Shaw

Prothonotary



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

ELAINE ECKBERG,

Plaintiff(s)

vs.

DAWN BROCK,

Defendant(s)

S U M M O N S
No: 00-738-CD

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

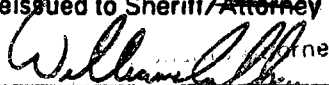
Date June 21, 2000



William A. Shaw, Prothonotary

Issuing Attorney:

David C. Mason, Esquire
P.O. Box 28
Philipsburg, PA 16866

7.28.00 Document
~~Reinstated/Reissued to Sheriff/Attorney~~
for service. 
Deputy Prothonotary

Document
Printed/Revised to Short Attorney
for service.

Deputy Professional

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00-738-CD

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* TYPE OF CASE: Civil Action

*

* TYPE OF PLEADING: Praecipe

* To Reinstate Writ of

* Summons

*

*

*

* FILED ON BEHALF OF:

* Plaintiff

*

* COUNSEL OF RECORD FOR THIS

* PARTY:

*

* David C. Mason, Esquire

* Supreme Court I.D. 39180

* Attorney at Law

* P. O. Box 28

* Philipsburg, PA 16866

* (814) 342-2240

*

FILED

JUL 28 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

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* No. 00-738-CD
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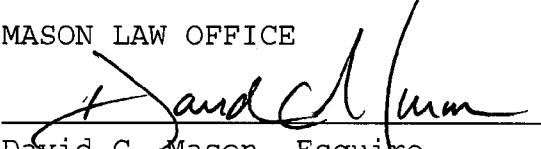
PRAECIPE TO REINSTATE

WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly reinstate the Writ of Summons in the above captioned matter and forward to the Sheriff for service.

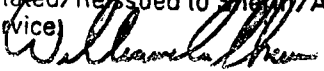
MASON LAW OFFICE


David C. Mason, Esquire
Attorney for Plaintiff

FILED

JUL 28 2008
02:13:16 City Mason
William A. Shaw
Prothonotary

Writs Reissued
to Sheriff

7.28.00 Document
Reinstated/Reissued to Sheriff/Attorney
for service

Deputy Prothonotary

DAVID C. MASON

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ECKBERG, ELAINE
VS
BROCK, DAWN

00-738-CD

SUMMONS

SHERIFF RETURNS

NOW AUGUST 1, 2000 AT 11:29 AM DST SERVED THE WITHIN SUMMONS
ON DAWN BROCK, DEFENDANT AT EMPLOYMENT, WALMART DIST. CENTER
WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DAWN
BROCK A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND
MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO.

SHFF. HAWKINS (NO COSTS)

SWORN TO BEFORE ME THIS

4th DAY OF August 2000
William A. Shaw

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

SO ANSWERS,

Chester A. Hawkins
by Marilyn Harris
CHESTER A. HAWKINS
SHERIFF

FILED

AUG 04 2000

013.07
William A. Shaw kes
Prothonotary

DENNISON, DENNISON & HARPER

ATTORNEYS AT LAW

293 MAIN STREET
BROOKVILLE, PENNSYLVANIA 15825

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK ,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED ^{No} CC
m/18:42-874
JUL 30 2003 ^C KED

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

APPEARANCE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please enter our Appearance on behalf of the Defendant, DAWN BROCK, in regard to
the above entitled matter.

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for Defendant

Dated: 7/29/03

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Appearance was served on the

24th day of July, 2003, by United States Mail, First Class,

Postage Prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

DENNISON, DENNISON & HARPER
ATTORNEYS AT LAW
293 MAIN STREET
BROOKVILLE, PENNSYLVANIA 17222

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK ,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Praecipe for Rule to File
Complaint

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 30 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Enter a Rule upon the Plaintiff to file a Complaint within twenty (20) days after service of the Rule, or judgment of non pros will be entered.

DENNISON, DENNISON & HARPER

By

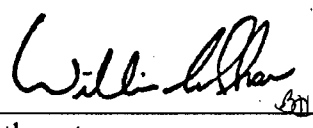

Troy J. Harper

Attorneys for the Defendant

RULE:

TO THE PLAINTIFF:

You are Ruled to file a Complaint within twenty (20) days after the service hereof or a judgment of non pros will be entered against you.


