

00-10171-JD  
KAREN JEAN SHAFER -vs- WILLIAM DEAN WILT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

194 KAREN JEAN SHAFFER, :  
Plaintiff :  
vs. : No. 00 - 1017 1/2 C.D.  
10 WILLIAM DEAN WILT, :  
Defendant :  
10

**PRAECIPE FOR WRIT OF SUMMONS**

TO WILLIAM A. SHAW, PROTHONOTARY

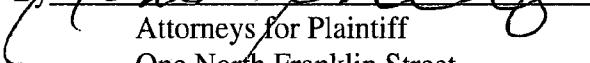
Sir:

Please enter our appearance on behalf of Plaintiff, KAREN JEAN SHAFFER, and issue a Writ of Summons in the above-captioned action against Defendant, WILLIAM DEAN WILT, whose last known address is 951 Treasure Lake, DuBois, PA 15801.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By



Attnorneys for Plaintiff  
One North Franklin Street  
P. O. Box 505  
DuBois, PA 15801  
Supreme Court No.: 30205

Date: August 18, 2000

**FILED**

AUG 18 2000

William A. Shaw  
Prothonotary

FILED  
AUG 13 2005  
AUG 18 2005  
William A. Shaw Atty pd.  
Prothonotary  
80.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL ACTION

**SUMMONS**

Karen Jean Shaffer  
Plaintiff(s)

Vs.

No: 00-1017-CD

William Dean Wilt  
Defendant(s)

To: William Dean Wilt  
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: AUGUST 18, 2000

---

William A. Shaw  
Prothonotary

Issuing Attorney:  
Toni M. Cherry, Esq.  
One North Franklin Street  
PO Box 505  
DuBois, PA 15801

(2)

TONI M. CHERRY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHAFFER, KAREN JEAN  
VS  
WILT, WILLIAM DEAN

00-1017 1/2-CD

SUMMONS

SHERIFF RETURNS

NOW SEPTEMBER 7, 2000 AT 7:31 PM DST SERVED THE WITHIN  
SUMMONS ON WILLIAM DEAN WILT, DEFENDANT AT RESIDENCE, 951  
TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY  
HANDING TO WILLIAM WILT A TRUE AND ATTESTED COPY OF THE  
ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: SNYDER

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

SWORN TO BEFORE ME THIS

25th DAY OF September 2000  
William A. Shaw

SO ANSWERS,

*Chester A. Hawkins*  
*by Marlyn Hantz*

CHESTER A. HAWKINS  
SHERIFF

WILLIAM A. S. W.  
Prothonotary,  
My Commission Expires  
1st Monday in June 2002  
Clearfield Co. Ct. PA

**FILED**

*By*  
SEP 25 2000  
*William A. Shaw*  
Prothonotary

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

KAREN JEAN SHAFFER, : No. 00 - 1017 CD <sup>VA</sup>  
Plaintiff :  
vs. : Praeclipe for Entry of Appearance  
WILLIAM DEAN WILT, : Filed on Behalf of Defendant  
Defendant : Counsel of Record for Defendant  
Heather A. Harrington, Esquire  
PA I.D. No. 62977  
: Pfaff, McIntyre, Dugas, Hartye &  
: Schmitt  
: Post Office Box 533  
: Hollidaysburg, PA 16648  
: Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
6<sup>th</sup> day of November, 2000.

Heather A. Harrington  
Atorneys for Defendant

**FILED**

NOV 07 2000

William A. Shaw  
Prothonotary

KAREN JEAN SHAFFER, : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY, PA  
vs. : No. 00 - 1017 CD  
WILLIAM DEAN WILT, :  
Defendant :  
:

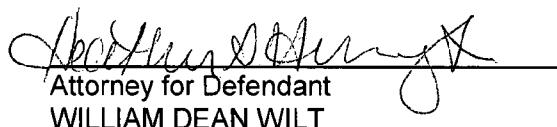
**PRAECIPE FOR ENTRY OF APPEARANCE**

TO: PROTHONOTARY

Kindly enter my Appearance as counsel of record for **Defendant, William Dean Wilt**, in the above-entitled action.

Respectfully submitted,

PFAFF, McINTYRE, DUGAS, HARTYE &  
SCHMITT

  
\_\_\_\_\_  
Attorney for Defendant

WILLIAM DEAN WILT

HEATHER A. HARRINGTON, ESQUIRE  
PA I.D.#: 62977  
P.O. Box 533  
Hollidaysburg, PA 16648  
(814) 696-3581

**FILED**

NOV 07 2000  
2000 NOV 11 4 PM '00  
William A. Shaw  
Prothonotary

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

KAREN JEAN SHAFFER, : No. 00 - 1017 CD  
Plaintiff :  
vs. : Praeclipe for Rule to File Complaint  
WILLIAM DEAN WILT, : Filed on Behalf of Defendant  
Defendant : Counsel of Record for Defendant  
Heather A. Harrington, Esquire  
PA I.D. No. 62977  
: Pfaff, McIntyre, Dugas, Hartye &  
: Schmitt  
: Post Office Box 533  
: Hollidaysburg, PA 16648  
: Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
6<sup>th</sup> day of November, 2000.

