

00-1536-CD
DANIEL P. CORTINA et al -vs- JOSHUA ALAN FORDYCE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

Vs.

JOSHUA ALAN FORDYCE,
Defendant

CIVIL DIVISION

No. 00 - 1536- CD

COMPLAINT

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

DEC 11 2000

William A. Show,
Prothonotary

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

DANIEL P. CORTINA and MARILYN :
CORTINA, Parents and Natural : No. 00 - - CD
Guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs:
Vs. :
JOSHUA ALAN FORDYCE, :
Defendant :

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.

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
Second and Market Streets
Clearfield, PA 16830
Phone 814/765-2641 Ex. 5982

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

DANIEL P. CORTINA and MARILYN CORTINA, Parents and Natural Guardians of the Minor Child, EMILY K. CORTINA, Plaintiffs: Vs. JOSHUA ALAN FORDYCE, Defendant :

COMPLAINT

NOW COMES, Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child, Emily K. Cortina, and by their attorney, John R. Ryan, Esquire, file their Complaint as follows:

1. Plaintiffs are Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child, Emily K. Cortina, residing at Oak Street, P.O. Box 119, Force, Pennsylvania 15841.
2. Defendant is Joshua Alan Fordyce, an individual residing at 15 Saxony Drive, Harrison City, Pennsylvania 15636.
3. The minor Plaintiff, Emily K. Cortina, is a minor child whose date of birth is January 31, 1991.
4. On September 2, 2000, at approximately 5:15 p.m., the minor Plaintiff was a passenger in a motor vehicle operated by Lorraine Peterson of St. Marys, Pennsylvania. Said vehicle was being operated by Lorraine Peterson on State Route 255 in Huston

Township, Clearfield County, Pennsylvania, in a southerly direction toward the City of DuBois.

5. The minor Plaintiff, Emily K. Cortina, was sitting in the front passenger seat of said vehicle.

6. At the time and place aforesaid, a vehicle operated by the Defendant, Joshua Alan Fordyce, was proceeding in a northerly direction on State Route 255 and was following a vehicle operated by Jo Ellen Pape. It is believed and therefore averred that the Fordyce vehicle was following the Pape vehicle too closely and when the Pape vehicle slowed to pull off the road, the Defendant, Fordyce, was unable to safely bring his vehicle to a stop.

7. It is further believed and therefore averred that the Defendant, Fordyce, applied his brakes but was unable to stop in time and struck the Pape vehicle in the rear. The Defendant's vehicle then swerved across the centerline of the highway and entered into the southbound lane of State Route 255 into the path of the vehicle being operated by Lorraine Peterson.

8. The Defendant's vehicle struck the Peterson vehicle head-on, spun in a clockwise motion and came to rest on the west berm and partially on the west berm guiderail of State Route 255.

9. The Peterson vehicle spun clockwise and came to rest on the southbound lane.

10. The force of the collision caused the minor Plaintiff struck her face on the dashboard of the Peterson vehicle despite

the fact that she was wearing a seatbelt, causing injuries as set forth in more detail hereinbelow.

11. The Defendant, in operating his vehicle as set forth hereinabove, was negligent, careless, and reckless in so operating his vehicle in that:

a. He operated his vehicle in a careless and negligent fashion;

b. He was following the Pape vehicle too closely, thus preventing him from being unable to safely bring his vehicle to a stop;

c. He failed to keep his vehicle under control and failed to operate his vehicle in the proper lane of traffic;

d. He failed to operate his vehicle at a safe speed and in accordance with the rules of the road.

12. As a direct and proximate result of the negligence, carelessness and recklessness of the Defendant, as set forth hereinabove, the minor Plaintiff, Emily Cortina, sustained the following injuries:

a. She was knocked unconscious and suffered a concussion;

b. She sustained a laceration to her right upper lip which required sutures;

c. She suffered the loss of three upper front permanent teeth;

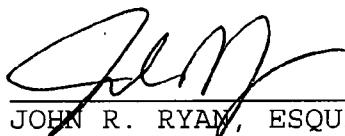
d. She suffered a severely comminuted fracture of the anterior maxillary alveolus (upper jaw).

13. As a result of these injuries, it is believed and therefore averred that the minor Plaintiff will have to be fitted with partial dentures which will have to be reconstructed and refitted as she grows.

14. Ultimately, it is believed and therefore averred that the minor Plaintiff will have to have implants and fixed bridge work done but this cannot be done until she reached maturity and her bones growth ceases.

15. In addition, the minor Plaintiff has suffered great pain, shock, and embarrassment as a result of the loss of her permanent teeth. It is believed and therefore averred that she will continue to suffer into the foreseeable future.

WHEREFORE, Plaintiffs demand judgment in their favor and against the Defendant in an amount to exceed the jurisdiction of the Board of Arbitrators of this Court, together with interest and costs.



JOHN R. RYAN, ESQUIRE
Attorney for Plaintiffs

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Daniel P. Cortina

DANIEL P. CORTINA

Marylyn Cortina

MARYLYN CORTINA

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

CIVIL DIVISION
No. 00 - CD

DANIEL P. CORTINA and MARILYN
CORTINA, Parents and Natural
Guardians of the Minor Child,
EMILY K. CORTINA,
Plaintiffs

vs.

JOSHUA ALAN FORDYCE,
Defendant

COMPLAINT

NOTICE TO DEFENDANT:

YOU are hereby notified
that you are required to file
an Answer to the within Complaint
within twenty (20) days after
service upon you or judgment
may be entered against you.


JOHN R. RYAN, ESQUIRE
Attorney for Plaintiff

FILED
10/14/2000
DEC 11 2000
Atty
William A. Shaw
Prothonotary

COLAVECCHI
RYAN & COLAVECCHI

ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

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

DANIEL P. CORTINA and
MARILYN CORTINA, parents and natural
guardians of minor child,
EMILY K. CORTINA,

Plaintiffs,
v.

JOSHUA ALAN FORDYCE,
Defendant.

No. 00-1536-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

DEC 22 2000

William A. Shaw
Prothonotary

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

DANIEL P. CORTINA and : No. 00-1536-C.D.

MARILYN CORTINA, parents and natural
guardians of minor child,
EMILY K. CORTINA,

Plaintiffs,

v.

JOSHUA ALAN FORDYCE,

Defendant.

PRAECIPE FOR ENTRY OF APPEARANCE

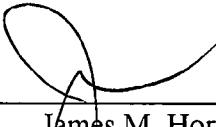
TO THE PROTHONOTARY:

Please enter our appearance on behalf of the Defendant, Joshua Alan Fordyce, in the
above-captioned matter.

We are authorized to accept service on behalf of Joshua Alan Fordyce.

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

Dated: December 21, 2000

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

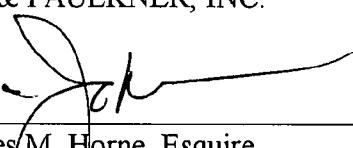
DANIEL P. CORTINA and : No. 00-1536-C.D.
MARILYN CORTINA, parents and natural :
guardians of minor child, :
EMILY K. CORTINA, :
: Plaintiffs, :
: :
: v. :
: :
JOSHUA ALAN FORDYCE, :
: :
: Defendant. :
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of our Praeclipe 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 21st day of December, 2000, to the attorney/party of record:

John R. Ryan, Esquire
Colavecchi, Ryan & Colavecchi
221 East Market Street
P.O. Box 131
Clearfield, PA 16830

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 # 10485

CORTINA, DANIEL P. & MARILYN, parents

00-1536-CD

VS.