Prothonotary

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

Dated: July 30, 2003

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Praecipe for Rule to File Complaint was served on the 29th day of July, 2003, by United States Mail, First Class, Postage Prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

FILED

M 11 21 3 18
JUL 30 2003

William A. Shaw
Prothonotary/Clerk of Courts

2cc w/ issued
Rules to Atty Harper
WAS

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK ,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

AUG 04 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
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*
* Number 00 - 738 C.D.

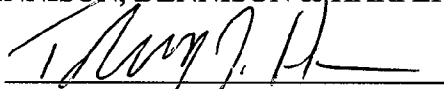
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Rule to File Complaint issued by the
Prothonotary of Clearfield County on July 30, 2003, was served on the 1st day of
August, 2003, by United States Mail, First Class, Postage Prepaid,
addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By



Troy J. Harper

Attorneys for the Defendant

William A. Shaw
Prothonotary/Clerk of Courts

FILED
mjl:15
AUG 04 2003
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG,

Plaintiff

vs.

DAWN BROCK,

Defendant

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* No. 00-738-CD

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* TYPE OF CASE: Civil Action - Law
* Personal Injury
*

* TYPE OF PLEADING: Complaint
*

*

* FILED ON BEHALF OF :
* Plaintiff
*

*

* COUNSEL OF RECORD FOR THIS
* PARTY:

*

* David C. Mason, Esquire
* Supreme Court I.D. #39180
* Attorney at Law
* P. O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240
*

D:\Office\ACCIDENT\ECKBERG\Complaint.wpd\blb

FILED

AUG 19 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG,

Plaintiff

vs.

DAWN BROCK,

Defendant

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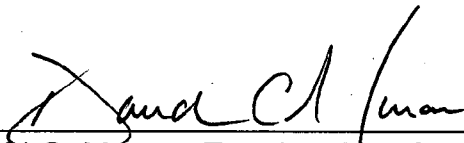
No. 00-738-CD

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 proceed 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
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641



David C. Mason, Esquire, Atty. for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG,

Plaintiff

vs.

DAWN BROCK,

Defendant

*

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* No. 00-738-CD

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COMPLAINT

AND NOW comes Elaine Eckberg, by and through her Attorney, David C. Mason, Esquire, and files this Complaint of which the following are material averments of fact.

1. Plaintiff is Elaine Eckberg, an adult individual, with a current mailing address of P. O. Box 353, Madera, Pennsylvania, 16661.

2. Defendant is Dawn Brock, an adult individual, who is represented in this matter by her attorney, Troy J. Harper, Esquire, of Dennison, Dennison & Harper of 293 Main Street, Brookville, PA 15825-1291.

3. On June 29, 1998, at approximately 4:43 p.m., Plaintiff Elaine Eckberg was traveling to work at the Clearfield County Jail and was stopped at a traffic light on Route 322 West at Golden Rod Farms, Clearfield, Clearfield County, Pennsylvania.

4. At the same time, Defendant Dawn Brock was operating her vehicle in the same direction of travel as Plaintiff when she failed to stop her vehicle and struck the rear of the Plaintiff's vehicle.

5. As the direct and proximate result of the collision with the Defendant's vehicle, Plaintiff Elaine Eckberg has suffered the following injuries, some or all of which are permanent in nature:

- a. Cervical whiplash;
- b. headaches, sometimes so severe resulting in vomiting.
- c. neck pain and upper back pain.
- d. pain behind the eyes.
- e. tingling and numbness in first three fingers of right hand
- f. loss of health, strength, vigor, vitality and/or physical and mental well being.

