

00-866-CD
AMANDA COOVER -vs- PAUL ROBERT MONOSKEY, JR.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

⑭ AMANDA COOVER,

Plaintiff,

VS.

⑬ PAUL ROBERT MONOSKEY, JR.,

Defendant.

No. 00-866-CD

**PRAECIPE FOR WRIT OF
SUMMONS**

Filed on behalf of:
Plaintiff

Counsel of Record for this
Party:

James B. Cole, Esquire
Pa. I.D. #15801

STOKES LURIE COLE &
HENS-GRECO, P.C.
Firm #012

2100 Law & Finance Building
Pittsburgh, PA. 15219

(412) 391-0800

FILED

JUL 26 2000

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

No. 00 · 866 · CD

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY

Kindly issue a Writ of Summons in a Civil Action against defendant, above-named.

STOKES LURIE COLE & HENS-GRECO, P.C.

By: James B. Cole
James B. Cole
Attorneys for Plaintiff

FILED

JUL 26 2000

for *M. Kelly Cole* *pd \$80.00*

William A. Shaw
Prothonotary

*Writ of Summons
to Sheriff*

COPY

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

AMANDA COOVER

Plaintiff(s)

S U M M O N S
No: 00-866-CD

vs.

PAUL ROBERT MONOSKEY, JR.,

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 July 26, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

James B. Cole, Esquire
2100 Law & Finance Building
Pittsburgh, PA 15219

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

PRAECIPE FOR APPEARANCE

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD FOR THIS
PARTY:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD THIS
3rd DAY OF AUGUST, 2000.

ATTORNEY FOR DEFENDANT

FILED

AUG 10 2000

William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

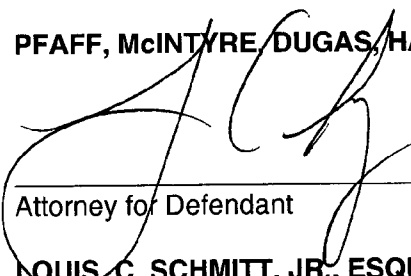
: IN THE COURT OF COMMON PLEAS
: OF CLEARFIELD COUNTY, PENNSYLVANIA
:
: No. 00-866-CD
:
:
: JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Kindly enter my Appearance as counsel of record for **Defendant, PAUL ROBERT MONOSKEY, JR.**, in the above-entitled action.

PFAFF, McINTYRE, DUGAS, HARTYE & SCHMITT



Attorney for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P. O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

FILED

AUG 01 2000

011177 MOSC
William A. Shaw
Prothonotary *WAS*

JAMES B. COLE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COOVER, AMANDA

00-866-CD

VS

MONOSKEY, PAUL ROBERT JR.

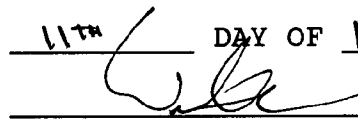
SUMMONS

SHERIFF RETURNS

NOW JULY 31, 2000 AT 9:19 AM DST SERVED THE WITHIN SUMMONS & PRAECIPE ON PAUL ROBERT MONOSKEY, JR., DEFENDANT AT RESIDENCE 702 1/2 DECATUR ST., PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PAUL ROBERT MONOSKEY, JR. A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS & PRAECIPE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

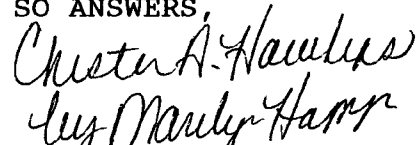
34.64 SHFF. HAWKINS PAID BY: ATTY
10.00 SURCHARGE PAID BY: ATTY

SWORN TO BEFORE ME THIS

11TH DAY OF August 2000


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

SO ANSWERS,


CHESTER A. HAWKINS
SHERIFF

FILED

AUG 11 2000
0/3:30/12
William A. Shaw
Prothonotary

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

**PRAECIPE FOR RULE TO FILE
COMPLAINT**

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD FOR THIS
PARTY:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD THIS
30th DAY OF NOVEMBER, 2000.



ATTORNEY FOR DEFENDANT

FILED

DEC 01 2000

William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

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:
:
:
:

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

No. 00-866-CD

JURY TRIAL DEMANDED

PRAECIPE FOR RULE TO FILE COMPLAINT

TO: PROTHONOTARY

Please enter a Rule upon Plaintiff, **Amanda Coover**, to file a Complaint in the above-captioned action within twenty (20) days of the date of service of said Rule.

