

00-1585-CD  
BARBARA E. KUNTZ -vs- ANTHONY YANKEVICH

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

*E*  
BARBARA A. KUNTZ, :  
Plaintiff :  
vs. : No. 00-1585-CD  
ANTOHNY YANKEVICH, :  
Defendant :

CASE NUMBER: 00-1585-CD  
TYPE OF CASE: CIVIL  
TYPE OF PLEADING: COMPLAINT  
FILED ON BEHALF OF: PLAINTIFF  
COUNSEL OF RECORD  
FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE  
Supreme Court I.D. #26540  
215 East Locust Street  
Clearfield, Pa., 16830  
(814) 765-1581

*FILED*

DEC 21 2000

William A. Gearhart  
PICKEREL, GEARHART & CO.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

E.  
BARBARA A. KUNTZ, :  
Plaintiff :  
: :  
vs. : No. 00- -CD  
: :  
ANTOHNY YANKEVICH, :  
Defendant :  
:

**NOTICE TO DEFEND**

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's Office  
Clearfield County Courthouse  
Clearfield, Pa., 16830  
(814) 765-2641 Ext. 50-51

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

BARBARA <sup>E</sup> A. KUNTZ,	:	
Plaintiff	:	
	:	
vs.	:	No. 00- -CD
	:	
ANTOHNY YANKEVICH,	:	
Defendant	:	

**COMPLAINT**

AND NOW, comes Plaintiff, by and through her attorney, R. Denning Gearhart, Esquire, who aver as follows:

1. That Plaintiff BARBARA E. KUNTZ is an adult individual residing at 23 South Second Street, Clearfield, Pa., 16830.
2. That Defendant is ANTHONY YANKEVICH, an adult individual, residing at 115 East Cherry Street, Clearfield, Pa., 16830.
3. The facts and occurrences hereinafter stated took place on August 30, 2000 at 11:30 A.M. in Clearfield Borough, Clearfield County, Pennsylvania, 16830.
4. On August 30, 2000, Plaintiff was visiting a resident of the building owned by Defendant and upon leaving the same, tripped and fell on Defendant's sidewalk. The tripping was caused by a defect on the sidewalk and/or the area on its edge.
5. The Defendant knew or should have known of the aforesaid dangerous

and/or defective condition existing on the sidewalk and/or adjacent area.

6. The aforesaid incident was caused by the negligence and/or carelessness and/or recklessness of the Defendant in his failure to properly maintain his sidewalk and/or adjacent area.

7. Plaintiff advised Defendant of the injuries, and he became enraged and abusive; Defendant insulted, berated and threatened the Plaintiff.

8. Solely and exclusively as a result of the negligence and/or carelessness and/or recklessness of the Defendant, Plaintiff was caused to suffer serious physical injuries to her person, including, but not limited to, injuries to her left shoulder, left knee and back, and other injuries to the full extent of which are still unknown.

9. As a result of all of the foregoing, Plaintiff had and may continue to suffer injury causing her mental and psychological trauma.

10. Plaintiff has further sustained the following specific damages:

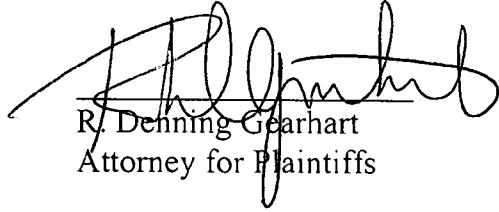
- A. Said Plaintiff has been and will be required to receive and undergo medical attention and care which at times, she has not been able to obtain, as she has had no transportation;
- B. Said Plaintiff has suffered and will suffer great pain, suffering, inconvenience, embarrassment, and mental anguish;
- C. Said Plaintiff's general health, strength and vitality have been impaired.

WHEREFORE, Plaintiff prays your Honorable Court to award judgment for

her and against the Defendant in a sum in excess of \$25,000.00.