FORDYCE, JOSHUA ALAN

COMPLAINT

SHERIFF RETURNS

**NOW DECEMBER 13, 2000, CHRIS SCHERER, SHERIFF OF WESTMORELAND COUNTY
WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO
SERVE THE WITHIN COMLAINT ON JOSHUA ALAN FORDYCE, DEFENDANT.**

**NOW DECEMBER 16, 2000 SERVED THE WITHIN COMPLAINT ON JOSHUA ALAN
FORDYCE, DEFENDANT BY DEPUTIZING THE SHERIFF OF WESTMORELAND COUNTY.
THE RETURN OF SHERIFF SCHERER IS HERETO ATTACHED AND MADE A PART OF
THIS RETURN STATING THAT HE SERVED DANA, MOTHER OF DEFENDANT.**

Return Costs

Cost	Description
27.89	SHFF. HAWKINS PAID BY: ATTY.
31.10	SHFF. SCHERER PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

FILED

JAN 15 2001
m110:0
William A. Shaw
Prothonotary

Sworn to Before Me This

15th Day Of January 2001

William A. Shaw

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

So Answers,

Chester Hawkins
by Marilyn Harr
Chester A. Hawkins
Sheriff

ECH

CHRIS SCHERER, SHERIFF OF WESTMORELAND COUNTY

2 NORTH MAIN STREET

GREENSBURG, PA 15601

(724) 830-3822 FAX (724) 830-3660

DATE 12-14-00

RECEIPT 04483

PAGE 27

LAST DAY TO SERVE: 01-10-01

PLAINTIFF: Daniel P. + Marilyn Cortina

vs.

DEFT(S): Joshua Alan Fordyce

SERVE: Joshua Alan Fordyce
(DEFT (S)/GARNISHEE)

ADDRESS: 15 SAXONY DR.

HARRISON CITY, PA 15636

INDICATE TYPE OF SERVICE: Phone# 724-744-1482

PERSON IN CHARGE PERSONAL ONLY DEPUTIZE
 CERT. MAIL POST OTHER
 SEIZE & STORE

CASE NO. 00-1536-C0

Clearfield County

SUMMONS
 SEIZURE OR POSSESSION
 NOTICE/COMPLAINT (1)
 REVIVAL OR SCI FA
 INTERROGATORIES
 EXECUTION, GARNISHEE
 HANDBILL
 NOTICE OF SALE/DEBTORS RIGHT
 OTHER
 LETTER MAILED

Joseph Colavocchi
ATTY: Joseph Colavocchi
ADDRESS: 221 EAST MARKET ST.
Clearfield, PA 16830
PHONE: 814-765-1566
DATE:

SHERIFF'S OFFICE USE ONLY

I hereby CERTIFY and RETURN that on the 16 day of Dec, 2000, at 1125 O'clock, A.M./P.M. Address Above/Address Below, County of Westmoreland, Pennsylvania

I have served in the manner Described below:

Defendant(s) personally served.
 Adult in charge of Defendant's residence at time of serve (name & relationship) DANA MOTHER
 Manager/other person authorized to accept _____
 Agent or person in charge of Defendant(s) office or usual place of business.
 Other _____
 Property Posted _____

Defendant not found because: Moved Unknown No Answer Vacant Other _____ Certified Mail _____ 1st Class Mail _____ Ordinary Mail/Certificate of Mailing _____

ATTEMPTS _____ / _____ / _____ / _____ / _____ / _____ / _____ / _____

DEPUTY MARTIN

Westmoreland County Costs	DS/Notary	Deputized County Costs	Costs Due	Refund	Total Costs (West. Co. Only)
\$ 29.10	\$ 2.00	\$	\$	\$	\$ 31.10

NOW: 20 I, SHERIFF OF WESTMORELAND COUNTY, PA do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law.

CK# _____ \$ _____

Mary Ann Jordan, Notary Public
Greensburg, Westmoreland County
My Commission Expires June 14, 2004

SHERIFF

AFFIRMED and subscribed to before me this

3 Day of JANUARY 20 01

Mary Ann Jordan

Notary Public/Prothonotary

Prothonotary (White Copy)

Attorney (Canary Copy)

Deputized Sheriff
Chris Scherer

Signature of Sheriff (Westmoreland County)

Sheriff (Pink Copy)

Deputized Sheriff (Gold Copy)

Date

12-22-00

Date



Sheriff's Office Clearfield County

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765-6089

CHESTER A. HAWKINS
SHERIFF

SUITE 116
1 NORTH SECOND STREET - COURTHOUSE
CLEARFIELD, PENNSYLVANIA 16830

DARLENE SHULTZ
CHIEF DEPUTY
MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. & MARILYN CORTINA

NO. 00-1536-CD

VS

ACTION: COMPLAINT

JOSHUACALAN FORDYCE

SERVE BY: 1/10/01

or

HEARING DATE:

SERVE: JOSHUA ALAN FORDYCE

ADDRESS: 15 Saxony Drive, Harrison City, Pa. 15636

Phone: 724-744-1482

Know all men by these presents, that I, CHESTER A. HAWKINS,
HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby
deputize the SHERIFF of WESTMORELAND County to execute this writ.

This deputation being made at the request and risk of the plaintiff
this 13th day of DECEMBER 2000.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: COLAVECCHI, RYAN & COLAVECCHI, Attorneys

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

CIVIL DIVISION

No. 00 - 1536 - CD

Vs.
JOSHUA ALAN FORDYCE,
Defendant

PETITION FOR LEAVE TO SETTLE
CLAIM OF EMILY K. CORTINA,
A MINOR

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

DEC 17 2001

William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

DANIEL P. CORTINA and MARILYN CORTINA, Parents and Natural Guardians of the Minor Child, EMILY K. CORTINA, Plaintiffs:
VS. :
JOSHUA ALAN FORDYCE, Defendant :

***PETITION FOR LEAVE TO SETTLE CLAIM
OF EMILY K. CORTINA, A MINOR***

TO: THE HONORABLE JUDGES OF SAID COURT

The Petition of Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child Emily K. Cortina, respectfully represent:

1. Petitioners are Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of their daughter, Emily K. Cortina. Petitioners reside at Oak Street, P.O. Box 119, Force, Pennsylvania 15841.
2. Emily K. Cortina is the daughter of Daniel P. Cortina and Marilyn Cortina and is 10 years of age. The date of birth of Emily K. Cortina is January 31, 1991.
3. On September 2, 2000, Emily Cortina was a passenger in a motor vehicle operated by Lorraine Peterson of St. Marys, Pennsylvania.

4. Defendant Joshua Alan Fordyce was operating a motor vehicle in a northerly direction on State Route 255 and was following another vehicle operated by Jo Ellen Pape. It is believed and therefore averred that the Fordyce vehicle was following the Pape vehicle too closely and when the Pape vehicle slowed to pull off the road, the Defendant Fordyce was unable to bring his vehicle safely to a stop.