Respectfully submitted,

**PFAFF, 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

DEC 01 2000

DEC 01 2000
O/S. D. L. K. to
William A. Shaw
Prothonotary

OKS
Oth. Schmitt

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

Amanda Cooper

COPY

Case No. 00-866-CD

Vs.

Paul Robert Monoskey, Jr.

RULE TO FILE COMPLAINT

TO: Amanda Cooper

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

Dated: 12/1/00

William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

No. 00-866-CD

COMPLAINT IN CIVIL ACTION

Filed on behalf of:
Plaintiff

Counsel of Record for this
Party:

James B. Cole, Esquire
Pa. I.D. #15801

STOKES LURIE COLE &
HENS-GRECO, P.C.
Firm #012

2100 Law & Finance Building
Pittsburgh, PA. 15219

(412) 391-0800

JURY TRIAL DEMANDED

FILED

MAR 26 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

AMANDA COOVER,

Plaintiff,

VS.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

No. 00-866-CD

COMPLAINT IN CIVIL ACTION

1. The plaintiff resides at Apartment 1023D, Sunnyslope Apartments, Philipsburg, Clearfield County, Pennsylvania.
2. The defendant resides at 702 ½ Decatur Street, Philipsburg, Clearfield County, Pennsylvania.
3. The events complained of happened on or about August 1, 1998 in Boggs Township, Clearfield County, Pennsylvania.
4. At that time and place the plaintiff was a passenger in a motor vehicle that was being operated by Nathaniel Socoski in an easterly direction in the eastbound lane of State Route 322.
5. At that time and place the defendant had been traveling in the westbound lane of State Route 322 when he negligently caused or permitted his vehicle to leave the roadway and strike a guardrail on the north side of State Route 322.

6. As the vehicle driven by Nathaniel Socoski reached the vicinity of the defendant's vehicle, the defendant pulled his vehicle onto the roadway, causing a collision with the Socski vehicle and injuring the plaintiff.

7. The injuries and damages suffered by the plaintiff were the direct and proximate result of the negligence of the defendant in the following respects:

- (a) in operating his vehicle at a high, dangerous and excessive rate of speed;
- (b) in operating his vehicle at an excessive rate of speed under the circumstances;
- (c) in failing to keep and maintain a proper and adequate lookout;
- (d) in failing to keep and maintain his vehicle under proper and adequate control;
- (e) in failing to stop, slow or turn his vehicle aside when he knew or by exercise of reasonable care should have known that if his vehicle were permitted to proceed a collision would result;
- (f) in operating his vehicle in the improper lane under the circumstances;
- (g) in failing to sound a horn, signal or other warning device;
- (h) in failing to employ proper and adequate illuminating devices under the circumstances;
- (i) in operating his vehicle into collision with the automobile in which the plaintiff was riding;
- (j) in failing to have his vehicle in a safe, proper and adequate mechanical condition under the circumstances;

- (k) in failing to keep and maintain the assured clear distance ahead;
- (l) in accelerating the defendant's vehicle into a direction that lead to a collision with the Socoski vehicle.

8. As a direct and proximate result of the negligence of the defendant and the injuries inflicted thereby, the plaintiff suffered the following injuries:

- (a) sprain and strain to the muscles, ligaments, discs, nerves and tissues of the cervical spine;
- (b) sprain and strain to the muscles, ligaments, discs, nerves and tissues of the thoracic spine;
- (c) sprain and strain to the muscles, ligaments, discs, nerves and tissues of the lumbar spine;
- (d) closed head injury and concussion.

9. As a direct and proximate result of the negligence of the defendant and the injuries inflicted thereby the plaintiff has been damages as follows:

- (a) she has incurred, and may in the future incur, medical expense for the treatment of her injuries;
- (b) she has suffered and will suffer pain, inconvenience, mental distress and loss of enjoyment of life;
- (c) her general health, strength and vitality have been impaired.

10. At all times relevant and material hereto the plaintiff was under a full tort option.

WHEREFORE, the plaintiff requests that judgment be entered in favor of the plaintiff for an amount in excess of the arbitration limits of this Court.