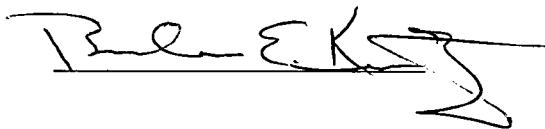
Respectfully submitted,

Date: 12/20/00

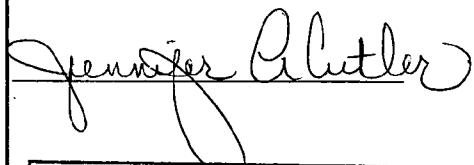
  
R. Dehning Gearhart  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF CLEARFIELD : SS  
**AFFIDAVIT**

Before me, the undersigned officer, personally appeared BARBARA E. KUNTZ, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.



SWORN TO and subscribed  
before me this 20<sup>th</sup> day  
of December, 2000.



Notarial Seal  
Jennifer A. Cutler, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires June 17, 2003

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

BARBARA A. KUNTZ,  
Plaintiff

vs.

ANTHONY YANKEVICH,  
Defendant

COMPLAINT

Seal  
DEC 2 2000  
01347647  
R. DENNING GEARHART  
Pd \$ 80.00  
3cc att

R. DENNING GEARHART  
ATTORNEY AT LAW  
CLEARFIELD, PA. 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10534

KUNTZ, BARBARA E.

00-1585-CD

VS.

YANKEVICH, ANTHONY

COMPLAINT

SHERIFF RETURNS

NOW JANUARY 3, 2001 AT 10:34 AM EST SERVED THE WITHIN COMPLAINT ON ANTHONY YANKEVICH, DEFENDANT AT EMPLOYMENT, CLEARFIELD INTERNET ACCESS, 106 N. 2ND. STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ANTHONY YANKEVICH A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: MARSHALL/RYEN

Return Costs

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

Sworn to Before Me This

10 <sup>th</sup> Day Of January 2001  
William A. Shaw

So Answers,

*Chester Hawkins*  
*by Marilyn Hanna*  
Chester A. Hawkins  
Sheriff

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

FILED  
JAN 10 2001  
William A. Shaw  
Prothonotary

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

vs.  
BARBARA A. KUNTZ,

Plaintiff

vs.

No. 00-1585 -CD

ANTOHNY YANKEVICH,

Defendant

COPY

CASE NUMBER: 00-1585 -CD  
TYPE OF CASE: CIVIL  
TYPE OF PLEADING: COMPLAINT  
FILED ON BEHALF OF: PLAINTIFF  
COUNSEL OF RECORD  
FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE  
Supreme Court I.D. #26540  
215 East Locust Street  
Clearfield, Pa., 16830  
(814) 765-1581

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

DEC 21 2000

Attest:

William L. Shaffer  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

*E.*  
BARBARA A. KUNTZ,  
Plaintiff  
vs.  
ANTOHNY YANKEVICH,  
Defendant  
: No. 00- -CD

**NOTICE TO DEFEND**

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's Office  
Clearfield County Courthouse  
Clearfield, Pa., 16830  
(814) 765-2641 Ext. 50-51

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

*E.*  
BARBARA A. KUNTZ, :  
Plaintiff :  
vs. : No. 00- -CD  
ANTOHNY YANKEVICH, :  
Defendant :  
:

**COMPLAINT**

AND NOW, comes Plaintiff, by and through her attorney, R. Denning Gearhart, Esquire, who aver as follows:

1. That Plaintiff BARBARA E. KUNTZ is an adult individual residing at 23 South Second Street, Clearfield, Pa., 16830.
2. That Defendant is ANTHONY YANKEVICH, an adult individual, residing at 115 East Cherry Street, Clearfield, Pa., 16830.
3. The facts and occurrences hereinafter stated took place on August 30, 2000 at 11:30 A.M. in Clearfield Borough, Clearfield County, Pennsylvania, 16830.
4. On August 30, 2000, Plaintiff was visiting a resident of the building owned by Defendant and upon leaving the same, tripped and fell on Defendant's sidewalk. The tripping was caused by a defect on the sidewalk and/or the area on its edge.
5. The Defendant knew or should have known of the aforesaid dangerous

and/or defective condition existing on the sidewalk and/or adjacent area.

6. The aforesaid incident was caused by the negligence and/or carelessness and/or recklessness of the Defendant in his failure to properly maintain his sidewalk and/or adjacent area.