5. The Fordyce vehicle was unable to stop in time and struck the Pape vehicle in the rear. The Fordyce vehicle then swerved across the centerline of the highway into the path of the vehicle operated by Lorraine Peterson in which Emily K. Cortina was a passenger.

6. The collision between the Peterson vehicle and the Fordyce vehicle caused the minor Plaintiff to strike her face on the dashboard of the Peterson vehicle and as a result, the minor child Emily K. Cortina was knocked unconscious and suffered a concussion, suffered a laceration to her right upper lip which required sutures, suffered a comminuted fracture of her upper jaw and further suffered the loss of three upper right permanent teeth.

7. As a result of the aforesaid injuries suffered by the minor child Emily K. Cortina Petitioners filed a Complaint in the Court of Common of Pleas of Clearfield County, Pennsylvania, to No. 00-1536-CD.

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

8. Petitioners have reached an agreement with the Defendant to settle the claim of Emily K. Cortina for the sum of \$75,000.00.

9. Prior to reaching this settlement, John R. Ryan, as attorney for Petitioners, has advanced the following costs concerning this claim:

A. Cost advanced to Commonwealth of Pennsylvania for copy of Accident Report:	8.00
B. Cost advanced to William Shaw, Prothonotary, for filing Complaint:	80.00
C. Cost advanced to Chester Hawkins, Sheriff, for service of Complaint:	37.89
D. Cost advanced to Sheriff of Westmoreland County for service of Complaint:	31.10
E. Cost advanced to DuBois Regional Medical Center for copies of medical records:	59.31
F. Cost advanced to Jeffrey Rice for copies of medical records:	25.00
G. Cost advanced to Dr. James V. Cherry for medical reports:	<u>75.00</u>
TOTAL:	\$316.30

10. Your Petitioners and counsel recommend approval of this settlement on behalf of Emily K. Cortina since they believe it is equal to or greater than that which may be obtained should the matter be fully litigated.

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

11. As part of the settlement, Petitioners further request that they be authorized to pay from the proceeds of the settlement, one-third (1/3) as attorney's fees to John R. Ryan, Esquire, in accordance with the Contingent Fee Agreement attached hereto and marked Exhibit "A".

12. Petitioners further request that John R. Ryan, Esquire, be reimbursed for the expenses he has advanced on behalf of Emily K. Cortina as itemized hereinabove.

WHEREFORE, Petitioners pray that an Order be entered approving the compromise and allowing the settlement, including counsel fees and costs, and allowing Petitioners to execute a Release on behalf of their minor child Emily K. Cortina.



JOHN R. RYAN, ESQUIRE
Attorney for Plaintiffs

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

VERIFICATION

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Daniel P. Cortina
DANIEL P. CORTINA

Marilyn Cortina
MARILYN CORTINA

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

CONTINGENT FEE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, we, DANIEL and MARILYN CORTINA of Oak Street, P.O. Box 119, Force, Pennsylvania 15841, do make, constitute, and appoint JOHN R. RYAN, ESQUIRE, our true and lawful attorney for us and in our names, place, and stead to institute and maintain an action at law against JOSHUA FORDYCE to recover damages for personal injuries sustained by EMILY CORTINA on September 2, 2000, AND to do all lawful acts requisite for effecting the premises; hereby ratifying and confirming all that the said attorney or substitute or substitutes shall do therein by virtue of these presents.

It being understood and agreed that our Attorney, JOHN R. RYAN, ESQUIRE, shall receive One-third (1/3) of the gross sum secured by our attorney, either by way of settlement or verdict, and we are to receive the balance, after paying therefrom all expenses incurred by our Attorney, incident to the investigation, institution, prosecution, and trial of the case.

We do hereby authorize JOHN R. RYAN, ESQUIRE, to pay out of any proceeds by settlement or trial any unpaid balance for treatment or services made necessary by the injuries sustained in the above-mentioned accident.

We understand that my attorney will have no claim for any fees or costs if no money is recovered by means of settlement, litigation, or arbitration for us.

We hereby acknowledge receipt of a duplicate copy of this

AW OFFICES OF
COLAVECCHI
N & COLAVECCHI
1 E. MARKET ST.
ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

Exhibit
"A"

Contingent Fee Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals
this 22nd day of September 2000.

WITNESS:

Daniel P Cortina (SEAL)
DANIEL CORTINA, Father and Natural
Guardian of EMILY CORTINA

Marilyn Cortina (SEAL)
MARILYN CORTINA, Mother and Natural
Guardian of EMILY CORTINA

OFFICES OF
OLAVECCHI
& COLAVECCHI
E. MARKET ST.
CROSS FROM
JURTHOUSE)
O. BOX 131
EARFIELD, PA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 1536 - CD

DANIEL P. CORTINA and MARILYN
CORTINA, Parents and Natural
Guardians of the Minor Child,
EMILY K. CORTINA,
Plaintiffs

vs.

JOSHUA ALAN FORDYCE,
Defendant

PETITION FOR LEAVE TO SETTLE
CLAIM OF EMILY K. CORTINA,
A MINOR

FILED

10/22/01 3:00 PM
DEC 17 2001
MAY Colavecchi
Jeff

William A. Shaw
Prothonotary

**COLAVECCHI
RYAN & COLAVECCHI**
ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

Vs.

JOSHUA ALAN FORDYCE,
Defendant

CIVIL DIVISION

No. 00 - 1536 - CD

ORDER

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

DEC 19 2001

**William A. Shaw
Prothonotary**

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

DANIEL P. CORTINA and MARILYN :
CORTINA, Parents and Natural : No. 00 - 1536 - CD
Guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiff :
vs. :
JOSHUA ALAN FORDYCE, :
Defendant :

ORDER

AND NOW, this 19th day of December, 2001,
upon consideration of the foregoing Petition for Leave to Settle
Claim of Emily K. Cortina, a Minor, it is the ORDER of this Court
that this be heard the 28th day of
December, 2001. at 9:00 A.M., Clearfield
County Courthouse, Courtroom No. 1.

FILED

DEC 19 2001

William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P.O. BOX 131
CLEARFIELD, PA

BY THE COURT:

JUDGE

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 1536 - CD

DANIEL P. CORTINA and MARILY
CORTINA, Parents and Natural
Guardians of the Minor Child,
EMILY K. CORTINA, Plaintiffs

vs.

JOSHUA ALAN FORDYCE, Defendant

ORDER

FILED

DEC 19 2001

William A. Shaw
Prothonotary

3 CC to atty a
KJD

COLAVECCHI
RYAN & COLAVECCHI

ATTORNEYS AT LAW
221 EAST MARKET STREET
(ACROSS FROM COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

Vs.