STOKES LURIE COLE & HENS-GRECO, P.C.

By: James F. Cole
James B. Cole
Attorneys for Plaintiff

JURY TRIAL DEMANDED

VERIFICATION

I verify that the statements of fact made in this Complaint in Civil Action are true and correct and based upon my personal knowledge, information and belief. I understand that averments of fact in said document are made subject to the penalties of 18 PA. C.S. Section 4904, relating to unsworn falsification to authorities.



Amanda Coover

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within Complaint in Civil Action was served upon the counsel for defendant by first class mail, postage prepaid, this 21st day of March, 2001.

TO: Louis C. Schmitt, Jr.
Pfaff, McIntyre, Dugas, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA. 16648-0533

STOKES LURIE COLE & HENS-GRECO, P.C.

By: 
James B. Cole
Attorneys for Plaintiff

FILED

MAR 26 2001

WAS
MAR 11 31 1200 CC

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

REBECKA K. REICKART,

Plaintiff

CIVIL DIVISION - LAW

No.: 00-847-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

AMANDA COOVER,

Plaintiff,

CIVIL DIVISION - LAW

No.: 00-866-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

MOTION TO CONSOLIDATE

Filed on Behalf of Plaintiffs:

Counsel of Record for These Parties:

Mark J. Homyak
Pa. I.D. 30254

THE HOMYAK LAW FIRM
3333 Gulf Tower
Pittsburgh, PA 15219
(412) 391-6636

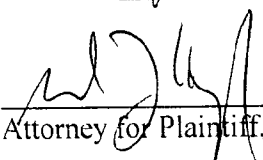
James B. Cole
Pa. I.D.
Stokes, Lurie, Cole & Hens-Greco, P.C.
2100 Law & Finance Building
Pittsburgh, PA 15219
(412) 391-0800

FILED

APR 02 2001

William A. Shaw
Prothonotary

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD ON
MARCH 28, 2001



Attorney for Plaintiff, Rebecka K. Reickart

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

REBECKA K. REICKART,
Plaintiff

CIVIL DIVISION - LAW
No.: 00-847-CD

v.

PAUL ROBERT MONOSKEY, JR.,
Defendant.

AMANDA COOVER,
Plaintiff,

CIVIL DIVISION - LAW
No.: 00-866-CD

v.

PAUL ROBERT MONOSKEY, JR.,
Defendant.

PRAECIPE

TO: Court Administrator

Please place the above above-captioned matters upon the Argument List.

COUNSEL FOR PLAINTIFFS:

Mark J. Homyak, Esquire
THE HOMYAK LAW FIRM
3333 Gulf Tower
Pittsburgh, PA 15219
(412) 391-6636
Counsel for Rebecka K. Reickart

James B. Cole, Esquire
STOKES, LURIE, COLE &
HENS-GRECO, P.C.
2100 Law & Finance Building
429 Fourth Avenue
Pittsburgh, PA 15219-1593
(412) 391-0800
Counsel for Amanda Coover

COUNSEL FOR THE DEFENDANT:

Louis C. Schmitt, Jr., Esquire
PFAFF, McINTYRE, DUGAS,
HARTYE & SCHMITT
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

MATTER TO BE ARGUED:

Please check (X)

_____ Preliminary Objections filed by _____

_____ Summary Judgment

 X Other (Specify) **Motion for Consolidation**

ARGUMENT ONLY:

 X Yes _____ No

TESTIMONY REQUIRED:

_____ Yes X No

*IF YES, TIME REQUIRED FOR TESTIMONY _____

DATE:

 3-28-01

Signed: _____

Attorney for Plaintiff, Rebecka K. Reickart

If you are the moving party, is your
brief enclosed: _____ Yes _____ No

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

REBECKA K. REICKART,

CIVIL DIVISION - LAW

Plaintiff

No.: 00-847-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

AMANDA COOVER,

CIVIL DIVISION - LAW

Plaintiff,

No.: 00-866-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

MOTION TO CONSOLIDATE

Plaintiffs, Rebecca K. Reickart and Amanda Coover, by their respective counsel, Mark J. Homyak and James B. Cole, hereby move the Court for an order consolidating these cases pursuant to Pa.R.C.P. No. 213 upon the following grounds:

1. These cases are currently pending before the Court at the above docket numbers.

2. Plaintiffs in both cases were passengers in a vehicle operated by Nathaniel Socoski, which was struck by another vehicle operated by Defendant on August 1, 1998, and have retained separate counsel to represent their interests in these personal injury claims. Mr. Socoski brought a separate case against Defendant in this court at No. 1999-0162-CD, and the same was recently amicably settled.