6. Defendant Dawn Brock was negligent in the operation of her vehicle on the day and date aforesaid and at the location of the collision with the Eckberg vehicle in the following manner:

- a. in failing to stop in order to avoid striking the vehicle in front of her;
- b. in failing to keep the vehicle under proper and adequate control such that the operator did not avoid striking the Eckberg vehicle when the same was lawfully within its own lane of travel while stopped at a traffic light;

c. in failing to keep a careful and diligent watch on the road such that the operator did not observe the Eckberg vehicle stopped in the same lane of travel;

d. in operating her vehicle too close to the Eckberg vehicle when she knew or should have known doing so would result in a collision;

e. in failing to take appropriate, proper, timely evasive action to avoid the aforesaid accident, despite said avenues of evasion being available to her, such as turning, braking or slowing her vehicle;

f. in failing to keep a safe, careful and adequate look out for other vehicles on the roadway, and particularly those vehicles traveling in the same direction, directly in front of her, to wit, the Eckberg vehicle;

g. in operating the vehicle in such mental and/or physical condition that it was imprudent, unsafe or hazardous to operate the said vehicle, in that Defendant was unaware and unresponsive to the stopped traffic in front of her;

h. in failing to warn, signal, or otherwise advise the Plaintiff that she was going to strike her;

i. in violating one or more of the provisions of the Motor Vehicle Code.

7. As a further direct and proximate result of the negligence of the Defendant and the collision, Plaintiff Elaine Eckberg has been and will be obliged to receive and undergo medical attention and care and to expend various sums of money and to incur various expenses which expenses have or may exceed the sum

recoverable under the limits in 75 Pa. C.S. §1711 and may be obliged to expend such sums to incur such expenditures for an indefinite time into the future.

8. As a further result of this collision, Plaintiff Elaine Eckberg has suffered severe physical pain, mental anguish, humiliation, embarrassment, loss of enjoyment of life, loss of vitality, vigor, health and/or strength and may continue to suffer the same for an indefinite time into the future.

9. Plaintiff Elaine Eckberg is an insured under a policy of automobile insurance issued by State Farm Insurance Company, which provides Plaintiff Elaine Eckberg with the full tort option under the Pennsylvania Motor Vehicle Financial Responsibility Law.

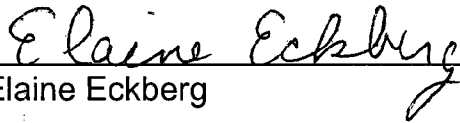
WHEREFORE, Plaintiff prays your Honorable Court for the entry of an Order that judgment be entered in her favor and against Defendant in an amount in excess of \$20,000.00 plus costs of suit.



David G. Mason, Esquire
Attorney for Plaintiff

VERIFICATION

I certify that the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.


Elaine Eckberg

DATED:

FILED

2 cc

8/2/04 ~~8/19/03~~

Att'y Mason

William A. Shaw

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG,

Plaintiff

vs.

DAWN BROCK,

Defendant

*

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* No. 00-738-CD

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* TYPE OF PLEADING: Certificate of
* Service

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*FILED ON BEHALF OF: Plaintiff

*

*

*ATTORNEY for Plaintiff:

*

David C. Mason, Esquire

*

Supreme Court ID #39180

*

P.O. Box 28

*

Phillipsburg, PA 16866

*

(814) 342-2240

FILED

AUG 19 2003

William A. Shaw
Prothonotary/Clerk of Courts

N THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG,

Plaintiff

vs.

DAWN BROCK,

Defendant

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* No. 00-738-CD

CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a certified, true and correct copy of a COMPLAINT filed to the above captioned action, by placing the same in the United States mail, postage prepaid and addressed as follows:

Troy J. Harper, Esquire
Dennison, Dennison & Harper
293 Main Street, Brookville, PA 15825-1291

MASON LAW OFFICE

DATED: 8/19/03

By:


David C. Mason, Esquire
Attorney for Plaintiff

FILED *no*
2:04
AUG 19 2003 *cc*

William A. Shaw
Prothonotary/Clerk of Courts

DENNISON, DENNISON & HARPER

ATTORNEYS AT LAW

293 MAIN STREET

BROOKVILLE, PENNSYLVANIA 15026

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Answer and New Matter

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

OCT 15 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
*
* Number 00 - 738 C.D.

NOTICE TO PLEAD

TO: ELAINE ECKBERG, PLAINTIFF:

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

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

ELAINE ECKBERG,
Plaintiff,

vs.