*Heather A. Harrington*  
Atorneys for Defendant

**FILED**

NOV 07 2000

William A. Shaw  
Prothonotary

KAREN JEAN SHAFFER, : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY, PA  
vs. :  
: No. 00 - 1017 CD  
WILLIAM DEAN WILT, :  
Defendant :  
:

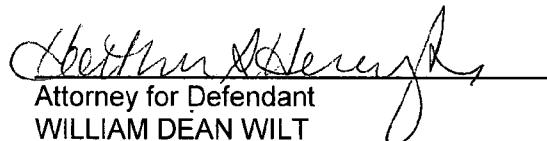
**PRAECIPE FOR RULE TO FILE COMPLAINT**

**TO: PROTHONOTARY:**

Please enter a Rule upon Plaintiff, **Karen Jean Shaffer**, 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  
WILLIAM DEAN WILT

**HEATHER A. HARRINGTON, ESQUIRE**  
**PA I.D.#: 62977**  
P.O. Box 533  
Hollidaysburg, PA 16648  
(814) 696-3581

**FILED**

See  
By Nov 07 2000

11/14/00 cc atty Harrington  
William A. Shaw  
Prothonotary

Rule to atty. Harrington

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

KAREN JEAN SHAFFER

Plaintiff(s)

vs.

No. 00-1017-CD

COPY

WILLIAM DEAN WILT

Defendant(s)

RULE TO FILE COMPLAINT

TO: Plaintiff(s): KAREN JEAN SHAFFER

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.

\_\_\_\_\_  
William A. Shaw, Prothonotary

Dated: November 7, 2000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

KAREN JEAN SHAFFER,  
Plaintiff  
vs.  
WILLIAM DEAN WILT,  
Defendant

: No. 00 - 1017-1/2 C.D.  
:  
: Type of Case: IN TRESPASS  
:  
: Type of Pleading: COMPLAINT  
:  
: Filed on Behalf of: KAREN JEAN  
: SHAFFER, Plaintiff  
:  
: Counsel of Record for this Party:  
:  
: TONI M. CHERRY, ESQ.  
: Supreme Court No.: 30205  
:  
: GLEASON, CHERRY AND  
: CHERRY, L.L.P.  
:  
: Attorneys at Law  
:  
: P.O. Box 505  
:  
: One North Franklin Street  
:  
: DuBois, PA 15801  
:  
: (814) 371-5800

FILED

DEC 08 2000

William A. Shaw  
Prothonotary

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

KAREN JEAN SHAFFER, :  
Plaintiff :  
: :  
vs. : No. 00 - 1017-1/2 C.D.  
: :  
WILLIAM DEAN WILT, :  
Defendant :  
:

**N O T I C E**

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 Notice and Complaint are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any claims 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, THEN YOU SHOULD 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 Ext. 88-89

GLEASON, CHERRY AND CHERRY, L.L.P.

By

Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

KAREN JEAN SHAFFER, :  
Plaintiff :  
:  
vs. : No. 00 - 1017-1/2 C.D.  
:  
WILLIAM DEAN WILT, :  
Defendant :  
:

**C O M P L A I N T**

AND NOW, comes the Plaintiff, KAREN JEAN SHAFFER, by and through her Attorneys, GLEASON, CHERRY AND CHERRY, L.L.P., and brings this Complaint on a cause of action whereof the following is a statement:

1. Plaintiff, KAREN JEAN SHAFFER, is an adult individual who resides at R. R. #1, Box 79, Falls Creek, Pennsylvania 15840.
2. Defendant, WILLIAM DEAN WILT, is an adult individual whose last known address is 951 Treasure Lake, DuBois, Pennsylvania 15801.
3. The events hereinafter complained of occurred on or about Monday, August 24, 1998, at or about 5:21 p.m. along State Route 830 in the Borough of Falls Creek, Clearfield County, Pennsylvania.
4. On that date, Plaintiff, KAREN JEAN SHAFFER, was the owner of a 1990 Chevrolet Corsica, Pennsylvania Registration No. AEK 6565, Vehicle Identification No. 1G1LT54G7LE169845, which she was then and there operating in a westerly direction along

State Route 830, at the point known as Station Hill, in the Borough of Falls Creek, Clearfield County, Pennsylvania.

5. At the date, time, and place aforesaid, Defendant, WILLIAM DEAN WILT, was the owner of a 1977 Chevrolet Truck, Pennsylvania Registration No. ZM 77227, Title No. 29540364004, which he was then and there operating in a westerly direction along State Route 830 in the Borough of Falls Creek, Clearfield County, Pennsylvania.

6. That on the date, time, and place above-stated, Plaintiff had lawfully stopped her vehicle in her proper lane of traffic, with her left turn signal on, and was waiting for traffic going East on SR 830 to pass before making a left turn off of SR 830 onto Taylor Avenue.

