

00-1231-0D  
JACK VALENZA etux -vs- Ardell D. Shirey, Executor of the Estate  
of Tressa E. Shirey, Deceased

**William A. Shaw**  
Prothonotary

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.


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\*  
\*  
\*

No. 00 - 1231 - CD

PRAECIPE

TO THE PROTHONOTARY:

Please issue a writ in summons against the above-named Defendant, Ardell D. Shirey, Executor of the Estate of Tressa E. Shirey, whose address is R. D. 3, Box 266, Clearfield, Pennsylvania.

  
James A. Naddeo  
Attorney for Plaintiffs

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
PO BOX 752  
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED

OCT 04 2000

011'291 atty Naddo

William A. Shaw  
Prothonotary

pd \$80.00

Wrt Summons  
to Sheriff

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

COPY

JACK VALENZA and JOYCE L. VALENZA

husband and wife,

Plaintiff(s)

vs.

S U M M O N S

No: 00-1231-CD

ARDELL D. SHIREY , Executor of the

Estate of TRESSA E. SHIREY, Deceased,

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 October 4, 2000

William A. Shaw, Prothonotary

Issuing Attorney:

James A. Naddeo, Esquire  
211 1/2 East Locust Street  
P.O. Box 552  
Clearfield, PA 16830

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

TYPE OF PLEADING:  
**PRAECIPE FOR ENTRY OF  
APPEARANCE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

OCT 13 2000

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

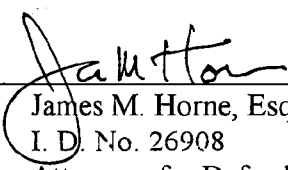
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of our Praecipe for Entry of Appearance on behalf the Defendant, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 12<sup>th</sup> day of October, 2000, to the attorney/party of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-4000

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By:

  
James M. Horne, Esquire  
I. D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

Sheriff Docket # 10252

VALENZA, JACK & JOYCE L.

00-1231-CD

VS.

SHIREY, ARDELL D. EXECUTOR OF ESTATE

SUMMONS

**SHERIFF RETURNS**

NOW OCTOBER 10, 2000 AT 2:00 PM DST SERVED THE WITHIN SUMMONS ON  
ARDELL D. SHIREY, EXECUTOR OF THE ESTATE OF TRESSA E. SHIREY,  
DECEASED, DEFENDANT AT RESIDENCE RD 3 BOX 266, CLEARFIELD, CLEARFIELD  
COUNTY, PENNSYLVANIA BY HANDING TO ARDELL D. SHIREY A TRUE AND  
ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE  
CONTENTS THEREOF.  
SERVED BY: DAVIS/MORGILLO

**Return Costs**

Cost	Description
19.00	SHFF. HAWKINS PAID BY: ATTY
10.00	SURCHARGE PAID BY: ATTY

Sworn to Before Me This

20th Day Of October 2000  
William L. Davis

WLD

So Answers,

Chester A. Hawkins  
Ly. Marilyn Harris  
Chester A. Hawkins  
Sheriff



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

COPY

JACK VALENZA and JOYCE L. VALENZA

husband and wife,

Plaintiff(s)

vs.

ARDELL D. SHIREY , Executor of the  
Estate of TRESSA E. SHIREY, Deceased,

Defendant(s)

S U M M O N S

No: 00-1231-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 October 4, 2000



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

Issuing Attorney:

James A. Naddeo, Esquire  
211 1/2 East Locust Street  
P.O. Box 552  
Clearfield, PA 16830

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

TYPE OF PLEADING:  
**CERTIFICATES OF SERVICE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

OCT 30 2000

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

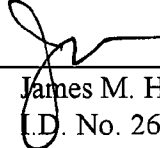
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Interrogatories Propounded by Defendant for Answer By Plaintiffs (Set One) and Request for Production (Set One) in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 27<sup>th</sup> day of October, to the attorneys/parties of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I.D. No. 26908  
Attorney for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Second Request For Production of Documents and Tangible Things By Defendant Directed to Plaintiffs in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 27<sup>th</sup> day of October, 2000, to the attorney of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

James M. Horne, Esquire  
I.D. No. 26908  
Attorney for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

TYPE OF PLEADING:  
**PRAECIPE FOR RULE TO  
FILE COMPLAINT**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

OCT 30 2000

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

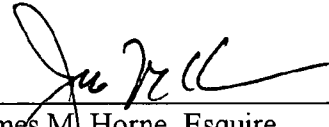
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of our Praecipe for Rule to File Complaint on behalf the Defendant, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 27<sup>th</sup> day of October, 2000, to the attorney/party of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-4000

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I. D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

FILED

OCT 30 2000  
M 10:39 AM  
WILLIAM A. SHAW  
Prothonotary

Rule Issued  
to City  
829

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE:  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

COPY

**RULE**

To: Jack Valenza and Joyce L. Valenza, husband and wife  
% James Naddeo, Esquire

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  
[SEAL]

Dated: 10.30.00



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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

TYPE OF PLEADING:  
**CERTIFICATE OF SERVICE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

OCT 30 2000

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.