JOSHUA ALAN FORDYCE,
Defendant

CIVIL DIVISION

No. 00 - 1536 - CD

ORDER

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

DEC 26 2001

William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

DANIEL P. CORTINA and MARILYN :
CORTINA, Parents and Natural : No. 00 - 1536 - CD
Guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs:
: Vs. :
: JOSHUA ALAN FORDYCE, :
Defendant :

ORDER

AND NOW, this 28th day of December 2001, upon consideration of the foregoing Petition for Leave to Settle Claim of Emily K. Cortina, a Minor, this Court having determined that the settlement is appropriate under the circumstances, it is hereby ORDERED as follows:

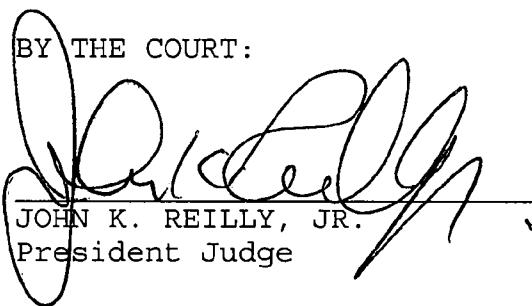
1. That the Petition is hereby granted, the settlement approved, and Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child, Emily K. Cortina, be and are hereby directed to execute a Release on behalf of their minor child, Emily K. Cortina;

2. That counsel fees be paid from the settlement amount to John R. Ryan, Esquire, in the amount of Twenty-five Thousand Dollars (\$25,000.00);

3. That John R. Ryan, Esquire, be reimbursed for litigation expenses in the amount of Three Hundred Sixteen Dollars and Thirty Cents (\$316.30);

4. That the balance of the settlement proceeds, after deduction of said legal fee and expenses, be paid to Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of said minor child, with said amount to be placed in an insured savings account to be marked "Not to be withdrawn until said minor reaches twenty-one (21) ^{JKR} or without the Order of a Court of competent jurisdiction."

BY THE COURT:


JOHN K. REILLY, JR.
President Judge

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 1536 - CD

DANIEL P. CORTINA and MARILYN
CORTINA, Parents and Natural
Guardians of the Minor Child,
EMILY K. CORTINA, Plaintiff

vs.

JOSHUA ALAN FORDYCE,
Defendant

ORDER

FILED

DEC 28 2001
019113/3c c atty Ryan
William A. Shaw
Prothonotary

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
ACROSS FROM COURTHOUSE
P. O. BOX 131
CLEARFIELD, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

Vs.

JOSHUA ALAN FORDYCE,
Defendant

CIVIL DIVISION

NO. 00 - 1536 - CD

PRAECLYPE TO DISCONTINUE

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

FILED

JAN 03 2002

William A. Shaw
Prothonotary

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

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

DANIEL P. CORTINA and MARILYN	:	
CORTINA, Parents and Natural	:	No. 01 - 1536 - CD
Guardians of the Minor Child,	:	
EMILY K. CORTINA,	:	
	Plaintiffs:	
	:	
VS.	:	
	:	
JOSHUA ALAN FORDYCE,	:	
	Defendant :	

PRAECIPE TO DISCONTINUE

TO: WILLIAM SHAW, PROTHONOTARY

Please mark the record in the above-captioned action settled,
discontinued, and ended.



JOHN R. RYAN, ESQUIRE
Attorney for Plaintiff

January 2, 2002

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
No. 00 - 1536 - CD

DANIEL P. CORTINA and MARILYN
CORTINA, Parents and Natural
Guardians of the Minor Child,
EMILY K. CORTINA,

Plaintiffs

vs.

JOSHUA ALAN FORDYCE,
Defendant

PRAECIPE TO DISCONTINUE

FILED

JAN 03 2002
O/10/01 6pm
William A. Shaw
Prothonotary

2 CC to atty
Cert of disc. to atty
Copy Cert of disc. to CHA
KA

COLAVECCHI
RYAN & COLAVECCHI
ATTORNEYS AT LAW
221 EAST MARKET STREET
ACROSS FROM COURTHOUSE
P. O. BOX 131
CLEARFIELD, PA 16830

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Daniel P. Cortina and
Marilyn Cortina, Parents and Natural
Guardians of the Minor Child, Emily
K. Cortina
Plaintiff(s)

Vs.

No. 2000-1536-CD

Joshua Alan Fordyce
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
3rd of January A.D. 2002, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$80.00 have been paid in full by attorney for Plaintiff.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at
Clearfield, Clearfield County, Pennsylvania this 3rd day of January A.D. 2002.

Prothonotary

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
: No. 00 - 1536 - CD
vs. :
: :
JOSHUA ALAN FORDYCE, :
Defendant :
:

**PETITION FOR RELEASE OF FUNDS
HELD FOR THE BENEFIT OF A
MINOR CHILD**

Filed on behalf of:
Plaintiffs, Daniel P. Cortina
and Marilyn Cortina

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN & KUBISTA
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED 3cc
JUN 21 2005 Atty Ryan
11-24301
⑥

William A. Shaw
Prothonotary/Clerk of Courts

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
: No. 00 - 1536 - CD
vs. :
: :
JOSHUA ALAN FORDYCE, :
Defendant :
:

PETITION FOR RELEASE OF FUNDS
HELD FOR THE BENEFIT OF A MINOR CHILD

NOW COMES, Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child Emily K. Cortina, and by their Attorneys, Belin & Kubista, petition the Honorable Court as follows:

1. Petitioners are adult individuals and the parents of the minor child Emily K. Cortina, whose date of birth was January 31, 1991.
2. Petitioners had previously filed a legal action seeking damages for injuries sustained by the said minor child as the result of a motor vehicle accident, which occurred on September 2, 2000.
3. Said legal action was eventually settled, with the settlement being approved by Order of this Court dated December 28, 2001. A true and correct copy of the aforesaid Order is attached hereto, marked Exhibit "A" and incorporated herein by reference as if set forth at length.

4. Said Order required in part that the net settlement proceeds, after payment of legal fees and costs, be deposited in an insured savings account, said account to be marked "Not to be withdrawn until said minor reaches the age of twenty-one (21) years or without the Order of a Court of competent jurisdiction."
5. The amount of the initial deposit into the account as required by the above mentioned Order was \$49,683.70.
6. Petitioners wish to withdraw One Thousand Five Hundred Dollars (\$1,500.00) from said account to pay the cost of tutoring for the minor child. Petitioners believe and therefore aver that said tutoring is in the best interest of the minor child and will assist her in successfully completing requirements of her education.
7. The proposed use of the funds will benefit the minor child and is not a frivolous use.
8. Said funds are held by First Commonwealth Trust Company in Du Bois, Pennsylvania pursuant to the aforesaid Order of Court.

WHEREFORE, Petitioners respectfully request that the Court grant them leave to withdraw the sum of One Thousand Five Hundred Dollars (\$1,500.00) from the aforesaid minor's account, for the purpose as stated herein above, and that the Court issue an Order authorizing First Commonwealth Trust Company to make said funds available.

BELIN & KUBISTA



John R. Ryan
Attorney for Petitioners

We verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.

Daniel P. Cortina
Daniel P. Cortina

Marilyn Cortina
Marilyn Cortina

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

CIVIL DIVISION

No. 00 - 1536 - CD

Vs.