3. The cases of both Plaintiffs arose out of the same occurrence and involve common questions of law and fact in every respect, except for the injuries sustained by each Plaintiff and treatment therefor.

4. The consolidation of these cases will avoid unnecessary duplication of effort by the parties and the Court.

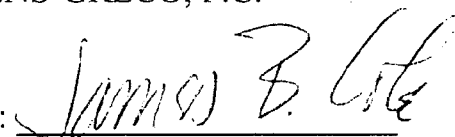
5. Defendant is represented by the same attorney and law firm in both cases.

WHEREFORE, Plaintiffs move this Honorable Court for an Order consolidating these cases for discovery and trial.

Respectfully submitted,

STOKES, LURIE, COLE &
HENS-GRECO, P.C.

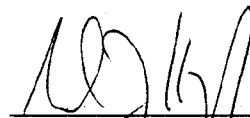
By:



James B. Cole
Attorneys for Plaintiff
Amanda Coover

THE HOMYAK LAW FIRM

By:



Mark J. Homyak
Attorneys for Plaintiff
Rebecka K. Reickart

FILED



APR 02 2001

7711441 NOCC
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

REBECKA K. REICKART,

CIVIL DIVISION - LAW

Plaintiff

No.: 00-847-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

AMANDA COOVER,

CIVIL DIVISION - LAW

Plaintiff,

No.: 00-866-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

ORDER OF COURT

AND NOW, this 19th day of April 2001, it is hereby ORDERED that the
above captioned cases hereby are consolidated. All further pleadings to be filed at
docket number 00-847-CD.

FILED

APR 19 2001

William A. Shaw
Prothonotary

By:  _____

J.

FILED

APR 19 2001

01/11/00/4cc atty

William A. Shaw
Prothonotary

Hornyak

RES

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

REBECKA K. REICKART,

CIVIL DIVISION - LAW

Plaintiff

No.: 00-847-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

AMANDA COOVER,

CIVIL DIVISION - LAW

Plaintiff,

No.: 00-866-CD

v.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

ORDER OF COURT

AND NOW, this 19th day of April 2001, it is hereby ORDERED that the above captioned cases hereby are consolidated. All further pleadings to be filed at docket number 00-847-CD.

FILED

APR 19 2001

William A. Shaw
Prothonotary

By:  J.

FILED

APR 19, 2001

01/198/4cc

William A. Shaw

Prothonotary

Atty Hornyak

EJA

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

REBECKA K. REICKART

vs.

PAUL ROBERT MONOSKEY, JR.

AMANDA COOVER

vs.

PAUL ROBERT MONOSKEY, JR..

:
:
: No. 00-847-CD
:

:

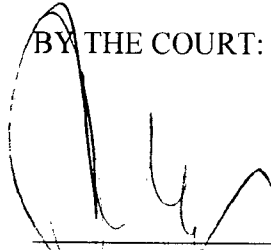
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: No. 00-866-CD
:

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ORDER

NOW, this 2nd day of April, 2001, upon consideration of
Plaintiffs' Motion to Consolidate, a Rule is hereby issued upon the parties to Show
Cause why the Motion should not be granted. Rule Returnable the 11th day of
April, 2001, at 10:00 A.M. in Courtroom No. 1,
Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:



JOHN K. REILLY, JR.
President Judge

FILED

APR 02 2001

William A. Shaw
Prothonotary

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

**NOTICE OF SERVICE OF
DISCOVERY TO PLAINTIFF**

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD ON
APRIL 6, 2001

ATTORNEY FOR DEFENDANT

FILED

APR 09 2001

7:18:58 am
William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

VS.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PEAS OF CLEARFIELD COUNTY