DAWN BROCK,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

ANSWER AND NEW MATTER

AND NOW, comes the Defendant, DAWN BROCK, by and through her attorneys, Dennison, Dennison & Harper, who file the following Answer and New Matter in response to the Plaintiff's Complaint:

1. Admitted.
2. Admitted.

3. The averments of Paragraph 3 of the Plaintiff's Complaint are admitted insofar as on or about June 29, 1998, the Plaintiff, Elaine Eckberg, was traveling on State Route 322 in Clearfield, Clearfield County, Pennsylvania. With respect to the averments of Paragraph 3 of the Plaintiff's Complaint concerning the Plaintiff's destination, after reasonable investigation, the Defendant, Dawn Brock, is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied. With respect to the remaining averments of Paragraph 3 of the Plaintiff's Complaint, said averments are denied pursuant to Pa.R.C.P. 1029(e).

4. The averments of Paragraph 4 of the Plaintiff's Complaint are admitted insofar as on or about June 29, 1998, the Defendant, Dawn Brock, was operating her vehicle on State Route 322 in Clearfield, Clearfield County, Pennsylvania in the same direction of travel as the Plaintiff's vehicle. With respect to the remaining averments of Paragraph 4 of the Plaintiff's Complaint, said averments are denied pursuant to Pa.R.C.P. 1029(e).

5. After reasonable investigation, the Defendant, Dawn Brock, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 5 of the Plaintiff's Complaint and subparagraphs a. through f. thereof, and said averments are therefore denied.

6. The averments of Paragraph 6 of the Plaintiff's Complaint and subparagraphs a. through i. thereof are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

7. The averments of Paragraph 7 of the Plaintiff's Complaint alleging any negligence on the part of the Defendant, Dawn Brock, are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required. With respect to the remaining averments of Paragraph 7 of the Plaintiff's Complaint, after reasonable investigation, the Defendant, Dawn Brock, is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

8. After reasonable investigation, the Defendant, Dawn Brock, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 8 of the Plaintiff's Complaint, and said averments are therefore denied.

9. After reasonable investigation, the Defendant, Dawn Brock, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 9 of the Plaintiff's Complaint, and said averments are therefore denied.

WHEREFORE, the Defendant, Dawn Brock, demands judgment in her favor and against the Plaintiff. **JURY TRIAL DEMANDED.**

NEW MATTER

10. The terms and conditions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., are hereby incorporated herein by reference thereto as fully as the same bar and/or diminish any claim or cause of action of the Plaintiff.

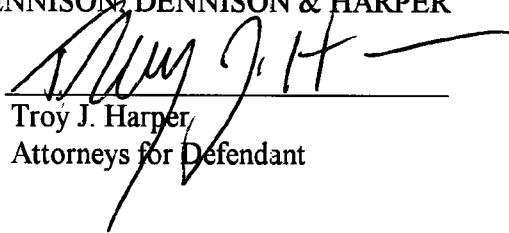
11. All of the Plaintiff's claims and causes of action are barred by the applicable statute of limitations.

12. The Plaintiff has failed to state a cause of action upon which relief may be granted.

WHEREFORE, the Defendant, Dawn Brock, demands judgment in her favor and against the Plaintiff. **JURY TRIAL DEMANDED.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for Defendant

VERIFICATION

I verify that the averments made in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.


Dawn Brock

CERTIFICATE OF SERVICE

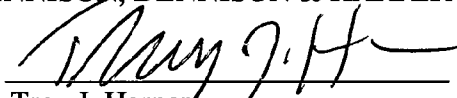
I certify that a true and correct copy of the foregoing Answer and New Matter was served on the 14th day of October, 2003, by United States Mail, First Class,

Postage Prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

FILED

M 11:17 AM
OCT 15 2003

nb
cc
KAT

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*
* No. 00-738-CD
*
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*
*
*
* TYPE OF CASE: Civil Action
*
* TYPE OF PLEADING: Notice of Service
* of Interrogatories
*
*
* FILED ON BEHALF OF:
* Plaintiff
*
* COUNSEL OF RECORD FOR THIS
* PARTY:
*
* David C. Mason, Esquire
* Supreme Court I.D. 39180
* Attorney at Law
* P. O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

FILED

OCT 16 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00-738-CD

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NOTICE OF SERVICE OF INTERROGATORIES

Notice is hereby given that on the *15th* day of *Oct*, 2003, the Plaintiff, ELAINE ECKBERG, by and through her attorney, David C. Mason, served Plaintiff's First Set of Interrogatories and Request for Production of Documents on the Defendant, DAWN BROCK, by mailing an original and two copies of the same via First Class United States Mail, postage prepaid, to the following address:

Dawn Brock
% Troy J. Harper, Esquire
Dennison, Dennison & Harper
Attorneys at Law
293 Main Street
Brookville, PA 15825-1291

MASON LAW OFFICE

BY: 

David C. Mason, Esquire
Attorney for Plaintiffs



FILED

OCT 16 2003

William A. Shaw

Prothonotary/Clerk of Courts

cc
W

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00-738-CD

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TYPE OF CASE: Civil Action

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*

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TYPE OF PLEADING: Plaintiff's Reply
to Defendant's New Matter

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*

FILED ON BEHALF OF:
Plaintiff

*

*

*

*

COUNSEL OF RECORD FOR THIS
PARTY:

*

*

*

*

David C. Mason, Esquire
DAVID C. MASON LAW OFFICE
Supreme Court No. 39180
Attorney at Law
P. O. Box 28
Philipsburg, PA 16866
(814) 342-2240

*

*

*

*

*

FILED

OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*
* No. 00-738-CD
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PLAINTIFF'S REPLY

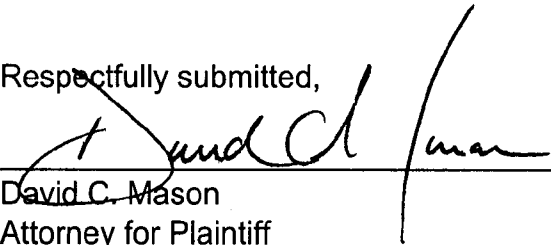
TO DEFENDANT'S NEW MATTER

AND NOW comes the Plaintiff, Elaine Eckberg, by and through her attorney and files the following Reply to Defendant's New Matter:

10, 11 & 12. No reply is necessary or required as the contents of paragraph 10, 12 and 12 are conclusions of law and not averments of fact. To the extent a response is required, these averments are denied and strict proof thereof to the extent deemed relevant is demanded at the time of trial.

WHEREFORE, Plaintiff prays your Honorable Court for the entry of a Judgment in favor of the Plaintiff and against the Defendant in accordance with the prayer for relief contained in Plaintiff's Complaint.

Respectfully submitted,

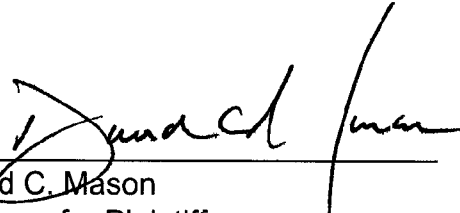


David C. Mason
Attorney for Plaintiff
Supreme Court No. 39180

VERIFICATION

I, **DAVID C. MASON**, Attorney for the Plaintiff herein, do hereby certify that the facts set forth in the foregoing **PLAINTIFF'S REPLY TO DEFENDANT'S NEW MATTER** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATED: *Oct. 16 2003*



David C. Mason
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00-738-CD

*

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*

CERTIFICATE OF SERVICE

I, DAVID C. MASON, do hereby certify that I served a true and correct copy of Plaintiff's Reply to Defendant's New Matter filed to the above captioned action by placing a copy of the same in the United States mail, addressed as follows:

Troy J. Harper, Esquire
Dennison, Dennison & Harper
Attorneys at Law
293 Main Street
Brookville, PA 15825-1291

MASON LAW OFFICE

DATED:

10/16/03

By:


David C. Mason, Esquire
Attorney for Plaintiff

FILED

M/10/40/284
OCT 17 2003

William A. Shaw

Prothonotary/Clerk of Courts

No
CC

3/24

DENNISON, DENNISON & HARPER
ATTORNEYS AT LAW
293 MAIN STREET
BROOKVILLE, PENNSYLVANIA 15824

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : ELAINE ECKBERG:

Dawn Brock, by and through her attorneys, Dennison, Dennison & Harper, 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.

Dated: 10/15/03

DENNISON, DENNISON & HARPER

By 

Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Elaine Eckberg
Plaintiff(s)

Vs.

Dawn Brock
Defendant(s)

No. 2000-00738-CD

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

TO: Susan Harchak, D.C., 1114 Walton Street, Philipsburg, PA 16866
(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 attached

to Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(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.