JOSHUA ALAN FORDYCE,
Defendant

ORDER

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

EXHIBIT "A"

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

DANIEL P. CORTINA and MARILYN CORTINA, Parents and Natural Guardians of the Minor Child, EMILY K. CORTINA, Plaintiffs : No. 00 - 1536 - CD
Vs. :
JOSHUA ALAN FORDYCE, Defendant :

ORDER

AND NOW, this 28th day of December 2001, upon consideration of the foregoing Petition for Leave to Settle Claim of Emily K. Cortina, a Minor, this Court having determined that the settlement is appropriate under the circumstances, it is hereby ORDERED as follows:

1. That the Petition is hereby granted, the settlement approved, and Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child, Emily K. Cortina, be and are hereby directed to execute a Release on behalf of their minor child, Emily K. Cortina;
2. That counsel fees be paid from the settlement amount to John R. Ryan, Esquire, in the amount of Twenty-five Thousand Dollars (\$25,000.00);

3. That John R. Ryan, Esquire, be reimbursed for litigation expenses in the amount of Three Hundred Sixteen Dollars and Thirty Cents (\$316.30);

4. That the balance of the settlement proceeds, after deduction of said legal fee and expenses, be paid to Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of said minor child, with said amount to be placed in an insured savings account to be marked "Not to be withdrawn until said minor reaches ^{Twenty-one (21) JKE, JR/JK} the age of Eighteen (18) or without the Order of a Court of competent jurisdiction."

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.

DEC 20 2001

Attest.

William E. Reilly
Prothonotary/
Clerk of Courts

LAW OFFICES OF
COLAVECCHI
RYAN & COLAVECCHI
221 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

FILED

JUN 21 2005

WILLIAM A. GREGORY
Probate & Family Courts

CA

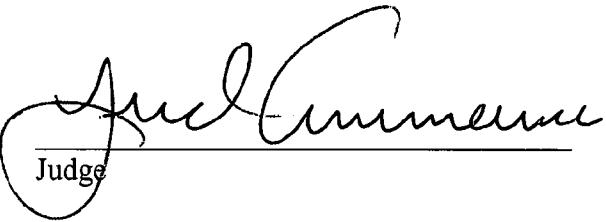
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
: No. 00 - 1536 - CD
vs. :
: JOSHUA ALAN FORDYCE, :
Defendant :
:

ORDER

AND NOW, this 22 day of June, 2005, upon consideration of the foregoing Petition for Release of Funds, said Petition shall be heard by this Court the 15 day of July, 2005, at 9:30 o'clock A M., in Courtroom 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:


Judge

FILED 3cc
01/18/06 JUN 22 2005 Amy Ryan
©

William A. Shaw
Prothonotary/Clerk of Courts

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the Minor:
Child, EMILY K. CORTINA :
Plaintiffs :
vs. : NO. 00-1536-CD
JOSHUA ALAN FORDYCE :
Defendant :

O R D E R

NOW, this 11th day of July, 2005, due to a scheduling conflict with the Court; it is the ORDER of this Court that the Plaintiff's Petition for Release of Funds be rescheduled from July 15th, 2005 at 9:30 a.m. to the 2nd day of July, 2005, at 10:30 o'clock A m. in Courtroom No. 1 of the Clearfield County Courthouse.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FILED 03:35 PM JUL 1 2005 cc Atty Ryan
1cc Def.-

William A. Shaw 15 Saxony Drive
Prothonotary/Clerk of Courts Harrison City, PA
(60) 15036

CA

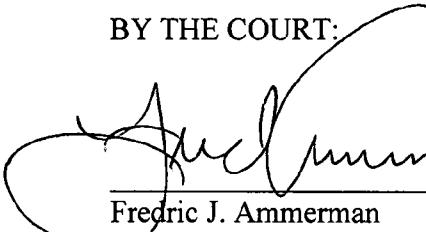
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

DANIEL P. CORTINA and	:	
MARILYN CORTINA, Parents and	:	
Natural Guardians of the	:	
Minor Child, EMILY K. CORTINA,	:	
Plaintiffs	:	No. 00 - 1536 - CD
vs.	:	
JOSHUA ALAN FORDYCE,	:	
Defendant	:	

ORDER

AND NOW, this 22nd day of July, 2005, upon consideration of the Petition for Release of Funds, and the Court being satisfied that the relief requested therein is appropriate and that granting same would be in the best interests and welfare of the minor child, Emily Cortina, it is the ORDER of this Court that Daniel and Marilyn Cortina be permitted to withdraw the sum of \$1440. - FSA
~~\$1,500.00~~ from the account held at First Commonwealth Trust Company for the benefit of Emily Cortina. Presentation of a certified copy of this Order shall suffice to authorize First Commonwealth Trust Company to release said funds. The balance of funds shall remain in said account pursuant to and under the conditions specified in the prior Order of this Court dated December 28, 2001.

BY THE COURT:


Fredric J. Ammerman
Judge

FILED 3cc
JUL 22 2005 Atty
C. Kubista
(will serve)
William A. Shaw
Prothonotary/Clerk of Courts

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
:

Vs. :
:

JOSHUA ALAN FORDYCE, :
Defendant :
:

cm
FILED

JUN 26 2008
6/30/08
William A. Shaw
Prothonotary/Clerk of Courts

No. 00-1536-CD

3 Cmt. to
Kmt.

**PETITION FOR THE RELEASE OF
FUNDS HELD FOR THE BENEFIT
OF A MINOR CHILD**

Filed on behalf of:
Plaintiffs

Counsel of Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN, KUBISTA & RYAN LLP
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
Vs. : No. 00-1536-CD :
JOSHUA ALAN FORDYCE, :
Defendant :
:

PETITION FOR THE RELEASE OF FUNDS
HELD FOR THE BENEFIT OF A MINOR CHILD

NOW COMES, Daniel P. Cortina and Marilyn Cortina, Parents and Natural
Guardians of the minor child Emily K. Cortina, Plaintiffs above named, and by their Attorneys,
Belin, Kubista & Ryan, LLP, petition the Honorable Court as follows:

1. Petitioners are adult individuals and the parents of the minor child Emily K. Cortina, whose date of birth was January 31, 1991.
2. Petitioners had filed a legal action to the above term and number seeking damages for personal injuries sustained by the said minor child as the result of a motor vehicle accident which occurred on September 2, 2000.
3. Said action was settled; with the settlement being approved by Order of this Court dated December 28, 2001. A true and correct copy of the aforesaid Order is attached hereto, marked Exhibit "A" and incorporated herein by reference as if set forth at length.
4. Said Order required that the net settlement proceeds, after payment of legal fees and costs, be deposited in an insured savings account, said account to be marked,

"Not to be withdrawn until said minor reaches the age of twenty one years or without the Order of a Court of competent jurisdiction."

5. The amount of the initial deposit into the account was \$49,683.70.

6. Petitioners are seeking leave of Court to withdraw the sum of Two Thousand Eight Hundred Fifty Dollars (\$2,850.00) from said account, to be used for the purpose of paying for dental surgery for the said minor child, which surgery is necessary as the result of injuries sustained in the motor vehicle accident which gave rise to this legal action.