: No. 00-866-CD

NOTICE OF SERVICE OF INTERROGATORIES
and REQUEST FOR PRODUCTION OF DOCUMENTS

TO: PROTHONOTARY

You are hereby notified that on the **6TH** day of **APRIL, 2001**,
defendant, **PAUL ROBERT MONOSKEY, JR.**, served Interrogatories and Request for
Production of Documents to the plaintiff, by mailing the original via First-Class U.S. Mail,
postage prepaid, addressed to the following:

James B. Cole, Esquire
Stokes, Lurie, Cole & Hens-Greco, P.C.
2100 Law & Finance Building
Pittsburgh, PA 15219

Respectfully submitted,

PFAFF, McINTYRE, DUGAS, HARTYE
& SCHMITT

Attorneys for Defendant
LOUIS C. SCHMITT, JR., ESQUIRE
PA ID# 52459
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

ANSWER & NEW MATTER

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
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ALL COUNSEL OF RECORD ON
~~APRIL 11, 2001.~~

ATTORNEY FOR DEFENDANT

FILED

APR 12 2001

William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PLEAS OF CLEARFIELD COUNTY

:
: No. 00-866-CD
:
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:

ANSWER AND NEW MATTER

AND NOW, comes defendant, PAUL ROBERT MONOSKEY, JR., by and through his attorneys, PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT, and files the following Answer and New Matter in response to plaintiff's 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 plaintiff's Complaint; those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

2. Admitted.

3. Admitted.

4. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in Paragraph 4 of plaintiff's Complaint; those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

5. The allegations contained in Paragraph 5 of plaintiff's Complaint are admitted in part and denied in part. It is admitted only that the defendant had been traveling in the westbound lane of State Route 322 when his vehicle left the roadway and struck a guardrail in the north side of State Route 322. The remaining allegations contained in Paragraph 5 of plaintiff's Complaint constitute conclusions of law to which no response is required; in the event a response may be required, those remaining allegations are denied, and strict proof thereof is demanded at the time of trial.

6. The allegations contained in Paragraph 6 of plaintiff's Complaint are admitted in part and denied in part. It is admitted only that there was a collision between the motor vehicle operated by defendant, Paul Robert Monoskey, Jr., and another motor vehicle operated by Nathaniel Socoski. The remaining allegations contained in Paragraph 6 of plaintiff's Complaint constitute conclusions of fact and/or law to which no response is required; in the event a response may be required, those remaining allegations are denied, and strict proof thereof is demanded at the time of trial.

7. Denied. Subparagraphs a through l, denied.

8. Denied. Subparagraphs a through d, denied.

9. Denied. Subparagraphs a through c, denied.

10. Defendant is without sufficient knowledge or information, after reasonable investigation, to form a belief as to the truth of the allegations contained in Paragraph 10 of plaintiff's Complaint; those allegations are therefore denied, and strict proof thereof is demanded at the time of trial.

WHEREFORE, defendant, Paul Robert Monoskey, Jr. denied any and all liability to the plaintiff upon her Complaint, and respectfully requests that this Honorable Court enter judgment in his favor, with prejudice.

NEW MATTER

By way of further answer to the allegations contained in plaintiff's Complaint, and in support of his defenses against those allegations, defendant, Paul Robert Monoskey, Jr. sets forth the following statements as New Matter:

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

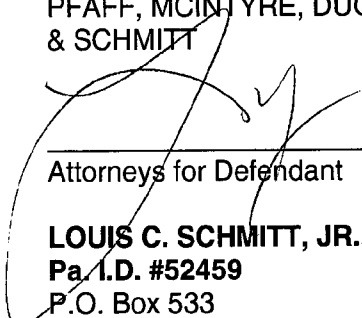
12. In the event the plaintiff suffered damages as alleged in her Complaint, those damages may have been caused by Nathaniel Socoski, or by individuals or entities other

than defendant, Paul Robert Monoskey, Jr., and over whom defendant, Paul Robert Monoskey, Jr., neither exercised nor had the right or duty to exercise control, and for whose actions or omissions defendant, Paul Robert Monoskey, Jr., is not responsible or otherwise legally liable.

13. Any acts or omissions on the part of defendant, Paul Robert Monoskey, Jr., at or near the time of the accident at issue, were not a substantial factor in bringing about any harm to plaintiff, Amanda Coover.