**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of our Notice of Intent to Serve Subpoenas for Production of Documents/Things directed to: Blair Medical Associates, Dr. Romeo, and Clearfield Hospital, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 27th day of October, 2000, to the attorney/party of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-4000

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I. D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

TYPE OF PLEADING:  
**CERTIFICATE OF SERVICE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

NOV 02 2000

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

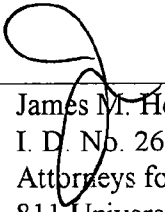
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the issued Rule to file Complaint was served in the above-captioned matter via U.S. First Class Mail, postage prepaid, on this 1<sup>st</sup> day of November 2000, to the attorney/party of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-4000

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I. D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

TYPE OF PLEADING: **Certificate  
Prerequisite to Service of a Subpoena  
Pursuant to Rule 4009.22**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

FILED

NOV 07 2000

WILLIAM A. CHOW  
CLERK

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE:  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

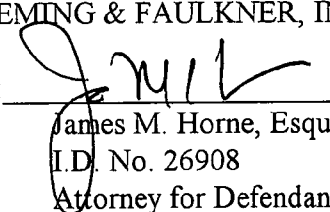
**CERTIFICATE**  
**PREREQUISITE TO SERVICE OF SUBPOENAS**  
**PURSUANT TO RULE 4009.22**

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- 1) a notice of intent to serve the subpoenas with a copy of the subpoenas attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoenas are sought to be served,
- 2) a copy of the notice of intent, including the proposed subpoenas, is attached to this certificate,
- 3) by correspondence dated November 1, 2000, Plaintiffs' attorney, James A. Naddeo, waived the 20-day objection period, and
- 4) the subpoenas which will be served are identical to the subpoenas which is attached to the notice of intent to serve the subpoenas.

MCQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Date: 11/6/00

By: 

James M. Horne, Esquire

I.D. No. 26908

Attorney for Defendant

811 University Drive

State College, PA 16801-6699

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

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

Defendant intends to serve a subpoena identical to those that are 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 subpoenas. If no objection is made, the subpoenas may be  
served.

MCQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Date: 10/27/00

By: 

James M. Horne, Esquire  
I.D. No. 26908  
Attorney for Defendant  
811 University Drive  
State College, PA 16801-6699  
(814) 238-4926

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
Plaintiffs, :

v. :

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
Defendant. :

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

TO: *Blair Medical Associates*  
*1414 Eighth Avenue*  
*Altoona, PA 16602*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *a true and correct copy of any and all medical records/documents in your possession pertaining to Joyce L. Valenza, SS#160-30-8488, d/o/b 3/04/37.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things 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 ordering compelling you to comply with it.

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

NAME: *James M. Horne, Esquire*  
ADDRESS: *811 University Drive, State College, PA 16801*  
TELEPHONE: *(814) 238-4926*  
SUPREME CT ID# *26908*  
ATTORNEY FOR: *Defendant*

BY THE COURT:

\_\_\_\_\_  
William A. Shaw, Prothonotary/Clerk  
Civil Division  
[Seal of the Court]

Dated: \_\_\_\_\_



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
Plaintiffs, :

v. :

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
Defendant. :

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

TO: *Clearfield Hospital*  
*P.O. Box 992*  
*Clearfield, PA 16830*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *a true and correct copy of any and all medical records/documents in your possession pertaining to Joyce L. Valenza, SS#160-30-8488, d/o/b 3/04/37.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things 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 ordering compelling you to comply with it.

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

NAME: *James M. Horne, Esquire*  
ADDRESS: *811 University Drive, State College, PA 16801*  
TELEPHONE: *(814) 238-4926*  
SUPREME CT ID# *26908*  
ATTORNEY FOR: *Defendant*

BY THE COURT:

\_\_\_\_\_  
William A. Shaw, Prothonotary/Clerk  
Civil Division  
[Seal of the Court]

Dated: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
Plaintiffs, :  
v. :  
ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
Defendant. :

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

TO: *Blair Medical Associates*  
*1414 Eighth Avenue*  
*Altoona, PA 16602*

Within twenty (20) days after service of this subpoena, you are ordered by the court to produce the following documents or things: *a true and correct copy of any and all medical records/documents in your possession pertaining to Joyce L. Valenza, SS#160-30-8488, d/o/b 3/04/37.*

at: *McQuaide Blasko Law Offices, 811 University Drive, State College, PA 16801*

You may deliver or mail legible copies of the documents or produce things 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 ordering compelling you to comply with it.

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

NAME: *James M. Horne, Esquire*  
ADDRESS: *811 University Drive, State College, PA 16801*  
TELEPHONE: *(814) 238-4926*  
SUPREME CT ID# *26908*  
ATTORNEY FOR: *Defendant*

BY THE COURT:

\_\_\_\_\_  
William A. Shaw, Prothonotary/Clerk  
Civil Division  
[Seal of the Court]

Dated: \_\_\_\_\_

James M. Horne, Esquire  
 E. D. No. 26908  
 Attorneys for Defendant  
 811 University Drive  
 State College, PA 16801  
 (814) 238-4926

**William A. Shaw**  
Prothonotary

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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\* No. 00 - 1231 - CD  
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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 without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURT HOUSE  
Market and Second Streets  
Clearfield, PA 16830

(814) 765-2641

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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\* No. 00 - 1231 - CD  
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COMPLAINT

NOW COME the Plaintiffs, Jack Valenza and Joyce L. Valenza, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiff, Jack Valenza, is a sui juris, adult individual, who currently resides at 205 Spring Street, Clearfield, Pennsylvania.

2. That the Plaintiff, Joyce L. Valenza, is a sui juris, adult individual, who currently resides at 205 Spring Street, Clearfield, Pennsylvania.

3. That the Defendant is Ardell D. Shirey, Executor of the Estate of Tressa E. Shirey, who currently resides at R. D. 3, Box 266, Clearfield, Pennsylvania.

COUNT I

Joyce L. Valenza v. Ardell D. Shirey, Executor  
Of the Estate of Tressa E. Shirey

4. That on or about June 21, 1999 at approximately 4:05 p.m., E.D.S.T., the Plaintiff, Joyce L. Valenza, was the owner and operator of a 1995 Oldsmobile Cutlass bearing Pennsylvania registration No. UDK671.

5. That on the aforesaid date and at or about the said time, the decedent, Tressa E. Shirey, was the owner and operator of a 1989 Buick Century bearing Pennsylvania registration No. 54476X.