7. Plaintiff advised Defendant of the injuries, and he became enraged and abusive; Defendant insulted, berated and threatened the Plaintiff.

8. Solely and exclusively as a result of the negligence and/or carelessness and/or recklessness of the Defendant, Plaintiff was caused to suffer serious physical injuries to her person, including, but not limited to, injuries to her left shoulder, left knee and back, and other injuries to the full extent of which are still unknown.

9. As a result of all of the foregoing, Plaintiff had and may continue to suffer injury causing her mental and psychological trauma.

10. Plaintiff has further sustained the following specific damages:

A. Said Plaintiff has been and will be required to receive and undergo medical attention and care which at times, she has not been able to obtain, as she has had no transportation;

B. Said Plaintiff has suffered and will suffer great pain, suffering, inconvenience, embarrassment, and mental anguish;

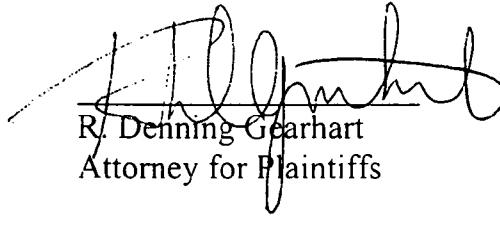
C. Said Plaintiff's general health, strength and vitality have been impaired.

WHEREFORE, Plaintiff prays your Honorable Court to award judgment for

her and against the Defendant in a sum in excess of \$25,000.00.

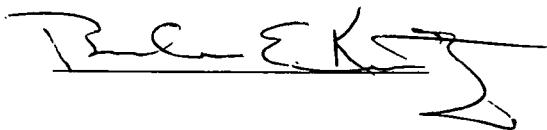
Respectfully submitted,

Date: 12/20/00

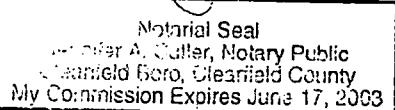
  
R. Denning Gearhart  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF CLEARFIELD : ss  
**AFFIDAVIT**

Before me, the undersigned officer, personally appeared BARBARA E. KUNTZ, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.



SWORN TO and subscribed  
before me this 20<sup>th</sup> day  
of December, 2000.



IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

BARBARA E. KUNTZ,  
Plaintiff : Type of Case: Civil Action  
-vs- : No. 00-1585-CD  
ANTHONY YANKEVICH,  
Defendant : Type of Pleading:  
: Praecipe for Entry  
: of Appearance  
: Filed on Behalf of:  
: Defendant  
: Counsel of Record for This  
: Party:  
: Matthew B. Taladay, Esq.  
: Supreme Court No. 49663  
: Hanak, Guido and Taladay  
: 498 Jeffers Street  
: P.O. Box 487  
: DuBois, PA 15801  
: (814) 371-7768

**FILED**

JAN 11 2001

William A. Shaw  
Prothonotary

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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

No. 00-1585-CD

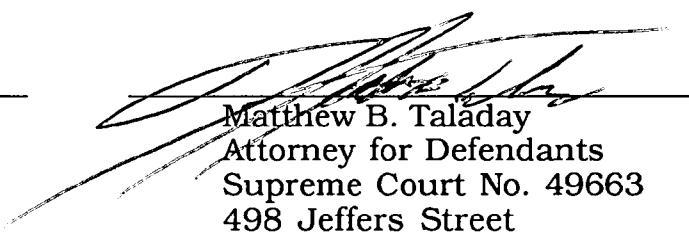
ANTHONY YANKEVICH,  
Defendant

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance for the Defendant, Anthony Yankevich, in the above captioned matter.