7. That at the date, time, and place above-stated, Defendant, WILLIAM DEAN WILT, so negligently and unlawfully operated his 1977 Chevrolet Truck that, as a direct result thereof, he drove his vehicle into the rear of Plaintiff's vehicle which was then and there lawfully stopped in front of him, with such force as to cause the rear of her vehicle to be smashed in, the trunk to buckle and the seat in which the Plaintiff was sitting to be broken, causing Plaintiff to be flung backwards inside of her vehicle and causing her to sustain damages and serious injuries which are hereinafter more fully set forth.

8. The serious injuries and damages hereinafter set forth were caused by and were the direct and proximate result of the negligence of the Defendant, WILLIAM DEAN WILT, as aforesaid, generally and in the following particulars:

(a) in operating his 1977 Chevrolet Truck into the rear of Plaintiff's vehicle when Plaintiff's vehicle was in its proper lane of traffic and properly stopped for the purposes of allowing on-coming traffic to pass before making a left-hand turn;

- (b) in failing to sound a horn, signal or other warning device;
- (c) in operating his vehicle at a rate of speed which was excessive under the circumstances and which precluded Defendant from being able to stop his vehicle in time to avoid colliding with Plaintiff's vehicle which was lawfully stopped;
- (d) in failing to have proper and adequate brakes in his 1977 Chevrolet Truck so as to permit Defendant to stop before the collision and in failing otherwise to have said vehicle in proper mechanical condition;
- (e) in failing to stop his vehicle before striking the Plaintiff's vehicle;
- (f) in failing to maintain the proper look-out while his vehicle was moving forward on the roadway so as to see that Plaintiff's vehicle was lawfully stopped and her left-turn signal was flashing;
- (g) in failing to have his vehicle under proper and adequate control at the time;
- (h) in failing to observe the Plaintiff's vehicle in front of him when said vehicle was lawfully stopped and its left turn signal was flashing;
- (i) in operating said vehicle without due regard for the rights, safety and position of the said KAREN JEAN SHAFFER when she was lawfully stopped on said roadway and there was on-coming traffic approaching; and
- (j) in otherwise failing to exercise that regard and care for the rights and safety of the said KAREN JEAN SHAFFER required of WILLIAM DEAN WILT, as aforesaid, under the laws of the Commonwealth of Pennsylvania.

9. At the time the serious injuries of KAREN JEAN SHAFFER, herein alleged were sustained, she was free from all fault and blame as she was lawfully stopped on SR 830 in accordance with the law.

10. By reason of the negligence of the Defendant, WILLIAM DEAN WILT, the Plaintiff, KAREN JEAN SHAFFER, sustained trauma to her neck and back, a torn ligament in her left knee which has also resulted in arthritis to her left knee.

11. By reason of said injuries, KAREN JEAN SHAFFER was rendered sick, sore, lame, prostrate and disordered for which she received treatment and for which she will continue to receive treatment for some time in the future.

12. As a result of said injuries, Plaintiff, KAREN JEAN SHAFFER, has suffered and will continue to suffer physical anguish and pain and suffering and inconvenience in the future.

13. As a result of said injuries, Plaintiff, KAREN JEAN SHAFFER, has suffered shock to the nerves and nervous system and has suffered mental anguish and emotional distress and will continue to so suffer for an indefinite time in the future.

14. As a result of said injuries, the Plaintiff, KAREN JEAN SHAFFER, has been and will be deprived in the future of the ordinary pleasures of life.

15. As a result of said injuries, Plaintiff, KAREN JEAN SHAFFER, has suffered, and will continue to suffer an impairment of earning capacity and an inability to lead a normal social life.

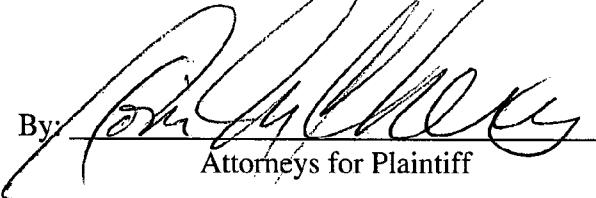
16. As a result of said accident and negligence of Defendant, the said Plaintiff, KAREN JEAN SHAFFER, has suffered serious injuries which are permanent in nature.

17. As a result of the negligence of the Defendant, WILLIAM DEAN WILT, as hereinbefore alleged, Plaintiff, KAREN JEAN SHAFFER, has been and may and probably will in the future be, obliged to expend large and various sums of money for medicine and medical attention in and about endeavoring to treat and cure herself of her injuries.

WHEREFORE, Plaintiff, KAREN JEAN SHAFFER, claims damages against Defendant, WILLIAM DEAN WILT, in an amount in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS, together with delay damages and costs of suit.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By: 

John P. Gleason  
Attorneys for Plaintiff

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

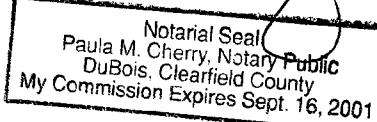
: SS.