6. That State Route 322 is a two-lane, macadam highway which proceeds in a generally east-west direction through Lawrence Township, Clearfield County, Pennsylvania.

7. That on the aforesaid date and at or about the said time, it was daylight; the weather was clear and the roadway was dry.

8. That on or about the said day and at or about the said time, the Plaintiff, Joyce L. Valenza, was traveling west on State Route 322 and had slowed for traffic proceeding the same direction.

9. That on or about the said day and at or about the said time, the Decedent, Tressa E. Shirey, was likewise

traveling west on State Route 322 directly in back of the Plaintiff, Joyce L. Valenza.

10. That on or about the said day and at or about the said time, the Decedent, Tressa E. Shirey, suddenly and without warning failed to bring her vehicle to a stop but collided with the rear of the vehicle operated by the Plaintiff, Joyce L. Valenza.

11. That as a result of the collision described in Paragraph 10 hereof which is incorporated herein by reference, the Plaintiff, Joyce L. Valenza, was thrown generally forward and backward within the vehicle that she was operating causing the numerous and serious injuries hereinafter set forth.

12. That the decedent, Tressa E. Shirey, was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries to the Plaintiff, Joyce L. Valenza, as follows:

A. That the Decedent failed to have her vehicle under proper control;

B. That the Decedent failed to maintain a proper lookout;

C. That the Decedent violated the Motor Vehicle Code of 1976, June 17, P. L. 162, Section 3361, 75 P.S. Section 3361 and supplements thereto, in that she operated her vehicle upon State Route 322 at



a speed greater than was reasonable and prudent under the conditions then and there existing and without regard to the actual and/or potential hazards then and there existing and at a speed which was greater than would permit her to bring her vehicle to a stop within the assured clear distance ahead.

D. That the Decedent violated the Motor Vehicle Code of 1976, June 17, P. L. 162, Section 3714, 75 P.S. Section 3714 and supplements thereto in that she operated her vehicle upon State Route 322 with careless disregard for the safety of the Plaintiff, Joyce L. Valenza.

E. That the Decedent violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3736, 75 P.S. Section 3736, and supplements thereto, in that she operated her vehicle upon State Route 322 in willful or wanton disregard for the safety of the person or property of the Plaintiff, Joyce L. Valenza.

F. That the Decedent was negligent, careless and reckless in that she failed to use due care under all of the circumstances of the case.

13. That as a result of the negligence, carelessness and recklessness of the Decedent, Tressa E. Shirey, as set forth in Paragraph 12 hereof and incorporated herein by reference, the

Plaintiff, Joyce L. Valenza, suffered the following injuries which may and probably will be permanent:

- A. Extension flexion injury cervical spine;
- B. Exacerbation of pre-existing arthritic condition.

14. That the Plaintiff, Joyce L. Valenza, may and probably will be required to expend sums for the treatment of her injuries in excess of the coverage afforded to her by her auto insurance policy.

15. That as a result of the injuries referred to in Paragraph 13 hereof which is incorporated herein by reference, the Plaintiff suffers serious and permanent physical impairment which substantially prohibits her ability to engage in the normal and usual functions which she enjoyed prior to the accident including but not limited to her household duties, hobbies and social activities.

16. That the Plaintiff, Joyce L. Valenza, claims a reasonable amount for the following:

- A. A reasonable amount for pain and suffering; past, present and future;
- B. Cost of replacing household services;
- C. Privation and inconvenience; past, present and future;
- D. Impairment of earning power;

E. Future medical expenses;

F. All other damages allowable by law.

WHEREFORE, the Plaintiff, Joyce L. Valenza, claims damages from the Defendant in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

Second Count

Jack Valenza v. Ardell D. Shirey, Executor of the  
Estate of Tressa E. Shirey

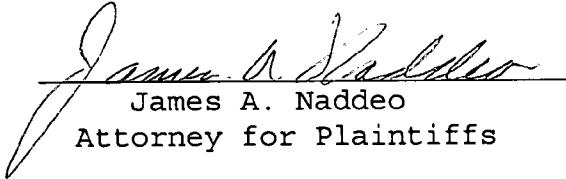
17. That the Plaintiff, Jack Valenza, is the husband of Joyce L. Valenza, having been married to her on July 25, 1992.

18. That the Plaintiff, Jack Valenza, incorporates Paragraphs 1 through 16 of this Complaint by reference and makes them a part hereof.

19. That at all times referred to in this Complaint, the Plaintiff, Jack Valenza, was residing with his wife, Joyce L. Valenza, and continues to reside with her up to the date of this Complaint.

20. That as a result of the injuries suffered by the Plaintiff, Joyce L. Valenza, the Plaintiff, Jack Valenza, has been deprived of the services and society of his wife and will continue to be so deprived for an indefinite period of time in the future.

WHEREFORE, the Plaintiff, Jack Valenza, claims damages from the Defendant in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

  
James A. Naddeo  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

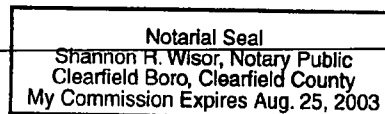
COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared JOYCE L. VALENZA, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint New Matter are true and correct to the best of her knowledge, information and belief.

Joyce L. Valenza  
Joyce L. Valenza

SWORN and SUBSCRIBED before me this 17th day of November, 2000.