Respectfully submitted,

PFAFF, MCINTYRE, DUGAS, HARTYE
& SCHMITT

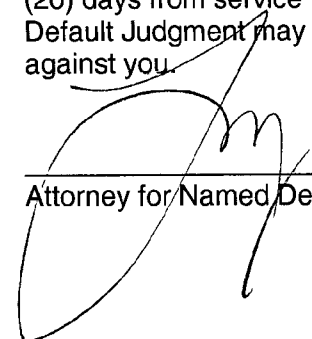


Attorneys for Defendant

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

TO: THE WITHIN NAMED PARTIES

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

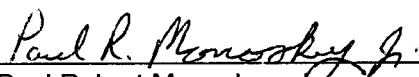


Attorney for Named Defendant

VERIFICATION

I, **PAUL ROBERT MONOSKEY, JR.**, 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.


Paul Robert Monoskey, Jr.

Date: 4/5/01

FILED

APR 12 2001

M 11:10 AM

William A. Shaw
Prothonotary

303

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

NOTICE OF DEPOSITION

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD ON
SEPTEMBER 7, 2001.

ATTORNEY FOR DEFENDANT

FILED

SEP 10 2001

mlg:ja/ncc
William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PLEAS OF CLEARFIELD COUNTY

: No. 00-866-CD

NOTICE OF DEPOSITION

TO: **Amanda Coover**
c/o James B. Cole, Esquire
Stokes, Lurie, Cole & Hens-Greco, P.C.
2100 Law & Finance Building
Pittsburgh, PA 15219

Please take notice that the deposition of **Amanda Coover** shall be taken upon oral examination by an official Court Reporter at Pfaff, McIntyre, Dugas, Hartye & Schmitt, 1816 Old Rt. 220, N. Business, Duncansville, PA on the **26th** day of **September, 2001**, commencing at **1:30 p.m.**

The scope of said deposition testimony will include inquiry into all facts concerning the happening of the incident complained of and all other matters relevant to the issues raised in the case.

You are invited to attend and participate.

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

Attorney for Defendant

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

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

RE-NOTICE OF DEPOSITION

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
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ALL COUNSEL OF RECORD ON
SEPTEMBER 24, 2001.

ATTORNEY FOR DEFENDANT

FILED

SEP 26 2001

m110:4311056

William A. Shaw

Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PEAS OF CLEARFIELD COUNTY

: No. 00-866-CD
:
:
:
:

RE-NOTICE OF DEPOSITION

TO: **Amanda Coover**
c/o James B. Cole, Esquire
Stokes, Lurie, Cole & Hens-Greco, P.C.
2100 Law & Finance Building
Pittsburgh, PA 15219

Please take notice that the deposition of **Amanda Coover** shall be taken upon oral examination by an official Court Reporter at Pfaff, McIntyre, Dugas, Hartye & Schmitt, 1816 Old Rt. 220, N. Business, Duncansville, PA on the **28th** day of **September, 2001**, commencing at **1:30 p.m.**

The scope of said deposition testimony will include inquiry into all facts concerning the happening of the incident complained of and all other matters relevant to the issues raised in the case.

You are invited to attend and participate.

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

Attorney for Defendant

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

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

00-847-00
No. ~~00-800-00~~

**MOTION TO COMPEL
DEPOSITION OF PLAINTIFF
AMANDA COOVER**

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

McIntyre, Dugas, Hartye & Schmitt

P.O. Box 533

Hollidaysburg, PA 16648-0533

Ph: 814/696-3581

Fax: 814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD ON
THIS 2ND DAY OF **OCTOBER,**
2001.

ATTORNEY FOR DEFENDANT

FILED

OCT 03 2001

William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PLEAS OF CLEARFIELD COUNTY

: No. 00-866-CD

**MOTION TO COMPEL DEPOSITION
OF PLAINTIFF, AMANDA COOVER**

AND NOW, comes Defendant Paul Robert Monoskey, Jr., by and through his attorneys, McIntyre, Dugas, Hartye & Schmitt, and respectfully requests that this Honorable Court order the plaintiff to within thirty (30) days appear for her deposition, stating as follows:

1. This lawsuit arises out of a motor vehicle accident which occurred on August 1, 1998 in Boggs Township, Clearfield County, Pennsylvania. At that time and place, plaintiff Amanda Coover was a passenger in a motor vehicle operated by Nathaniel Socoski in an easterly direction in the eastbound lane of State Route 322, which collided with another motor vehicle operated by defendant Paul Robert Monoskey, Jr., allegedly resulting in personal injuries to plaintiff, Amanda Coover.