:

Personally appeared before me, a Notary Public in and for the County and State aforesaid, KAREN JEAN SHAFFER, who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

Karen Jean Shaffer  
Karen Jean Shaffer

Sworn to and subscribed before me this 6<sup>th</sup> day of December, 2000.



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

KAREN JEAN SHAFFER, Plaintiff

• 57

WILLIAM DEAN WILT,  
Defendant

No. 00 - 1017½ C.D.

## COMPLAINT

TO THE WITHIN DEFENDANT.

YOU ARE HEREBY NOTIFIED TO PLEAD  
TO THE WITHIN COMPLAINT WITHIN  
TWENTY (20) DAYS FROM THE DATE  
OF SERVICE HEREOF.

GLEASON, CHERRY AND CHERRY, L.L.P.

By John G. Miller Atorneys for Plaintiff

卷之三

DFC 08 2000  
11/16/08  
William A. Shaw  
Prothonotary

Willy  
Eys

LAW OFFICES  
**GLEASON, CHERRY & CHERRY, L.L.P.**  
P. O. Box 505  
DU BOIS, PENNSYLVANIA 15801-0505  

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ONE NORTH FRANKLIN STREET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

KAREN JEAN SHAFFER,	:
Plaintiff	:
	:
vs.	: No. 00 - 1017-1/2 C.D.
	:
WILLIAM DEAN WILT,	:
Defendant	:

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of December, 2000, a true and correct copy of the Complaint filed by Plaintiff was served upon counsel for Defendant by mailing the same to her by United States First Class Mail, Postage Prepaid, by depositing the same in the United States Post Office at DuBois, Pennsylvania, addressed as follows:

HEATHER A. HARRINGTON, ESQ.  
Pfaff, McIntyre, Dugas, Hartye & Schmitt  
Attorneys at Law  
P. O. Box 533  
Hollidaysburg, PA 16648-0533

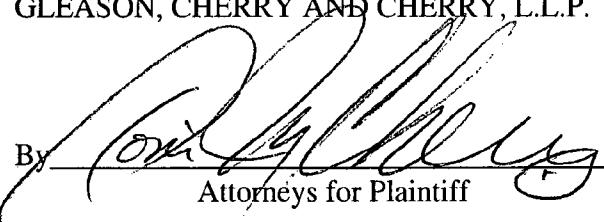
**FILED**

DEC 08 2000

William A. Shaw  
Prothonotary

GLEASON, CHERRY AND CHERRY, L.L.P.

By

  
Attorneys for Plaintiff

Dated: December 7, 2000

**FILED**

DEC 08 2000

William A. Shaw  
Prothonotary

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

KAREN JEAN SHAFFER,

No. 00 - 1017 1/2 CD

Plaintiff

vs.

WILLIAM DEAN WILT,

Defendant

**ANSWER AND NEW MATTER**

Filed on Behalf of Defendant

Counsel of Record for Defendant  
**Heather A. Harrington, Esquire**  
PA I.D. No. 62977

Pfaff, McIntyre, Dugas, Hartye &  
Schmitt  
Post Office Box 533  
Hollidaysburg, PA 16648  
Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
26th day of DECEMBER, 2000.

Heather A. Harrington  
Attnorneys for Defendant

**FILED**

DEC 27 2000  
m/11:55 AM  
William A. Shaw  
Prothonotary

no. 41  
EKG

KAREN JEAN SHAFFER, Plaintiff : IN THE COURT OF COMMON PLEAS  
vs. : OF CLEARFIELD COUNTY, PA  
WILLIAM DEAN WILT, Defendant : No. 00 - 1017 1/2 CD

**ANSWER AND NEW MATTER**

**ANSWER**

AND NOW, comes the defendant, WILLIAM DEAN WILT, by and through his counsel, PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT, and files the within Answer to the Complaint, as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted in part and denied in part. It is admitted that on the date in question the plaintiff was operating a vehicle in a westerly direction along State Route 830 in the Borough of Falls Creek, Clearfield County, Pennsylvania. In regard to the other allegations of Paragraph No. 4, the defendant, after reasonable investigation, is without sufficient information to determine the truth of those allegations and they are therefore denied.
5. Admitted.
6. Paragraph No. 6 contains conclusions of law to which no response is required. Insofar as a response is required, it is admitted that the plaintiff was stopped waiting to make a left-hand turn off of Route SR 830.
7. Paragraph No. 7 contains conclusions of law to which no responsive pleading is required. Insofar as a response is required, it is specifically denied that defendant Wilt acted in a negligent or unlawful manner in operating his vehicle. It is admitted that a collision occurred between the vehicle driven by the plaintiff and the

vehicle drive by the defendant. It is specifically denied that the impact caused the plaintiff to sustain damages or serious injuries.

8. Denied.

(a)-(j) Denied.

9. Paragraph No. 9 contains conclusions of law to which no responsive pleading is required.

10.-17. These paragraphs contain conclusions of law of medicine to which no responsive pleading is required. Insofar as a response is required, it is specifically denied that the plaintiff sustained any compensable injuries or is entitled to any recovery.