Shannon R. Wisor



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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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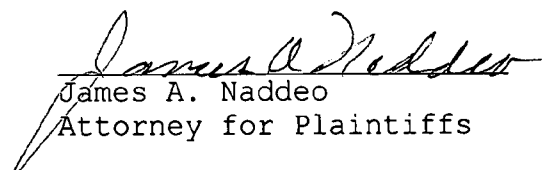
No. 00 - 1231 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a  
certified copy of Plaintiffs Complaint filed in the above-  
captioned action was served on the following person and in the  
following manner on the 17<sup>th</sup> day of November, 2000:

First-Class Mail, Postage Prepaid

James M. Horne, Esquire  
McQuaide Blasko Law Offices  
811 University Drive  
State College, PA 16801-6699

  
James A. Naddeo  
Attorney for Plaintiffs

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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JAN 3 1981  
J. Naddeo

**William A. Shaw**  
Prothonotary



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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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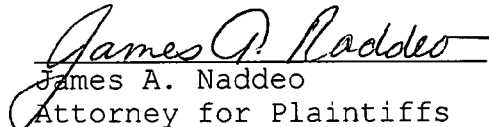
No. 00 - 1231 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiff's Response to Request for Production of Documents filed in the above-captioned action was served on the following person and in the following manner on the 27th day of November, 2000:

First-Class Mail, Postage Prepaid

James M. Horne, Esquire  
McQuaide Blasko Law Offices  
811 University Drive  
State College, PA 16801-6699

  
James A. Naddeo  
Attorney for Plaintiffs

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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FILED

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CLERK  
William A. Shaw  
Prothonotary

att. Naddeo  
EAT

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

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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No. 00 - 1231 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a  
certified copy of Interrogatories Propounded by Defendant for  
Answer by Plaintiffs filed in the above-captioned action was  
served on the following person and in the following manner on the  
27th day of November, 2000:

First-Class Mail, Postage Prepaid

James M. Horne, Esquire  
McQuaide Blasko Law Offices  
811 University Drive  
State College, PA 16801-6699

  
James A. Naddeo  
Attorney for Plaintiffs

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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FILED

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3:24 PM

William A. Shaw

Prothonotary

*att. Naddeo*

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TRESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

TYPE OF PLEADING:  
**ANSWER WITH NEW MATTER**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

NOV 30 2000

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TRESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

**NOTICE TO PLEAD**

TO: Jack Valenza and Joyce L. Valenza, husband and wife  
% James A. Naddeo, Esquire

YOU ARE HEREBY notified to plead to the within New Matter within twenty (20) days  
from the date of service hereof or a default judgment may be entered against you.

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: 11/29, 2000

By: 

James M. Horne, Esquire  
I.D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926





7. Admitted as to the fact that it was daylight. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the balance of the averments of paragraph 7. The same are therefore denied and strict proof thereof demanded.

8. Admitted that Plaintiff Joyce Valenza was traveling west. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the balance of the averments of paragraph 8. The same are therefore denied and strict proof thereof demanded.

9. Admitted that the deceased was traveling west on Route 322 behind the Plaintiff Joyce Valenza.

10. Denied as stated. To the contrary, it is averred only that contact occurred between the front of the vehicle operated by the deceased and the rear of the vehicle operated by Plaintiff Joyce Valenza.

11. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 11. The same are therefore denied and strict proof thereof demanded.

12. (A) - (F). Denied, pursuant to Pa.R.C.P. No. 1029(e).

13. - 15. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraphs 13 through 15, inclusive. The same are therefore denied and strict proof thereof demanded.

16. Defendant is advised and therefore believes that paragraph 16 pleads conclusions of law to which no response is required. To the extent any response is required, it is denied that

Plaintiff is entitled to recover any of the damages claimed in paragraph 16. Plaintiff had selected, or was otherwise insured under a policy of insurance bearing, the limited tort option. Plaintiff has not sustained injuries sufficient to overcome the threshold and otherwise has not sustained any recoverable out of pocket expenses.

WHEREFORE, Defendant requests that Plaintiff's complaint be dismissed, with prejudice and costs of suit.

**COUNT 2**

**Jack Valenza v. Ardell D. Shirey, Executor of the  
Estate of Tressa E. Shirey**

17. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 17. The same are therefore denied and strict proof thereof demanded.

18. Defendant incorporates herein by reference, the same as though set forth at length, his responses to paragraphs 1 through 16, inclusive.

19. - 20. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraphs 19 and 20, inclusive. The same are therefore denied and strict proof thereof demanded.

WHEREFORE, Defendant requests that Plaintiff's complaint be dismissed, with prejudice and costs of suit.

**NEW MATTER**

21. Defendant hereby raises and asserts all those defenses and limitations on damages available to him by reason of the terms and provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended.

22. To the extent Plaintiff was insured under a policy of insurance bearing the limited tort option, Plaintiff has not sustained injuries sufficient to overcome the limited tort threshold.

23. Plaintiff's claims for non-economic damages are barred by her failure to sustain injuries sufficient to overcome the limited tort threshold.

24. To the extent Plaintiff incurred medical expenses paid or payable under a policy of insurance, the same may not be pled, proven or recovered in the instant action.

25. Plaintiff is not entitled to the recovery of damages under the facts and circumstances at issue.

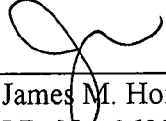
26. Plaintiff fails to state a claim upon which relief can be granted.

WHEREFORE, Defendant requests that Plaintiff's complaint be dismissed, with prejudice and costs of suit.

Respectfully submitted,


McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: 11/29, 2000

By:   
James M. Horne, Esquire  
I.D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

### VERIFICATION

The undersigned verifies that he is authorized to make this Verification on his own behalf and as the Executor of the Estate of Tressa Shirey, Deceased, and that the statements made in the foregoing Answer with New Matter of Defendant, are true and correct to the best of his knowledge, information and belief. The undersigned understand that false statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, related to unsworn falsification to authority.