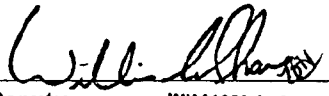
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Tuesday, August 12, 2003
Seal of the Court


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

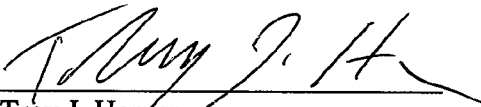
Any and all records in your possession for any chiropractic and/or therapy services, including but not limited to office notes, patient questionnaires, patient charts, reports, evaluations, consultations, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment for Elaine Eckberg, DOB: 2/18/1953, SSN: 171-46-7516.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 15th day of October, 2003, by United States Mail, First Class, postage prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

DENNISON, DENNISON & HARPER
ATTORNEYS AT LAW
231 MAIN STREET
BROOKVILLE, PENNSYLVANIA 15023

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : ELAINE ECKBERG:

Dawn Brock, by and through her attorneys, Dennison, Dennison & Harper, 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.

DENNISON, DENNISON & HARPER

Dated: 10/15/03

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Elaine Eckberg
Plaintiff(s)

Vs.

Dawn Brock
Defendant(s)

No. 2000-00738-CD

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

TO: Records Custodian, Central Penn Rehabilitation Associates, Inc., 1520 Martin
Street, State College, PA (Name of Person or Entity)
16803

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

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(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.

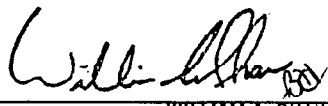
If you fail to produce the documents or things required by this subpoena within twenty
(20) days after its service, the party serving this subpoena may seek a court order compelling you
to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division


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

DATE: Tuesday, August 12, 2003
Seal of the Court

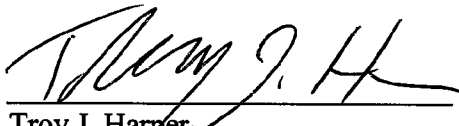
Any and all medical records in your possession for Elaine Eckberg, DOB: 2/18/1953, SSN: 171-46-7516, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 15th day of October, 2003, by United States Mail, First Class, postage prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

FILED
m/1:24
OCT 17 2003
Nb
cc
CPS

William A. Shaw
Prothonotary/Clerk of Courts

DENNISON, DENNISON & HARPER

ATTORNEYS AT LAW

293 MAIN STREET

BROOKVILLE, PENNSYLVANIA 17001

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
P.A.R.C.P. 4009.21**

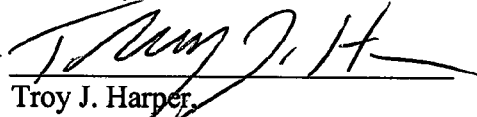
TO : ELAINE ECKBERG:

Dawn Brock, by and through her attorneys, Dennison, Dennison & Harper, 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.

Dated: 10/15/03

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Elaine Eckberg
Plaintiff(s)

Vs.

Dawn Brock
Defendant(s)

No. 2000-00738-CD

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

TO: Records Custodian, State Farm Mutual Automobile Insurance Company, Pittsburgh
(Name of Person or Entity)

Airport Service Center, 650 Cherrington Parkway, Coraopolis, PA 15108

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

See attached

to Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(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.

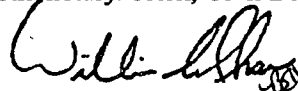
If you fail to produce the documents or things required by this subpoena within twenty
(20) days after its service, the party serving this subpoena may seek a court order compelling you
to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

DATE: Tuesday, August 12, 2003
Seal of the Court

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident involving your insured, Elaine Eckberg, DOB: 2/18/1953, SSN: 171-46-7516, with Claim Number 38-J034-108.

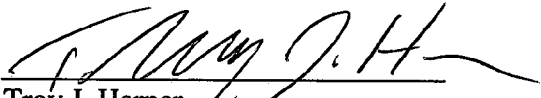
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 15th day of OCTOBER, 2003, by United States Mail, First Class, postage prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

FILED

10
m/1124
OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

DENNISON, DENNISON & HARPER

ATTORNEYS AT LAW

293 MAIN STREET

BROOKVILLE, PENNSYLVANIA 15825

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 00 - 738 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : ELAINE ECKBERG:

Dawn Brock, by and through her attorneys, Dennison, Dennison & Harper, 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.