WHEREFORE, defendant, WILLIAM DEAN WILT, respectfully requests that this Honorable Court enter judgment in his favor.

**NEW MATTER**

AND NOW, comes the defendant, WILLIAM DEAN WILT, by and through his counsel, PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT, and files the within New Matter to the Complaint, as follows:

18. The defendant hereby incorporates by reference his responses to Paragraphs No. 1 through 17 of the Complaint, as if more fully set forth at length.

19. At all times material to the incidents described in the Complaint, the Pennsylvania Motor Vehicle Financial Responsibility Law was in force and effect and therefore governs this litigation.

20. The defendant hereby asserts and reserves all set-offs, defenses and immunities available to him under the Pa. MVFRL.

21. As discovery and investigation are continuing, the defendant herefore asserts the affirmative defense of the plaintiff's selection of the Limited Tort Option. The defendant further asserts that the plaintiff's alleged injuries, if any, are not "serious", as

defined in the Pa. MVFRL, and therefore the plaintiff is barred from recovering any non-economic damages.

22. For the purposes of preserving same the defendant hereby asserts the doctrine of "sudden emergency" as a defense.

WHEREFORE, defendant, WILLIAM DEAN WILT, respectfully requests that this Honorable Court enter judgment in his favor.

PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT

Heather A. Harrington  
Attorney for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. ID. No. 62977  
P.O. BOX 533  
Hollidaysburg, PA 16648  
814/696-3581

TO THE WITHIN NAMED PARTIES

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

Heather A. Harrington  
Attorney for Defendant

PR 081 NH

**VERIFICATION**

I, WILLIAM DEAN WILT, 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.

William D. Wilt  
William Dean Wilt

Date: 12/18/00

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

KAREN JEAN SHAFFER,

No. 00 - 1017 1/2 CD

Plaintiff

vs.

WILLIAM DEAN WILT,

Defendant

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

Filed on Behalf of Defendant

Counsel of Record for Defendant  
**Heather A. Harrington, Esquire**  
PA I.D. No. 62977

Pfaff, McIntyre, Dugas, Hartye &  
Schmitt  
Post Office Box 533  
Hollidaysburg, PA 16648  
Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
**26<sup>th</sup> day of December, 2000.**

Heather Harrington  
Atorneys for Defendant

**FILED**

DEC 27 2000  
M/11:55 AM  
William A. Shaw  
Prothonotary

No 1  
EAS

KAREN JEAN SHAFFER, : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY, PA  
vs. : No. 00 - 1017 1/2 CD  
WILLIAM DEAN WILT, :  
Defendant :

**NOTICE OF SERVICE OF**  
**INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**  
**DIRECTED TO PLAINTIFF**

TO: PROTHONOTARY

You are hereby notified that on the **26<sup>th</sup>** day of **DECEMBER, 2000**, Defendant,  
WILLIAM DEAN WILT served Interrogatories and Request for Production of Documents  
Directed to Plaintiff Dated 12/26/00 by mailing the original of same via First Class U.S.  
Mail, postage prepaid, addressed to the following:

Toni M. Cherry, Esquire  
One North Franklin Street  
P.O. Box 505  
DuBois, PA 15801-0505

PFAFF, McINTYRE, DUGAS, HARTYE &  
SCHMITT

*Heather A. Harrington*  
\_\_\_\_\_  
Attorneys for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA I.D #: 62977  
P.O. Box 533  
Hollidaysburg, PA 16648  
(814) 696-3581

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

KAREN JEAN SHAFFER,

No. 00 - 1017 1/2 CD

Plaintiff

vs.

WILLIAM DEAN WILT,

Defendant

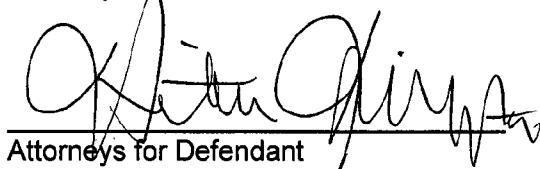
**MOTION TO COMPEL  
DISCOVERY RESPONSES**

Filed on Behalf of Defendant

Counsel of Record for Defendant  
**Heather A. Harrington, Esquire**  
PA I.D. No. 62977

Pfaff, McIntyre, Dugas, Hartye &  
Schmitt  
Post Office Box 533  
Hollidaysburg, PA 16648  
Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
30th day of March, 2001.

  
\_\_\_\_\_  
Attorneys for Defendant

**FILED**

APR 02 2001

William A. Shaw  
Prothonotary

KAREN JEAN SHAFFER, : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY, PA  
vs. : No. 00 - 1017 1/2 CD  
WILLIAM DEAN WILT, :  
Defendant :

**PROPOSED ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2001, after consideration of the defendant's Motion to Compel Discovery Responses, it is hereby ORDERED, DIRECTED AND DECREED that said Motion is GRANTED. Plaintiff is hereby instructed to provide full and complete responses to the Interrogatories and Request for Production of Documents of the defendant served on December 26, 2000 within twenty (20) days of the date of this Order. Should the plaintiff fail to provide full and complete responses within twenty (20) days from the date of this Order, plaintiff shall be precluded from presenting at trial any evidence on the issues fairly inquired into by the discovery of the defendant including liability, causation and damages.