7. Petitioners have exhausted all other available insurance benefits which could be used to pay for said surgery, which is to be performed by Dr. Jay Arlick. Attached hereto and marked as Exhibit "B" is a true and correct copy of a report offered by Dr. Arlick verifying the cost of the procedure after payment of remaining applicable insurance benefits.

8. Said funds are held by First Commonwealth Trust Company in DuBois, Pennsylvania, pursuant to the aforesaid Order of Court.

WHEREFORE, Petitioners respectfully request that the Court grant them leave to withdraw the sum of Two Thousand Eight Hundred Fifty Dollars (\$2,850.00) to cover the cost of the dental surgery for the said child, and to issue an Order directed to First Commonwealth Trust Company to make such amount available.

BELIN, KUBISTA & RYAN LLP

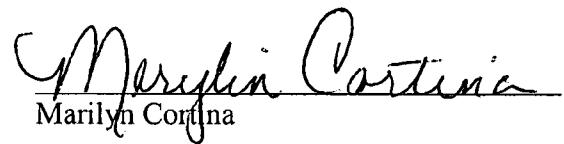


John R. Ryan, attorney for
Plaintiffs

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.

Daniel P. Cortina
Daniel P. Cortina

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.


Marilyn Cortina

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

CIVIL DIVISION

No. 00 - 1536 - CD

ORDER

Vs.

JOSHUA ALAN FORDYCE,
Defendant

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

AW OFFICES OF
COLAVECCHI
N & COLAVECCHI
1 E. MARKET ST.
ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

EXHIBIT "A"

ORAL AND MAXILLOFACIAL SURGERY

June 24, 2008

RE: Emily Cortina

Emily had a motor vehicle accident when she was younger that resulted in loss of teeth 8, 9, and 10 as well as the bone support for these teeth.

On November 29, 2007 she underwent bone grafting to rebuild the bone lost during the accident. She will now require the placement of three implants so that the three teeth will be able to be replaced.

The cost for procedure for 3 implants and office general anesthesia is 3,750.00. Emily has 900.00 left under her auto insurance therefore the remaining balance for the procedure would be 2,850.00.

If any further information is need please feel free to contact our office at 765-3533.

Sincerely,



Jay L. Arlick, D.M.D.

EXHIBIT "B"

109 North Front Street • Clearfield, PA 16830 • (814) 765-3533 • TOLL FREE: (877) 765-3533

CLEARFIELD • ST. MARYS • PHILIPSBURG • PUNXSUTAWNEY

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
: :
vs. : No. 00-1536-CD
: :
JOSHUA ALAN FORDYCE, :
Defendant :
:

ORDER

AND NOW, this _____ day of _____, 2008, upon consideration of the
foregoing Petition, it is the ORDER of this Court that said Petition be heard the _____ day of
_____, 2008, at _____ o'clock _____.m. in Courtroom No. 1 of the Clearfield
County Courthouse, Clearfield, Pennsylvania.

Fifteen (15) minutes is set aside for the hearing of this matter.

BY THE COURT:

Fredric J. Ammerman
President Judge

CIA

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

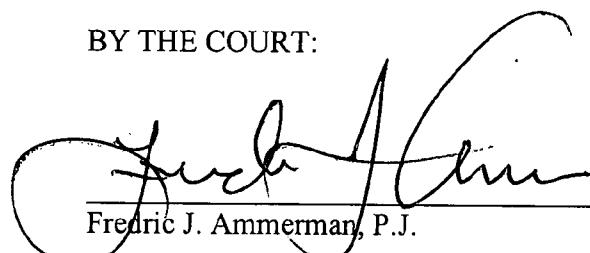
DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the :
Minor Child, EMILY K. CORTINA, :
Plaintiffs :
: Vs. : No. 00-1536-CD
: :
JOSHUA ALAN FORDYCE, :
Defendant :
:

ORDER

AND NOW, this 30th day of June, 2008, upon consideration of the foregoing Petition for Release of Funds, and the Court being satisfied that the release of the funds as requested is appropriate in light of the minor child's need for surgery as set forth in the report of Dr. Jay Arlick, it is ORDERED that the said Petition be and is hereby GRANTED, as follows:

1. Petitioners are hereby granted leave to withdraw the sum of \$2,850.00 from the bank account;
2. First Commonwealth Bank shall issue a check for the said amount made payable to Jay L. Arlick, D.M.D., with Petitioners to deliver said check to Dr Arlick as payment for his services.
3. First Commonwealth Bank shall accept a certified copy of this Order as authorization to release said funds in the amount and manner set forth herein.

BY THE COURT:



Fredric J. Ammerman, P.J.

FILED 3cc
JUL 01 2008 Atty Ryan
SOL 2:48:30 AM
JUL 01 2008
60

William A. Shaw
Prothonotary/Clerk of Courts

FILED

JUL 01 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 7/1/08

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs :
vs. :
JOSHUA ALAN FORDYCE, :
Defendant :
:

No. 00-1536-CD

FILED 

OCT 27 2009
S 8/13/09
William A. Shaw
Prothonotary/Clerk of Courts

3 CRIM TO


**PETITION FOR THE RELEASE OF
FUNDS HELD FOR THE BENEFIT
OF A MINOR CHILD**

Filed on behalf of:
Plaintiffs

Counsel of Record for
This Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN, KUBISTA & RYAN LLP
15 North Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs :
vs. : No. 00-1536-CD
JOSHUA ALAN FORDYCE, :
Defendant :

PETITION FOR THE RELEASE OF FUNDS
HELD FOR THE BENEFIT OF A MINOR CHILD

NOW COMES, Daniel P. Cortina and Marilyn Cortina, Parents and Natural Guardians of the minor child Emily K. Cortina, Plaintiffs above named, and by their Attorneys, Belin, Kubista & Ryan LLP, petitions the Honorable Court as follows:

1. Petitioners are adult individuals and the parents of the minor child Emily K. Cortina, whose date of birth is January 31, 1991.
2. Petitioners had filed a legal action to the above term and number seeking damages for personal injuries sustained by the said minor child as a result of a motor vehicle accident which occurred on September 2, 2000.
3. Said action was settled; with the settlement being approved by Order of this Court dated December 28, 2001. A true and correct copy of the aforesaid Order is attached hereto, marked Exhibit "A" and incorporated herein by reference as if set forth at length.

4. Said Order required that the net settlement proceeds, after payment of legal fees and costs, be deposited in an insured savings account, said account to be marked, "Not to be withdrawn until said minor reaches the age of twenty one years or without the Order of a Court of competent jurisdiction."

5. The amount of the initial deposit into the account was \$49,683.70.

6. Petitioners are seeking leave of Court to withdraw the sum of One Thousand Three Hundred Fifty Dollars (\$1,350.00) from said account, to be used for the purpose of paying for dental surgery for the said minor child, which surgery is necessary as the result of injuries sustained in the motor vehicle accident which gave rise to this legal action. Petitioners are also seeking leave of Court to withdraw the sum of Three Hundred Dollars (\$300.00) from said account, to be used for the purpose of paying for legal fees incurred in the preparation and filing of this petition.

7. Petitioners have exhausted all other available insurance benefits which could be used to pay for said surgery, which is to be performed by Dr. James V. Cherry. Attached hereto and marked as Exhibit "B" is a true and correct copy of a report offered by Dr. James V. Cherry verifying the cost of the procedure after payment of remaining applicable insurance benefits.