Dated: 10/15/03

DENNISON, DENNISON & HARPER

By 

Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Elaine Eckberg
Plaintiff(s)

Vs.

Dawn Brock
Defendant(s)

No. 2000-00738-CD

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

TO: Records Custodian, Radiology Associates, 611 University Drive, 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 attached

to Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(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.

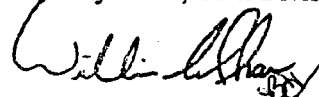
If you fail to produce the documents or things required by this subpoena within twenty
(20) days after its service, the party serving this subpoena may seek a court order compelling you
to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

DATE: Tuesday, August 12, 2003

Seal of the Court

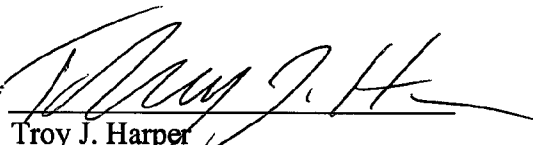
Any and all records in your possession for any x-rays, MRI's, imaging reports and films for any care and/or treatment for Elaine Eckberg, DOB: 2/18/1953, SSN: 171-46-7516.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 15th day of OCTOBER, 2003, by United States Mail, First Class, postage prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

FILED

M/1:24 PM
OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

16
cc
[Signature]

DENNISON, DENNISON & HARRI
ATTORNEYS AT LAW

293 MAIN STREET
BROOKVILLE, PENNSYLVANIA 15825

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of
Service

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

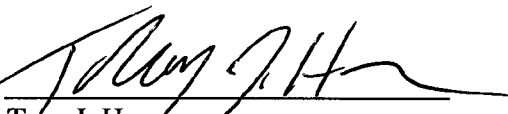
* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
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*
* Number 00 - 738 C.D.

CERTIFICATE OF SERVICE

I certify that an original and two certified copies of a First Set of Interrogatories Directed to Plaintiff and an original and two certified copies of a First Set of Request for Production of Documents was served on the 15th day of OCTOBER, 2003, by United States Mail, First Class, postage prepaid, addressed to the following:

David C. Mason, Esq.
P.O. Box 28
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

FILED

M/1:24/2003
OCT 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

nb
cc
v
R&L

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00-738-CD

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TYPE OF CASE: Civil Action

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TYPE OF PLEADING: Objection to
Subpoena Pursuant to Pa.R.C.P.
4009.21

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FILED ON BEHALF OF:

*

Plaintiff

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COUNSEL OF RECORD FOR THIS
PARTY:

*

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*

David C. Mason, Esquire
DAVID C. MASON LAW OFFICE
Supreme Court No. 39180
Attorney at Law
P. O. Box 28
Philipsburg, PA 16866
(814) 342-2240

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FILED

OCT 22 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*

* No. 00-738-CD

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OBJECTION TO SUBPOENA PURSUANT
TO Pa.R.C.P. 4009.21

PLAINTIFF, Elaine Eckberg objects to the proposed Subpoena which is attached to this Objection (State Farm Mutual Automobile Insurance Company) for the following reasons:

1. Exceeds scope of discovery as contained in Pa. R.C.P. 4003.1 through 4003.6, specifically, the subject of insurance is covered under Pa. R.C.P. 4003.2, which permits the discovery of the "existence and terms of any insurance agreement". The said Rule does not permit the disclosure of the entire claims file.

2. The impressions, interpretations, opinions and conclusions of any investigator, claims representative, or other employee of State Farm Mutual Automobile Insurance Company is irrelevant to the cause of action and inadmissible at the time of trial.

DATED: _____

MASON LAW OFFICE

By: _____

David C. Mason, Attorney for Plaintiff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

CIVIL ACTION - LAW

Number 00 - 738 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

ELAINE ECKBERG,

Plaintiff,

vs.

DAWN BROCK,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania

*

* Civil Action - Law

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* Number 00 - 738 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
P.A.R.C.P. 4009.21**

TO : ELAINE ECKBERG:

Dawn Brock, by and through her attorneys, Dennison, Dennison & Harper, 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.