  
\_\_\_\_\_  
Ardell Shirey, Executor of Estate of  
Tressa Shirey, Deceased

Dated: Nov. 22, 2000 ~~1999~~

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

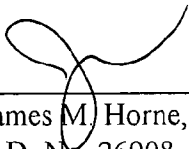
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Answer with New Matter was served in the above-captioned matter via U.S. First Class Mail, postage prepaid, on this 29<sup>th</sup> day of November 2000, to the attorney/party of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-4000

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I. D. No. 26908  
Attorneys for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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No. 00 - 1231 - CD

**ANSWER TO NEW MATTER**

NOW COMES, Plaintiffs, JACK VALENZA and JOYCE L. VALENZA, by and through their attorney, James A. Naddeo, Esquire sets forth the following Answer to New Matter.

1. Paragraph 21 states a conclusion of law to which no answer is required.

2. Paragraph 22 states a conclusion to which no answer is required. To the extent that an answer may be required, said allegation is denied and to the contrary, it is alleged that Plaintiff suffered serious impairment of body function.

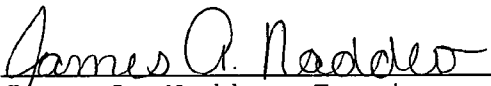
3. Paragraph 23 states a conclusion to which no answer is required. To the extent that an answer may be required, Plaintiffs incorporate their answer to Paragraph 22 of Defendant's New Matter by reference and makes it a part hereof.

4. Paragraph 24 states a conclusion of law to which no answer is required.

5. Paragraph 25 states a conclusion of law to which no answer is required. To the extent that an answer may be required, Plaintiffs object to said allegation for want of specificity.

6. Paragraph 26 states a conclusion of law to which no answer is required.

WHEREFORE, Plaintiff claims damages set forth in her Complaint.

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs



COMMONWEALTH OF PENNSYLVANIA)

ss.

COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared JOYCE L. VALENZA, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Answers to New Matter are true and correct to the best of her knowledge, information and belief.

Joyce L. Valenza  
Joyce L. Valenza

SWORN and SUBSCRIBED before me this 8th day of December, 2000.

Shannon R. Wisor

Notarial Seal  
Shannon R. Wisor, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Aug. 25, 2003

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

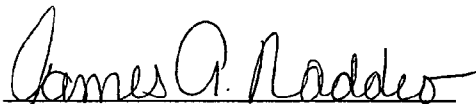
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CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a  
certified copy of Answer to New Matter filed in the above-  
captioned action was served on the following person and in the  
following manner on the 8th day of December, 2000:

First-Class Mail, Postage Prepaid

James M. Horne, Esquire  
McQuaide Blasko Law Offices  
811 University Drive  
State College, PA 16801-6699

  
James A. Naddeo  
Attorney for Plaintiffs

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552,  
CLEARFIELD, PENNSYLVANIA 16830

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FILED

DEC 08 2000  
D/10:43/KC  
William A. Shaw  
Prothonotary

atty/naddeo  
8/22

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

TYPE OF PLEADING:

**Praecipe to Withdraw/Enter Appearance**

TYPE OF CASE: CIVIL

FILED ON BEHALF OF:

**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:

KATHERINE V. OLIVER, ESQ.

I.D. NO. 77069

JAMES M. HORNE, ESQ.

I.D. NO. 26908

McQUAIDE, BLASKO, SCHWARTZ,

FLEMING & FAULKNER, INC.

811 University Drive

State College, PA 16801

PH# (814) 238-4926

FAX#(814) 238-9624

**FILED**

JAN 11 2001

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

**PRAECIPE TO WITHDRAW/ENTER APPEARANCE**

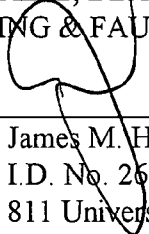
***WITHDRAW OF APPEARANCE***

TO THE PROTHONOTARY:

Please withdraw my appearance on behalf of the Defendant in the above-captioned matter.

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: January 10, 2001

By:   
James M. Horne  
I.D. No. 26908  
811 University Drive  
State College, PA 16801  
(814) 238-4926

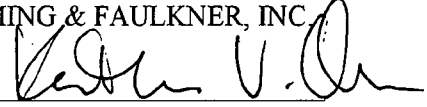
***ENTRY OF APPEARANCE***

TO THE PROTHONOTARY:

Please enter my appearance on behalf of the Defendant in the above-captioned matter.

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: January 10, 2001

By:   
Katherine V. Oliver  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Attorneys for Defendant

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

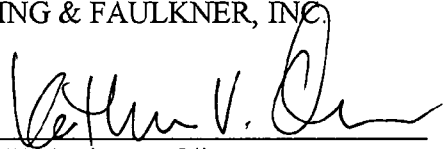
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Praecipe to Withdraw/Enter Appearance was served in the above-captioned matter via U.S. First Class Mail, postage prepaid, on this 10<sup>th</sup> day of January, 2001, to the attorney/party of record:

James Naddeo, Esquire  
211½ East Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-4000

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
Katherine V. Oliver

I. D. No. 77069

Attorneys for Defendant

811 University Drive

State College, PA 16801

(814) 238-4926

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

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
 :  
Plaintiffs, :  
 :  
v. :  
 :  
ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
 :  
Defendant. :

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Notice of Intent to Serve Subpoena to Produce Documents and Things in Discovery Pursuant to Rule 4009.21 in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 22<sup>d</sup> day of February, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

FFR 23 2001

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

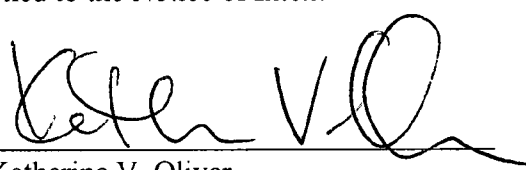
Defendant. :

No. 00-1231-C.D.

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

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- (1) a Notice of Intent to Serve the Subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least 20 days prior to the date on which the subpoena is sought to be served;
- (2) a copy of the Notice of Intent, including the proposed subpoena, is attached to this Certificate;
- (3) no objection to the subpoena has been received; and,
- (4) the subpoena which will be served is identical to the subpoena which is attached to the Notice of Intent to Serve the Subpoena.