8. Said funds are held by First Commonwealth Trust Company in DuBois, Pennsylvania, pursuant to the aforesaid Order of Court.

WHEREFORE, Petitioners respectfully request that the Court grant them leave to withdraw the sum of \$1350.00 to cover the cost of the dental surgery for the said child, and leave to withdraw the sum of \$300.00 to cover the costs of legal fees incurred in the preparation

and filing of this petition, and to issue an Order directed to First Commonwealth Trust Company to make such amounts available.

BELIN, KUBISTA & RYAN LLP



John R. Ryan
Attorney for Plaintiffs

We, verify that the statements made in this Petition are true and correct. We understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.

Daniel P. Cortina
Daniel P. Cortina

Marilyn Cortina
Marilyn Cortina

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural Guardians of the
Minor Child, EMILY K. CORTINA,
Plaintiffs

Vs.

JOSHUA ALAN FORDYCE,
Defendant

CIVIL DIVISION

No. 00 - 1536 - CD

ORDER

Filed on Behalf of:

Plaintiffs, DANIEL P. CORTINA
and MARILYN CORTINA

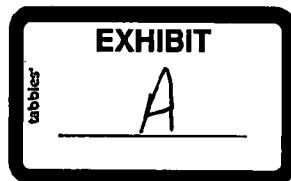
Counsel of Record for This
Party:

JOHN R. RYAN, ESQUIRE
Pa. I.D. #38739

COLAVECCHI RYAN & COLAVECCHI
221 East Market Street
P. O. Box 131
Clearfield, PA 16830

814/765-1566

AW OFFICES OF
COLAVECCHI
N & COLAVECCHI
1 E. MARKET ST.
ACROSS FROM
COURTHOUSE
P. O. BOX 131
CLEARFIELD, PA



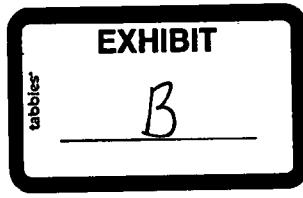
James V. Cherry, D.M.D.
3 S. Brady St. Ste. 321
DuBois, PA 15801
(814) 371-3452

Oct 22, 2009

Emily Cortina's Balance

3675.00 implants total
- 2025.00 insurance payment (Delta)
- 300.00 write off insurance (Delta)

1350.00 total owed on Emily



SINGLE PATIENT LEDGER

Dr. James V. Cherry

Date: 10/22/2009

Page: 1

Patient Name: Emily Cortina
 P.O. Box 119
 44 Oak Street
 Force, PA 15841

Chart Number: 002370

Billing Type: 1

DATE	TEETH	DESCRIPTION	PATIENT	CHARGE	PAYMENT	BALANCE
06/22/2009		Patient Balance Forward		4.60		4.60
* 06/23/2009		Intraoral-periapical-1st film	Emily	15.00		19.60
* 06/23/2009	8	Custom abutment-incl placement	Emily	375.00		394.60
* 06/23/2009	8	Porc Fused High Noble Crown	Emily	850.00		1244.60
* 06/23/2009	9	Custom abutment-incl placement	Emily	375.00		1619.60
* 06/23/2009	9	Porc Fused High Noble Crown	Emily	850.00		2469.60
* 06/23/2009	10	Custom abutment-incl placement	Emily	375.00		2844.60
* 06/23/2009	10	Porc Fused High Noble Crown	Emily	850.00		3694.60
* 07/15/2009		Delta Credit	Emily		-3.00	3691.60
* 07/15/2009		Dental Ins Payment - Delta Dental of AR	Emily		-12.00	3679.60
* 08/07/2009		Delta Credit	Emily		-300.00	3379.60
* 08/07/2009		Dental Ins Payment - Delta Dental of AR	Emily		-2025.00	1354.60

TOTAL PATIENT BALANCE AS OF 10/22/2009:

1354.60

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural Guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs :
vs. : No. 00-1536-CD
JOSHUA ALAN FORDYCE, :
Defendant :
:

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OCT 28 2009
012-0012
William A. Shaw
Prothonotary/Clerk of Courts
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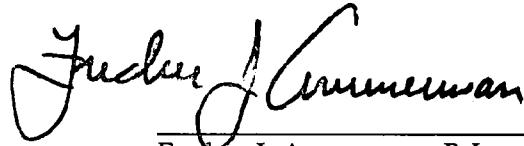
ORDER

AND NOW, this 28th day of October, 2009, upon consideration of the foregoing Petition for Release of Funds, and the Court being satisfied that the release of the funds as requested is appropriate in light of the minor child's need for surgery as set forth in the report of Dr. James V. Cherry, it is ORDERED that the said Petition be and is hereby GRANTED, as follows:

1. Petitioners are hereby granted leave to withdraw the sum of \$1,350.00 from the bank account for payment of expenses incurred for dental care, and the sum of \$300.00 for legal fees incurred herein;
2. First Commonwealth Bank shall issue a check for the amount of \$1,350.00 made payable to James V. Cherry, D.M.D., with Petitioners to deliver said check to Dr. Cherry as payment for his services and a check made payable to Belin, Kubista & Ryan LLP in the amount of \$300.00 for legal fees;

3. First Commonwealth Bank shall accept a certified copy of this Order as authorization to release said funds in the amount and manner set forth herein.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Fredric J. Ammerman".

Fredric J. Ammerman, P.J.

10-120-09

ATE: 10-120-09 for serving all appropriate parties.

You are responsible for providing service to the following parties:

Other

The Prothonotary's Attorney

Plaintiff(s) Attorney

Plaintiff(s) Defendant(s) Attorney

Defendant(s) Defendant(s)

Special instructions:

FILED
OCT 28 1985
William A. Clegg
Prothonotary

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

DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs :
vs. : No. 00-1536-CD
JOSHUA ALAN FORDYCE, :
Defendant :
:

PETITION FOR RELEASE OF FUNDS

Filed on behalf of:
Plaintiffs

Counsel for Record for
this Party:

John R. Ryan
Attorney-At-Law

Pa. I.D. 38739

BELIN, KUBISTA & RYAN LLP
15 N. Front Street
P.O. Box 1
Clearfield, PA 16830
(814) 765-8972

FILED
07/3/2010 200
S SEP 13 2010 Atty Ryan
William A. Shaw
Prothonotary/Clerk of Courts
(60)

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

DANIEL P. CORTINA and	:
MARILYN CORTINA, Parents and	:
Natural guardians of the Minor Child,	:
EMILY K. CORTINA,	:
Plaintiffs	:
vs.	:
	No. 00-1536-CD
JOSHUA ALAN FORDYCE,	:
Defendant	:

PETITION FOR RELEASE OF FUNDS

NOW COMES, Daniel P. Cortina and Marilyn Cortina, husband and wife, and Emily K. Cortina, and by their Attorneys, Belin, Kubista & Ryan LLP, petition the Honorable Court as follows:

1. Petitioners Daniel P. Cortina and Marilyn Cortina are the parents of Petitioner Emily K. Cortina, who is an adult individual and is 19 years of age.
2. The above captioned action had been filed by Petitioners Daniel P. Cortina and Marilyn Cortina to recover damages for injuries sustained by Petitioner Emily K. Cortina when she was a minor child.
3. By Order dated December 28, 2001, the Honorable John K. Reilly, Jr. approved settlement of the claims filed on behalf of Emily K. Cortina, and pursuant thereto the net settlement proceeds were deposited in an insured savings account marked "Not to be withdrawn until said minor reaches the age of twenty one years or without the Order of a Court of competent jurisdiction." A true and correct copy of the said Order is attached hereto, marked Exhibit "A" and is incorporated herein by reference as if set forth at length.