BY THE COURT:

---

KAREN JEAN SHAFFER, : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY, PA  
vs. : No. 00 - 1017 1/2 CD  
WILLIAM DEAN WILT, :  
Defendant :  
:

**MOTION TO COMPEL DISCOVERY RESPONSES**

AND NOW, comes the defendant, WILLIAM WILT, by and through his counsel, PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT, and files the within Motion to Compel Discovery Responses, as follows:

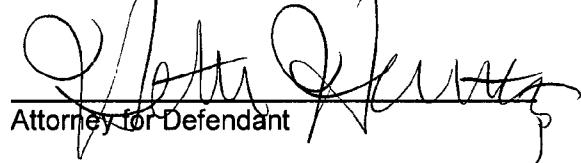
1. This litigation stems from an automobile accident which occurred on August 24, 1998.
2. Interrogatories and a Request for Production of Documents were served on counsel for plaintiff on December 26, 2000.
3. This discovery inquired into plaintiff's theories of liability against the defendant and the alleged damages described in the Complaint.
4. Through agreement of counsel, the deadline for responses to discovery was extended until March 25, 2001.
5. To date, the plaintiff has failed to provide any answers to objections to the discovery, pursuant to the Rules of Civil Procedure.
6. The information inquired into by the defendant in the Interrogatories and Request for Production of Documents is crucial to the defendant's evaluation and defense of this claim.
7. The defendant is prejudiced by the plaintiff's failure to provide Answers to the Interrogatories and a Reply to the Request for Production of Documents within a timely fashion.
8. Therefore, the defendant requests that this Honorable Court direct that the plaintiff provide full and complete Answers to the Interrogatories and Reply to the

Request for Production of Documents served December 26, 2000 within twenty (20) days of the date of the Court's Order or be precluded from presenting any evidence at time of trial on any issue fairly inquired into by the written discovery, including liability, causation and damages.

WHEREFORE, defendant requests that this Honorable Court grant its Motion to Compel Discovery Responses and set a deadline for a twenty (20) day response from the plaintiff to discovery served on December 26, 2000.

Respectfully submitted,

PFAFF, MCINTYRE, DUGAS, HARTYE & SCHMITT



\_\_\_\_\_  
Attorney for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. ID. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648  
814/696-3581

**FILED**

APR 02 2001

12:53 AM

William A. Shaw  
Prothonotary

WO C/C 8  
*[Signature]*

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

KAREN JEAN SHAFFER,

No. 00 - 1017 1/2 CD

Plaintiff

vs.

WILLIAM DEAN WILT,

Defendant

**PRAEICE FOR ARGUMENT**

Filed on Behalf of Defendant

Counsel of Record for Defendant  
**Heather A. Harrington, Esquire**  
PA I.D. No. 62977

Pfaff, McIntyre, Dugas, Hartye &  
Schmitt  
Post Office Box 533  
Hollidaysburg, PA 16648  
Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
30th day of March, 2001.

  
\_\_\_\_\_  
Attorneys for Defendant

**FILED**

APR 02 2001

4/12:53 AM

William A. Shaw  
Prothonotary

No C/C

KAREN JEAN SHAFFER,

Plaintiff

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PA

vs.

No. 00 - 1017 1/2 CD

WILLIAM DEAN WILT,

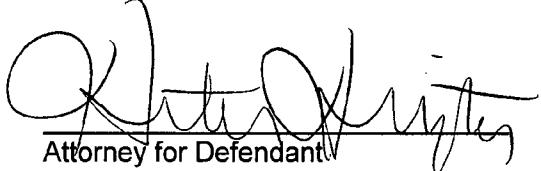
Defendant

**PRAECIPE FOR ARGUMENT**

TO THE PROTHONOTARY:

Please list the above-captioned matter for Argument. The matter to be argued is  
the Motion to Compel Discovery Responses.

PFAFF, MCINTYRE, DUGAS, HARTYE  
& SCHMITT



\_\_\_\_\_  
Attorney for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. ID. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648  
814/696-3581

**FILED**

APR 02 2001

William A. Shaw  
Prothonotary



JA

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

KAREN JEAN SHAFFER

:

:

:

vs.

: No. 00-1017 1/2-CD

:

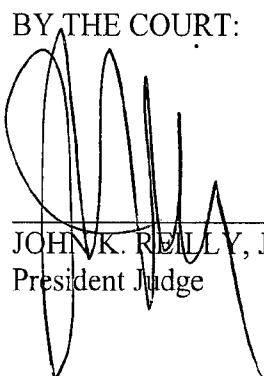
WILLIAM DEAN WILT

:

**ORDER**

NOW, this 4<sup>th</sup> day of April, 2001, upon consideration of Defendant's Motion to Compel Discovery Responses, a Rule is hereby issued upon Plaintiff to Show Cause why the Motion should not be granted. Rule Returnable the 1<sup>st</sup> day of May, 2001, at 2:30 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
JOHN K. REILLY, JR.  
President Judge

**FILED**

APR 04 2001

William A. Shaw  
Prothonotary

**FILED**

04 2001

03/17/02 cc attorney  
William A. Shaw  
Prothonotary

retd w/ a letter

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

KAREN JEAN SHAFFER,

No. 00 - 1017 1/2 CD

Plaintiff

vs.