2. Counsel for defendant Paul Robert Monoskey, Jr., filed a Notice of Deposition of plaintiff Amanda Coover, which deposition was to be recorded at defense counsel's office on Wednesday, September 26, 2001 at 1:30 p.m.

3. Subsequent to the scheduling of plaintiff's deposition, defense counsel received a telephone call from plaintiff's counsel, requesting that the deposition be postponed until Friday, September 28, 2001 at 1:30 p.m. Defense counsel agreed, and served an Amended Notice of Deposition.

4. On Thursday, September 27, 2001, defense counsel received a telephone call from plaintiff's counsel advising that plaintiff's counsel was unable to contact the plaintiff with regard to her deposition on the following day. Defense counsel

at that point advised plaintiff's counsel that the deposition would remain as scheduled, and that if the plaintiff did not appear at her deposition, a Motion to Compel would be filed with the Court.

5. The plaintiff failed to attend her deposition on Friday, September 28, 2001 at 1:30 p.m. at defense counsel's office.

WHEREFORE, defendant Paul Robert Monoskey, Jr., respectfully requests that this Honorable Court order the plaintiff to within thirty (30) days appear at her re-scheduled deposition.

Respectfully submitted,

McIntyre, Dugas, Hartye & Schmitt

Attorneys for Defendant

Louis C. Schmitt, Jr., Esquire
PA I.D. No. 52459
Post Office Box 533
Hollidaysburg, PA 16648
Ph: (814) 696-3581

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PLEAS OF CLEARFIELD COUNTY
:
: No. 00-866-CD
:
:
:

RULE RETURNABLE

AND NOW, this 4th day of October, 2001, a Rule is hereby granted to show cause why the Motion to Compel Deposition of Plaintiff Amanda Coover filed on behalf of Defendant, Paul Robert Monoskey, Jr., should not be granted.

This Rule is returnable on the 14th day of November, 2001, at 2:00 P.m. in Court Room No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

/s/JOHN K. REILLY, JR.

President Judge

FILED

OCT 14 2001

William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PLEAS OF CLEARFIELD COUNTY

: No. 00-866-CD

PROPOSED ORDER OF COURT

AND NOW, this _____ day of _____, 2001, upon
consideration of the Motion to Compel Deposition of Plaintiff, Amanda Coover, filed on
behalf of defendant Paul Robert Monoskey, Jr., and any response thereto, it is hereby
ORDERED, ADJUDGED and DECREED as follows:

1. Counsel for the parties shall confer and re-schedule the deposition
of plaintiff Amanda Coover, which deposition shall be scheduled to
take place within thirty (30) days of the date of this Order at
defense counsel's office; and,
2. Plaintiff Amanda Coover shall appear, be sworn, and give
testimony at her re-scheduled deposition, or face sanctions; and,
3. If counsel are unable to voluntarily agree to a date and time for the
re-scheduled deposition of plaintiff, Amanda Coover, this Court
shall set a specific time and date for that deposition upon
application of either party.

BY THE COURT:

/s/JOHN K. REILLY, JR.

President Judge

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

AFFIDAVIT OF SERVICE

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

McIntyre, Dugas, Hartye & Schmitt

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

Ph: 814/696-3581

Fax: 814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD ON
THIS 12TH DAY OF OCTOBER,
2001.

ATTORNEY FOR DEFENDANT

FILED

OCT 15 2001

11:21 a.m.

William A. Schmitt

Prothonotary

(E.M.)

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PLEAS OF CLEARFIELD COUNTY

: No. 00-866-CD
:
:
:
:
:

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA)
) ss:
COUNTY OF BLAIR)

I, Louis C. Schmitt, Jr., Esquire, counsel for Defendant, Paul Robert Monoskey, Jr., hereby certify that I have served a true and correct copy of the foregoing Rule Returnable, which is attached hereto, scheduling the Defendant's Motion to Compel Deposition of Plaintiff Amanda Coover for argument on November 14, 2001 at 2:00 p.m. on the following persons by placing the same in the U.S. Mail, postage prepaid, on the 12th day of October, 2001:

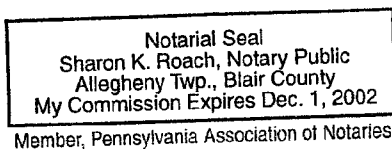
James B. Cole, Esquire
Stokes, Lurie, Cole & Hens-Greco, P.C.
2100 Law & Finance Building
Pittsburgh, PA 15219

MCINTYRE, DUGAS, HARTYE & SCHMITT

Attorneys for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE
PA. ID. No. 52459
P.O. Box 533
Hollidaysburg, PA 16648
Ph: 814/696-3581

Personally subscribed and acknowledged before me this 12th day of October, 2001, to be the true and correct signature of the above-named party.



Sharon K. Roach
NOTARY PUBLIC

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

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.

Defendant

No. 00-866-CD

NOTICE OF DEPOSITION

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD:

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.# 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

814/696-3581

814/696-9399

I HEREBY CERTIFY THAT A
TRUE AND CORRECT COPY OF
THE WITHIN WAS MAILED TO
ALL COUNSEL OF RECORD ON
January 2, 2002.

ATTORNEY FOR DEFENDANT

FILED

JAN 04 2002

William A. Shaw
Prothonotary

AMANDA COOVER,

Plaintiff,

VS.

PAUL ROBERT MONOSKEY, JR.,

: IN THE COURT OF COMMON
: PEAS OF CLEARFIELD COUNTY

: No. 00-866-CD

NOTICE OF DEPOSITION

TO: **Amanda Coover**

c/o James B. Cole, Esquire
Stokes, Lurie, Cole & Hens-Greco, P.C.
2100 Law & Finance Building
Pittsburgh, PA 15219

Please take notice that the deposition of **Amanda Coover** shall be taken upon oral examination by an official Court Reporter at Sargent's Court Reporting Service, 26 South Second Street, Clearfield, PA on the **16th** day of **January, 2002**, commencing at **12:00 p.m.**

The scope of said deposition testimony will include inquiry into all facts concerning the happening of the incident complained of and all other matters relevant to the issues raised in the case.

You are invited to attend and participate.

McINTYRE, DUGAS, HARTYE & SCHMITT

Attorney for Defendant

LOUIS C. SCHMITT, JR., ESQUIRE

PA I.D.#: 52459

P.O. Box 533

Hollidaysburg, PA 16648-0533

(814) 696-3581

FILED

JAN 04 2002

01:52 a.m.
William A. Shaw
Prothonotary

no cc

[Signature]

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

AMANDA COOVER,

Plaintiff,

vs.

PAUL ROBERT MONOSKEY, JR.,

Defendant.

No. 00-866-CD

**PRAECIPE TO SETTLE AND
DISCONTINUE**

Filed on behalf of:
Plaintiff

Counsel of Record for this
Party:

James B. Cole, Esquire
Pa. I.D. #15801

STOKES LURIE COLE &
HENS-GRECO, P.C.
Firm #012

2100 Law & Finance Building
Pittsburgh, PA. 15219

(412) 391-0800

JURY TRIAL DEMANDED

FILED

FEB 01 2002

William A. Shaw
Prothonotary

CIVIL DIVISION

Defendant.

No. 00-866-CD

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Kindly settle and discontinue the above-captioned action and mark it off the docket.

STOKES LURIE COLE & HENS-GRECO, P.C.

By:

James B. Cole
Attorneys for Plaintiff

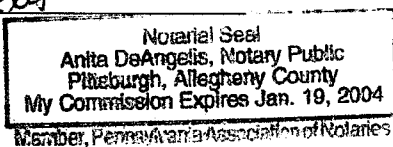
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ALLEGHENY

SWORN and SUBSCRIBED before me this

(20th) day of January, 2002.

Notary Public



FILED

FEB 01 2002

7:14 p.m.
William A. Shaw
Prothonotary SA

Certificate to Atty
Copy to CA
ncc

CKB

COPY

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

CIVIL DIVISION

Amanda Coover

Vs.

No. 2000-00866-CD

Paul Robert Monoskey Jr.

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 this 1st day of February, 2002 marked:

Settled and Discontinued

Record costs in the sum of \$124.64 have been paid in full by James B. Cole, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of February A.D. 2002.

William A. Shaw, Prothonotary