4. This Court has previously approved the withdrawal of funds from the said account for purposes of paying a tutor for Emily K. Cortina and for payment of certain medical expenses.

5. Emily K. Cortina has now reached the age of majority and is a student at Pennsylvania State University. She is in need of funds to pay for expenses associated with her education, including tuition, books and other costs and fees. She will continue to incur such expenses over the next several years as her higher education continues.

6. All three Petitioners are in agreement that the balance of funds held in the above-referenced account should be released to Emily K. Cortina at this time.

7. Attached to this Petition are Consents executed by Petitioners Daniel P. Cortina and Marilyn Cortina confirming that they consent to the release of the balance of the said funds to their daughter.

8. It is believed and therefore averred that this Court has the discretion to direct the release of said funds to Emily K. Cortina, as she has reached the age of majority.

WHEREFORE, Petitioners request that the Court enter an Order authorizing First Commonwealth Trust Company to release the balance of the funds to Emily K. Cortina.

Respectfully submitted,



John R. Ryan
Attorney for Petitioners

We verify that the statements made in this Petition are true and correct. We understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.

Daniel P. Cortina
Daniel P. Cortina

Marilyn Cortina
Marilyn Cortina

I verify that the statements made in this Petition are true and correct. I understand that false statements herein are made subject to the penalties of Pa. C.S. 4904, relating to unsworn falsification to authorities.

Emily J. Cortina
Emily J. Cortina

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

DANIEL P. CORTINA and MARILYN CORTINA, Parents and Natural Guardians of the Minor Child, EMILY K. CORTINA, Plaintiffs : NO. 00 - 1536 - CD
Vs. :
JOSHUA ALAN FORDYCE, Defendant :
:

ORDER

AND NOW, this 28th day of December 2001, upon consideration of the foregoing Petition for Leave to Settle Claim of Emily K. Cortina, a Minor, this Court having determined that the settlement is appropriate under the circumstances, it is hereby ORDERED as follows:

1. That the Petition is hereby granted, the settlement approved, and Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of the minor child, Emily K. Cortina, be and are hereby directed to execute a Release on behalf of their minor child, Emily K. Cortina;
2. That counsel fees be paid from the settlement amount to John R. Ryan, Esquire, in the amount of Twenty-five Thousand Dollars (\$25,000.00);

LAW OFFICES OF
COLAVECCHI
AN & COLAVECCHI
21 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA



3. That John R. Ryan, Esquire, be reimbursed for litigation expenses in the amount of Three Hundred Sixteen Dollars and Thirty Cents (\$316.30);

4. That the balance of the settlement proceeds, after deduction of said legal fee and expenses, be paid to Daniel P. Cortina and Marilyn Cortina, parents and natural guardians of said minor child, with said amount to be placed in an insured savings account to be marked "Not to be withdrawn until said minor reaches ~~Eighteen (18)~~ ^{Twenty-one (21)} /JKR, JJK the age of ~~Eighteen (18)~~ or without the Order of a Court of competent jurisdiction."

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.

DEC 20 2001

Attest.

John K. Reilly
Prothonotary/
Clerk of Courts

LAW OFFICES OF
COLAVECCHI
AN & COLAVECCHI
21 E. MARKET ST.
(ACROSS FROM
COURTHOUSE)
P. O. BOX 131
CLEARFIELD, PA

We hereby consent to the release of the balance of the funds held at First Commonwealth Trust Company to my daughter, Emily K. Cortina.

Daniel P. Cortina
Daniel P. Cortina

Marilyn Cortina
Marilyn Cortina



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

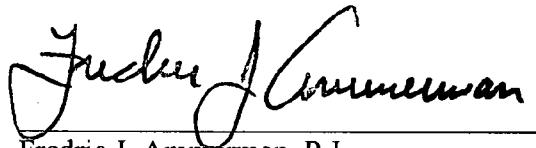
DANIEL P. CORTINA and :
MARILYN CORTINA, Parents and :
Natural guardians of the Minor Child, :
EMILY K. CORTINA, :
Plaintiffs :
vs. : No. 00-1536-CD
JOSHUA ALAN FORDYCE, :
Defendant :
h

ORDER

AND NOW, this 15 day of September, 2010, upon consideration of the foregoing Petition for Release of Funds, it is the ORDER of this Court that said Petition be heard the 28th day of September, 2010, at 9:00 o'clock A.M., Courtroom No. 1, of the Clearfield County Courthouse, Clearfield, Pennsylvania.

One-half (1/2) hour has been set aside for the hearing of this matter.

BY THE COURT:


Fredric J. Ammerman

FILED *cc*
OCT 15 2010 Atty. Ryan
SEP 15 2010
S William A. Shaw
Prothonotary/Clerk of Courts
600

FILED

SEP 15 2010

**William A. Sharv
Prothonotary/Clerk of Courts**

DATE: 01/15/10

You are responsible for serving all appropriate parties.

The Prothonotary's Office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

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

DANIEL P. CORTINA and
MARILYN CORTINA, Parents and
Natural guardians of the Minor Child,
EMILY K. CORTINA,

Plaintiffs

vs.

No. 00-1536-CD

JOSHUA ALAN FORDYCE,
Defendant

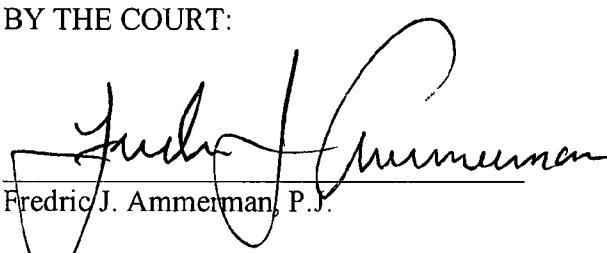
ORDER

AND NOW, this 28th day of September, 2010, this being the day and date set for hearing on the Petition for Release of Funds in the above captioned matter, and the Court being satisfied that Emily Cortina has reached the age of majority and that her parents, Daniel and Marilyn Cortina, have no objection to the relief requested in the said Petition, it is ORDERED that the balance of funds held by First Commonwealth Trust Company pursuant to the prior Order of December 28, 2001 shall be released to Emily Cortina.

A certified copy of this Order shall suffice to authorize First Commonwealth Trust Company to release said funds.

BY THE COURT:

FILED 3 CC
OCT 23 2010 Atty Ryan
SEP 28 2010 (will serve)
60
William A. Shaw
Prothonotary/Clerk of Courts


Fredric J. Ammerman, P.J.