WILLIAM DEAN WILT,

Defendant

**Affidavit of Service**

Filed on Behalf of Defendant

Counsel of Record for Defendant  
**Heather A. Harrington, Esquire**  
PA I.D. No. 62977

Pfaff, McIntyre, Dugas, Hartye &  
Schmitt  
Post Office Box 533  
Hollidaysburg, PA 16648  
Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
18<sup>th</sup> day of April, 2001.

Heather Harrington  
Attorneys for Defendant

**FILED**

APR 19 2001

William A. Shaw  
Prothonotary

KAREN JEAN SHAFFER,

Plaintiff

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PA

vs.

No. 00 - 1017 1/2 CD

WILLIAM DEAN WILT,

Defendant

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA )  
 ) ss:  
COUNTY OF BLAIR )

I, Heather A. Harrington, Esquire, hereby certify that I have served a true and correct copy of the foregoing Rule to Show Cause scheduling the Defendant's Motion to Compel Discovery Responses for argument on May 1, 2001 at 2:30 p.m. on behalf of Defendant, William Dean Wilt, on the following persons by placing the same in the U.S. Mail, postage prepaid, on the 17<sup>th</sup> day of April, 2001:

Toni Cherry, Esquire  
One North Franklin Street  
Post Office Box 505  
DuBois, PA 15801

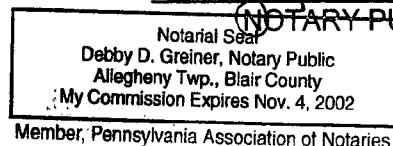
PFAFF, MCINTYRE, DUGAS, HARTYE  
& SCHMITT

Heather A. Harrington  
Attorneys for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. ID. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648  
814/696-3581

Personally subscribed and acknowledged before me this 18<sup>th</sup> day of April, 2001, to be the true and correct signature of the above-named party.

Debby D. Greiner



Member, Pennsylvania Association of Notaries

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

KAREN JEAN SHAFFER

vs.

: No. 00-1017 1/2-CD

WILLIAM DEAN WILT

ORDER

NOW, this 4th day of April, 2001, upon consideration of Defendant's Motion to Compel Discovery Responses, a Rule is hereby issued upon Plaintiff to Show Cause why the Motion should not be granted. Rule Returnable the 1st day of May, 2001, at 2:30 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

/s/JOHN K. REILLY, JR.

JOHN K. REILLY, JR.  
President Judge

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

APR 04 2001

Attest.

William J. Wilt  
Prothonotary

**FILED**

APR 19 2001  
11:13 AM C  
William A. Shaw  
Prothonotary  
KCC

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

KAREN JEAN SHAFFER,  
Plaintiff

vs. : No. 00 - 1017-1/2 C.D.

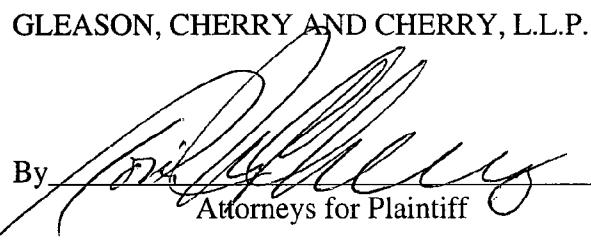
WILLIAM DEAN WILT,  
Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30<sup>th</sup> day of April, 2001, an original of Plaintiff's Response to Request for Production of Documents was sent to counsel for Defendant by mailing the same to her by Express Mail, Overnight Delivery, addressed as follows:

HEATHER A. HARRINGTON, ESQ.  
Pfaff, McIntyre, Dugas, Hartye & Schmitt  
Attorneys at Law  
P. O. Box 533  
Hollidaysburg, PA 16648-0533

GLEASON, CHERRY AND CHERRY, L.L.P.

By   
Attorneys for Plaintiff

Dated: April 30, 2001

**FILED**

MAY 02 2001  
m1105 noc  
William A. Shaw  
Prothonotary  
*EAS*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

KAREN JEAN SHAFFER,  
Plaintiff

vs. : No. 00 - 1017-1/2 C.D.