Dated: 10/15/03

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Elaine Eckberg
Plaintiff(s)

Vs.

Dawn Brock
Defendant(s)

No. 2000-00738-CD

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

TO: Records Custodian, State Farm Mutual Automobile Insurance Company, Pittsburgh
(Name of Person or Entity)

Airport Service Center, 650 Cherrington Parkway, Coraopolis, PA 15108

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

See attached

to Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(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.

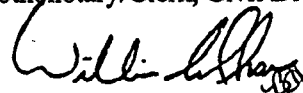
If you fail to produce the documents or things required by this subpoena within twenty
(20) days after its service, the party serving this subpoena may seek a court order compelling you
to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

DATE: Tuesday, August 12, 2003
Seal of the Court

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident involving your insured, Elaine Eckberg, DOB: 2/18/1953, SSN: 171-46-7516, with Claim Number 38-J034-108.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*
* No. 00-738-CD
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CERTIFICATE OF SERVICE

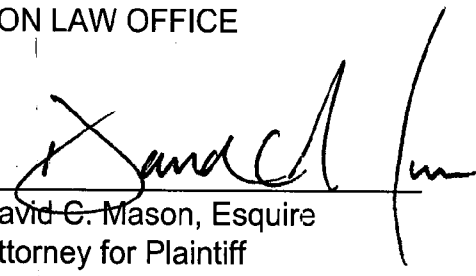
I, DAVID C. MASON, do hereby certify that I served a true and correct copy of Plaintiff's Objection to Subpoena Pursuant to Pa. R.C.P. 4009.21 filed to the above captioned action by placing a copy of the same in the United States mail, addressed as follows:

Troy J. Harper, Esquire
Dennison, Dennison & Harper
Attorneys at Law
293 Main Street
Brookville, PA 15825-1291

MASON LAW OFFICE

DATED: 10/21/03

By:


David C. Mason, Esquire
Attorney for Plaintiff

FILED NO CC

NO 110:43 BH
OCT 22 2003

William A. Shaw
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*
* No. 00-738-CD
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* TYPE OF CASE: Civil Action
*
* TYPE OF PLEADING: Praeipue to
* Settle and Discontinue
*
*
* FILED ON BEHALF OF:
* Plaintiff
*
* COUNSEL OF RECORD FOR THIS
* PARTY:
*
* David C. Mason, Esquire
* Supreme Court I.D. 39180
* Attorney at Law
* P. O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

FILED

019:17/01
MAR 19 2009

icc 01 Cert.
of Disc. to

William A. Shaw
Prothonotary/Clerk of Courts

Att'y Mason

(610)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

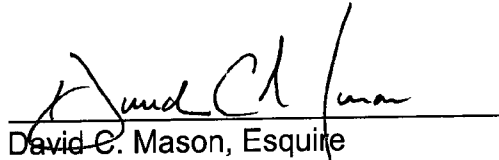
*
* No. 00-738-CD
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PRAECIPE TO SETTLE AND DISCONTINUE

Kindly mark the above captioned matter settled and discontinued.

MASON LAW OFFICE

By:


David C. Mason, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ELAINE ECKBERG

Plaintiff

vs.

DAWN BROCK

Defendant

*
* No. 00-738-CD
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CERTIFICATE OF SERVICE

I, DAVID C. MASON, Esquire, do hereby certify that I served a true and correct copy of a PRAECIPE TO SETTLE AND DISCONTINUE filed to the above captioned action, by placing the same in the United States mail, postage prepaid and addressed as follows:

Troy Harper, Esquire
Dennison, Dennison & Harper
Attorneys at Law
293 Main Street
Brookville, PA 15825

MASON LAW OFFICE

DATED: 3/16/9

By: David C. Mason
David C. Mason, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Elaine Eckberg

Vs.

No. 2000-00738-CD

Dawn Brock

CERTIFICATE OF DISCONTINUATION

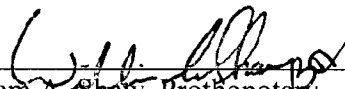
Commonwealth of PA
County of Clearfield

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 March 19, 2009, marked:

Settled and Discontinued

Record costs in the sum of \$87.00 have been paid in full by David C. Mason, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 19th day of March A.D. 2009.



William A. Shaw, Prothonotary