  
Katherine V. Oliver  
Attorney for Defendant  
ARDELL SHIREY

Dated: 3-19-01

**FILED**

MAR 20 2001

William A. Shaw  
Prothonotary



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teressa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: Continental Casualty Insurance Company (CNA)  
(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 paper  
McQuaide Blasko Law Office 811 University Drive State College PA 16801  
(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.

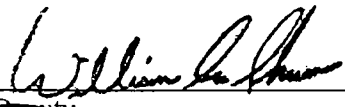
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Katherine V. Oliver Esquire  
ADDRESS: 811 University Drive  
State College PA 16801  
TELEPHONE: 814-238-4926  
SUPREME COURT ID # 77069  
ATTORNEY FOR: Defendant Ardell Shirey

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Wednesday, February 21, 2001  
Seal of the Court

  
Deputy

### **DOCUMENTS TO BE PRODUCED**

The entire first and third party files on Jack and/or Joyce L. Valenza pertaining to a motor vehicle accident which occurred on June 21, 1999. The claim number is US604738661. The file documents should included, but not be limited to, all medical records and payment logs, all recorded statements, entire investigative file, declarations page, vehicle damage appraisal, any diagrams, photographs, videotapes, etc. of the vehicles and/or the accident scene, etc.

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

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
 :  
Plaintiffs, :  
 :  
v. :  
 :  
ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
 :  
Defendant. :

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records Deposition Directed to Continental Casualty Insurance Company (CNA) in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 19<sup>th</sup> day of March, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

**MAR 20 2001**

**William A. Shaw**  
Prothonotary

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

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
 :  
 :  
Plaintiffs, :  
 :  
 :  
v. :  
 :  
 :  
ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
 :  
 :  
Defendant. :

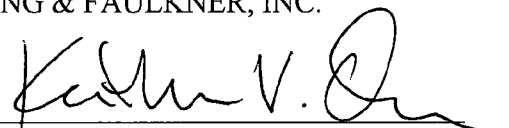
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Notice of Intent to Serve Subpoenas to Produce Documents and Things in Discovery Pursuant to Rule 4009.21 in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 4<sup>th</sup> day of May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 07 2001

William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,

Defendant.

No. 00-1231-C.D.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records Deposition Directed to Mark A. Piasio, M.D. in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 24<sup>th</sup> day of May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 25 2001

11:57 pm  
William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records Deposition Directed to Wal-Mart Super Store Pharmacy in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 24<sup>th</sup> day of May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830


McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 25 2001

m/11:37pm noc  
William A. Shaw  
Prothonotary 

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records Deposition Directed to K-Mart Store Pharmacy in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 24<sup>th</sup> day of May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 25 2001

7/1:37pm  
William A. Shaw  
Prothonotary

no cc  
E  
KES

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

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
 :  
 :  
Plaintiffs, :  
 :  
 :  
v. :  
 :  
ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :  
 :  
 :  
Defendant. :

**CERTIFICATE OF SERVICE**

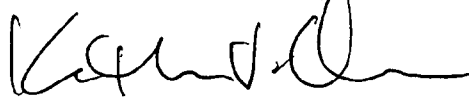
I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records  
Deposition Directed to Ellenjean Albanese, M.D. in the above-captioned matter was mailed by  
regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 24<sup>th</sup> day of

May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_



Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 25 2001

William A. Shaw  
Prothonotary

21



William A. Shaw  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teresa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: ELLENJEAN ALBANESE, M.D.  
(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  
McQuaide Blasko Law Office, 811 University Drive, State College, PA 16801  
(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: Katherine V. Oliver, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: 814-238-4926  
SUPREME COURT ID # 77069  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, March 12, 2001  
Seal of the Court

  
Deputy

### **DOCUMENTS TO BE PRODUCED**

The complete office medical records file on Joyce L. Valenza (DOB: 3/4/1937), including but not limited to history/physical examination, office progress notes, discharge summary/progress note, consultation reports, operative reports, pathology reports, laboratory test results, x-ray reports, MRI scan reports, CT scan reports, electrodiagnostic study test results, physical/occupational/rehabilitation therapy progress notes, treatment records, diagnoses, prognosis, need for future treatment, any and all correspondence (regardless of source) pertaining to patient's health status, etc.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teressa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: K-MART STORE PHARMACY

(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

McQuaide Blasko Law Office, 811 University Drive, State College, PA 16801

(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: Katherine V. Oliver, Esquire

ADDRESS: 811 University Drive

State College, PA 16801

TELEPHONE: 814-238-4926

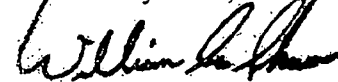
SUPREME COURT ID # 77069

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Wednesday, February 21, 2001

Seal of the Court

**DOCUMENTS TO BE PRODUCED**

The entire pharmacy file **from 1990 to the present** on Joyce L. Valenza (DOB: 3/4/1937), including but not limited to name of prescription medication, dosage, date initially filled and dates of all subsequent refills, any notations regarding calls to prescribing physician for clarification/questions on prescription, any and all correspondence (regardless of source) pertaining to patient's health care status, etc.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teressa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: WAL-MART SUPER STORE PHARMACY  
(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  
McQuaide Blasko Law Office, 811 University Drive, State College, PA 16801  
(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.

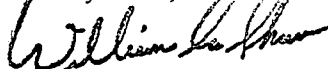
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Katherine V. Oliver, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: 814-238-4926  
SUPREME COURT ID # 77069  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



DATE: Monday, March 12, 2001  
Seal of the Court

Deputy

**DOCUMENTS TO BE PRODUCED**

The entire pharmacy file **from 1990 to the present** on Joyce L. Valenza (DOB: 3/4/1937), including but not limited to name of prescription medication, dosage, date initially filled and dates of all subsequent refills, any notations regarding calls to prescribing physician for clarification/questions on prescription, any and all correspondence (regardless of source) pertaining to patient's health care status, etc.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teresa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: Mark A. Piasio, M.D.