WILLIAM DEAN WILT,  
Defendant

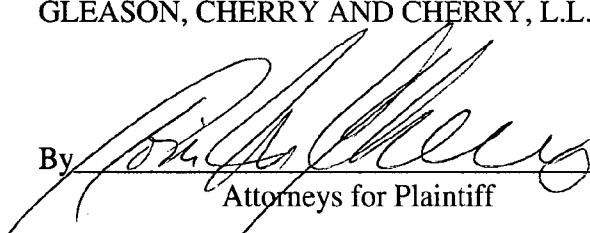
**CERTIFICATE OF SERVICE**

I hereby certify that on this 30<sup>th</sup> day of April, 2001, an original of Plaintiff's Answers to Interrogatories were sent to counsel for Defendant by mailing the same to her by Express Mail, Overnight Delivery, addressed as follows:

HEATHER A. HARRINGTON, ESQ.  
Pfaff, McIntyre, Dugas, Hartye & Schmitt  
Attorneys at Law  
P. O. Box 533  
Hollidaysburg, PA 16648-0533

GLEASON, CHERRY AND CHERRY, L.L.P.

By

  
Attorneys for Plaintiff

Dated: April 30, 2001

**FILED**

MAY 02 2001  
m\11.02 no cl  
William A. Shaw  
Prothonotary *GRS*

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

KAREN JEAN SHAFFER,

No. 00 - 1017 1/2 CD

Plaintiff

vs.

WILLIAM DEAN WILT,

Defendant

**NOTICE OF DEPOSITION**

Filed on Behalf of Defendant

Counsel of Record for Defendant  
**Heather A. Harrington, Esquire**  
PA I.D. No. 62977

McIntyre, Dugas, Hartye & Schmitt  
Post Office Box 533  
Hollidaysburg, PA 16648  
Ph: (814) 696-3581

I hereby certify that a true  
and correct copy of the within has been  
forwarded to all counsel of record this  
**18<sup>TH</sup> day of OCTOBER, 2001.**

Heather A. Harrington  
Atorneys for Defendant

**FILED**

OCT 19 2001  
m12051ncc  
William A. Shaw  
Prothonotary

KAREN JEAN SHAFFER, : IN THE COURT OF COMMON PLEAS  
Plaintiff : OF CLEARFIELD COUNTY, PA  
vs. : No. 00 - 1017 1/2 CD  
WILLIAM DEAN WILT, :  
Defendant :

**NOTICE OF DEPOSITION**

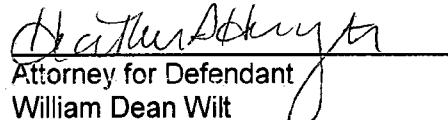
TO: Karen Jean Shaffer  
c/o Toni Cherry, Esquire  
One North Franklin Street  
Post Office Box 505  
DuBois, PA 15801

Please take notice that the deposition of **KAREN JEAN SHAFFER** shall be taken upon oral examination by an official Court Reporter at the law office of Toni Cherry, Esquire, One North Franklin Street, DuBois, Pennsylvania (ph: 814-371-5800) on Friday, the **14<sup>th</sup>** day of **December, 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.

**MCINTYRE, DUGAS, HARTYE &  
SCHMITT**

  
\_\_\_\_\_  
Attorney for Defendant  
William Dean Wilt

**HEATHER A. HARRINGTON, ESQ.**  
**PA I.D.#: 62977**  
**P.O. Box 533**  
**Hollidaysburg, PA 16648-0533**  
**Ph: (814) 696-3581**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

14  
KAREN JEAN SHAFFER,

Plaintiff

10  
vs.

: No. 00 - 1017-1/2 C.D.

WILLIAM DEAN WILT,

Defendant

**PRAECIPE TO MARK CASE SETTLED, DISCONTINUED AND ENDED**

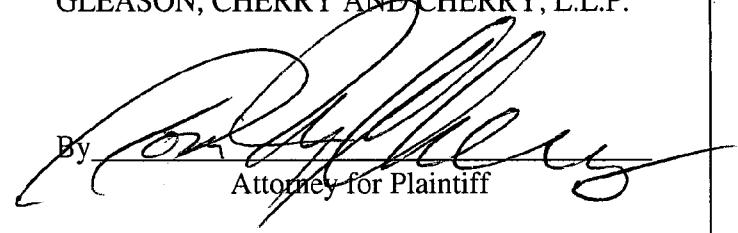
TO WILLIAM A. SHAW, PROTHONOTARY

Sir:

Please mark the above-captioned case settled, discontinued and ended.

Respectfully submitted,

GLEASON, CHERRY AND CHERRY, L.L.P.

By   
Attorney for Plaintiff

Dated: January 18, 2002

**FILED**

JAN 28 2002

William A. Shaw  
Prothonotary

**FILED**

01:59 AM  
JAN 28 2002

3 CC

Atty T. Cherry

copy to CJA

copy to Atty

William A. Shaw  
Prothonotary

Atty

**COPY**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Karen Jean Shaffer

Plaintiff(s)

Vs.

No. 2000-1017 1/2-CD

William Dean Wilt

Defendant(s)

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 this day, the 28th of January A.D. 2002, marked:

Settled, Discontinued, and Ended

Record costs in the sum of \$137.97 have been paid in full by Toni M. Cherry, Esq., Attorney for the Plaintiff.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 28th day of January A.D. 2002.

---

Prothonotary