(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

McQuaide Blasko Law Office, 811 University Drive, State College, PA 16801  
(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: Katherine V. Oliver, Esquire

ADDRESS: 811 University Drive  
State College, PA 16801

TELEPHONE: 814-238-4926

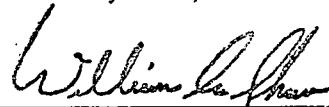
SUPREME COURT ID # 77069

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, March 12, 2001  
Seal of the Court



### **DOCUMENTS TO BE PRODUCED**

The complete office medical records file on Joyce L. Valenza (DOB: 3/4/1937), including but not limited to history/physical examination, office progress notes, discharge summary/progress note, consultation reports, operative reports, pathology reports, laboratory test results, x-ray reports, MRI scan reports, CT scan reports, electrodiagnostic study test results, physical/occupational/rehabilitation therapy progress notes, treatment records, diagnoses, prognosis, need for future treatment, any and all correspondence (regardless of source) pertaining to patient's health status, etc.

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

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :

Plaintiffs, :

v. :

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

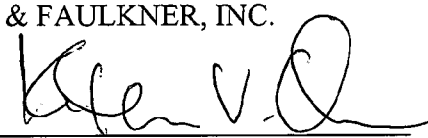
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Notice of Deposition Directed to Jack Valenza in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 29<sup>th</sup> day of May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211 ½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 30 2001  
mll:llp:ncoc  
William A. Shaw  
Prothonotary

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

JACK VALENZA and JOYCE L.	:	No. 00-1231-C.D.
VALENZA, husband and wife,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
ARDELL SHIREY, EXECUTOR OF ESTATE :	:	
OF TERESSA SHIREY, Deceased,	:	
	:	
Defendant.	:	

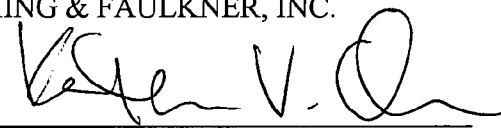
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Deposition Directed to Joyce Valenza in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 29<sup>th</sup> day of May, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211 ½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_



Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

MAY 30 2001  
William A. Shaw  
Prothonotary

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

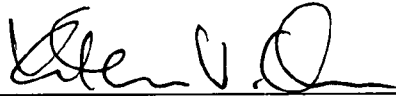
JACK VALENZA and JOYCE L.	:	No. 00-1231-C.D.
VALENZA, husband and wife,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
ARDELL SHIREY, EXECUTOR OF ESTATE :	:	
OF TERESSA SHIREY, Deceased,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Notice of Intent to Serve Subpoenas to Produce Documents and Things in Discovery Pursuant to Rule 4009.21 in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 22<sup>nd</sup> day of June, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

JUN 25 2001

William A. Shaw  
Prothonotary

CIVIL ACTION - LAW

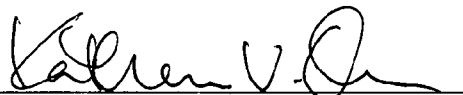
JACK VALENZA and JOYCE L.	:	No. 00-1231-C.D.
VALENZA, husband and wife,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
ARDELL SHIREY, EXECUTOR OF ESTATE :	:	
OF TERESSA SHIREY, Deceased,	:	
	:	
Defendant.	:	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records Deposition Directed to Clearfield Pharmacy in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 12<sup>th</sup> day of July, 2001, to the attorney(s) of record:

James A. Naddeo, Esquire  
211½ East Locust Street  
PO Box 552  
Clearfield, PA 16830

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

" 13 2001

William A. Shaw  
Prothonotary

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,  
  
Plaintiffs,  
  
v.  
  
ARDELL SHIREY, EXECUTOR OF ESTATE  
OF TERESSA SHIREY, Deceased,  
  
Defendant.

No. 00-1231-C.D.

I hereby certify that a true and correct copy of the Subpoena Duces Tecum and Notice of Records Deposition Directed to CVS/Pharmacy in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 12<sup>th</sup> day of July, 2001, to the attorney(s) of record:

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: Kishan V D

Katherine V. Oliver  
Attorneys for Defendant  
ARDELL SHIREY  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

13 2001

**William A. Shaw**  
Prothonotary

**William A. Shaw**  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teresa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: CVS/PHARMACY

(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

(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: Katherine V. Oliver, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: 814-238-4926  
SUPREME COURT ID # 77069  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, March 12, 2001  
Seal of the Court

  
Deputy



**DOCUMENTS TO BE PRODUCED**

The entire pharmacy file **from 1990 to the present** on Joyce L. Valenza a/k/a Joyce Moore a/k/a Joyce Shomo (phonetic spelling) (DOB: 3/4/1937), including but not limited to name of prescription medication, dosage, date initially filled and dates of all subsequent refills, any notations regarding calls to prescribing physician for clarification/questions on prescription, any and all correspondence (regardless of source) pertaining to patient's health care status, etc.

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Shirey, Teressa Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: CLEARFIELD PHARMACY

(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

McQuaide Blasko Law Office, 811 University Drive, State College, PA 16801  
(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: Katherine V. Oliver, Esquire

ADDRESS: 811 University Drive  
State College, PA 16801

TELEPHONE: 814-238-4926

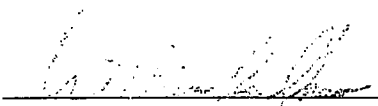
SUPREME COURT ID # 77069

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, March 12, 2001  
Seal of the Court

  
Deputy

**DOCUMENTS TO BE PRODUCED**

The entire pharmacy file **from 1990 to the present** on Joyce L. Valenza a/k/a Joyce Moore a/k/a Joyce Shomo (phonetic spelling) (DOB: 3/4/1937), including but not limited to name of prescription medication, dosage, date initially filled and dates of all subsequent refills, any notations regarding calls to prescribing physician for clarification/questions on prescription, any and all correspondence (regardless of source) pertaining to patient's health care status, etc.


JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
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 Plaintiffs, :  
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 v. :  
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 ARDELL SHIREY, EXECUTOR OF ESTATE :  
 OF TERESSA SHIREY, Deceased, :  
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 Defendant. :

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SEP 20 2001  
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William A. Shaw  
Prothonotary

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
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 Plaintiffs, :  
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 v. :  
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 ARDELL SHIREY, EXECUTOR OF ESTATE :  
 OF TERESSA SHIREY, Deceased, :  
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 :  
 Defendant. :

I hereby certify that a true and correct copy of the Subpoena Duces Tecum Directed to  
Dr. Sandra G. Loychik in the above-captioned matter was mailed by regular mail, postage  
prepaid, at the Post Office, State College, Pennsylvania, on this 12<sup>th</sup> day of October, 2001, to the  
attorney(s) of record:

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

**Katherine V. Oliver**  
Attorneys for Defendant  
**ARDELL SHIREY**  
811 University Drive  
State College, PA 16801  
(814) 238-4926  
Fax: (814) 238-9624

**FILED**

**OCT 15 2001**  
mll.221norr  
William A. Shaw  
Prothonotary

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
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 Plaintiffs, :  
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 v. :  
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 ARDELL SHIREY, EXECUTOR OF ESTATE :  
 OF TERESSA SHIREY, Deceased, :  
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 Defendant. :

OCT 15 2001  
m11:22 Inoco  
William A. Shaw  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Jack Valenza  
Joyce Valenza  
Plaintiff(s)

Vs.

Ardell Shirey  
Teresa Shirey Estate  
Defendant(s)

No. 2000-01231-CD

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

TO: DR. SANDRA G. LOYCHIK

(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

McQuaide Blasko Law Office, 811 University Drive, State College, PA 16801  
(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: Katherine V. Oliver, Esquire

ADDRESS: 811 University Drive

State College, PA 16801

TELEPHONE: 814-238-4926

SUPREME COURT ID # 77069

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, September 17, 2001  
Seal of the Court

**DOCUMENTS TO BE PRODUCED**

The complete office medical records file on Joyce L. Valenza (DOB: 3/4/1937), **FROM JUNE 2000 TO THE PRESENT**, including but not limited to history/physical examination, office progress notes, discharge summary/ progress note, consultation reports, operative reports, pathology reports, laboratory test results, x-ray reports, MRI scan reports, CT scan reports, electrodiagnostic study test results, physical/ occupational/rehabilitation therapy progress notes, treatment records, diagnoses, prognosis, need for future treatment, any and all correspondence (regardless of source) pertaining to patient's health status, etc.



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

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

JACK VALENZA and  
JOYCE L. VALENZA,  
husband and wife,  
Plaintiffs,

v.

ARDELL D. SHIREY, Executor  
Of the Estate of TRESSA E.  
SHIREY, Deceased,  
Defendant.

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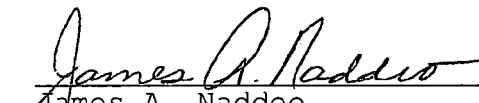
No. 00 - 1231 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Interrogatories Addressed to Defendant filed in the above-captioned action was served on the following person and in the following manner on the 16th day of November, 2001:

First-Class Mail, Postage Prepaid

Katherine V. Oliver, Esquire  
McQuaide, Blasko, Schwartz,  
Fleming & Faulkner, Inc.  
811 University Drive  
State College, PA 16801-6699

  
James A. Naddeo  
Attorney for Plaintiffs

FILED

NOV 16 2001  
CLERK OF COURT  
JAMES A. NADDEO  
Prothonotary

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
PO. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

JAMES A. NADDEO

ATTORNEY AT LAW

211 1/2 EAST LOCUST STREET

P.O. BOX 552

CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED

APR 26 2007

03501 cc att Naddo  
William A. Shaw  
Prothonotary

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Copy to DA & EB

JACK VALENZA and JOYCE L. : No. 00-1231-C.D.  
VALENZA, husband and wife, :  
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 Plaintiffs, :  
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 v. :  
 :  
 :  
 ARDELL SHIREY, EXECUTOR OF ESTATE :  
 OF TERESSA SHIREY, Deceased, :  
 :  
 :  
 Defendant. :

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

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

JACK VALENZA and JOYCE L.  
VALENZA, husband and wife,

Plaintiffs,

v.

ARDELL SHIREY, EXECUTOR OF ESTATE :  
OF TERESSA SHIREY, Deceased, :

Defendant. :

No. 00-1231-C.D.

**PRAECIPE FOR DISCONTINUANCE**

TO THE PROTHONOTARY

Please mark all claims in the above entitled matter as SETTLED, ENDED, and  
DISCONTINUED, WITH PREJUDICE.

Respectfully submitted,



James A. Naddeo, Esquire  
211 1/2 East Locust Street  
PO Box 552  
Clearfield, PA 16830  
(814) 765-1601  
Fax: (814) 765-8142

Dated: 4/26/02

**FILED**

APR 26 2002

William A. Shaw  
Prothonotary

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

**COPY**

**CIVIL DIVISION**

**Jack Valenza and  
Joyce Valenza**

**Vs.**

**No. 2000-01231-CD**

**Ardell Shirey Executor of the Estate of  
Shirey, Teresa**

**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 April 26, 2002 marked:

Settled, Discontinued and Ended with Prejudice.

Record costs in the sum of \$115.00 have been paid in full by James A. Naddeo, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 26th day of April A.D. 2002.

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