Date: 01-09-01

  
Matthew B. Taladay  
Attorney for Defendants  
Supreme Court No. 49663  
498 Jeffers Street  
P. O. Box 487  
DuBois, PA 15801  
(814) 371-7768

cc: R. Denning Gearhart, Esq.  
215 East Locust Street  
Clearfield, PA 16830

FILED

JAN 11 2001

111-37100  
William A. Shaw  
Prothonotary

*ESQ*

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

BARBARA E. KUNTZ,  
Plaintiff

-vs-

ANTHONY YANKEVICH,  
Defendant

Type of Case: Civil Action

No. 00-1585-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

FILED

JAN 31 2001

William A. Shaw  
Attorney

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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

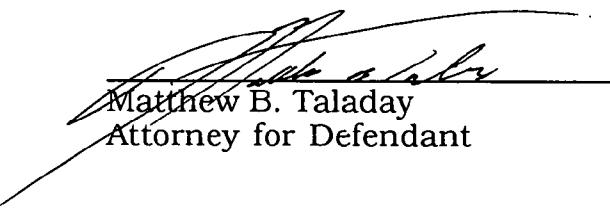
No. 00-1585-CD

ANTHONY YANKEVICH,  
Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of January, 2001, a true and correct copy of Notice of Deposition was mailed, postage prepaid, to:

R. Denning Gearhart, Esq.  
Attorney for Plaintiff  
215 E. Locust Street  
Clearfield, PA 16830

  
Matthew B. Taladay  
Attorney for Defendant

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

BARBARA E. KUNTZ,  
Plaintiff

-vs-

ANTHONY YANKEVICH,  
Defendant

Type of Case: Civil Action

No. 00-1585-CD

Type of Pleading:

Answer and New Matter

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

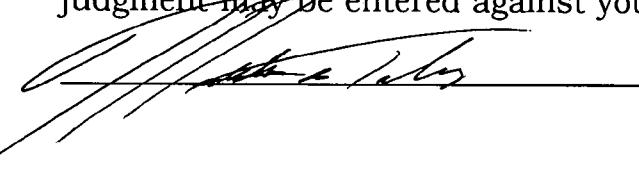
(814) 371-7768

FILED

JAN 31 2001

William A. Shaw  
Prothonotary

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



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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

No. 00-1585-CD

ANTHONY YANKEVICH,  
Defendant

**ANSWER**

AND NOW, comes the Defendant, Anthony Yankevich, by his attorneys, Hanak, Guido and Taladay, and hereby responds to Plaintiff's Complaint as follows:

1. Admitted.

2. Admitted.

3. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these averments, therefore, the same are denied and strict proof thereof is demanded at the time of trial.

4. The Defendant denies any defect in his sidewalk or the area on its edge. With regard to the remaining allegations of this paragraph, after reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these averments, therefore, the same are denied and strict proof thereof is demanded at the time of trial.

5. Defendant denies any dangerous condition of is sidewalk and/or adjacent area.

6. Denied.

7. Denied. By way of further answer, the contents of paragraph 7 of Plaintiff's Complaint have no relevance to the cause of action at hand.

8. Defendant denies all allegations of negligence, careless or recklessness and denies any responsibility for injuries alleged by Plaintiff. With regard to the remaining allegations of Plaintiff's Complaint, paragraph 8, after reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these averments, therefore, the same are denied and strict proof thereof is demanded at the time of trial.

9. Defendant denies all allegations of negligence with regard to the remaining allegations of paragraph No. 9, after reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these averments, therefore, the same are denied and strict proof thereof is demanded at the time of trial.

10. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these averments, therefore, the same are denied and strict proof thereof is demanded at the time of trial.

WHEREFORE, Defendant demands judgment in his favor.

**NEW MATTER**

11. Defendant incorporates the allegations of Plaintiff's Complaint and his responses thereto as if set forth in full.

12. Plaintiff's claims are barred or limited by the Doctrine of Comparative Negligence. Based on her own negligence or carelessness, cumulatively or in the alternative, as follows:

- (a) In failing to properly plan and execute her path of travel;

- (b) In failing to walk on the travel portion of the sidewalks;
- (c) In failing to keep a proper lookout for open and obvious conditions of the premises on which she was traveling;
- (d) In failing to use proper care for her own safety when traveling by foot.

WHEREFORE, Defendant demands judgment in his favor.

Respectfully submitted,

HANAK, GUIDO AND TALADAY

By

Matthew B. Taladay

**VERIFICATION**

I, **Anthony Yankevich**, do hereby verify that I have read the foregoing Answer & New Matter. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: 1/27/01

Anthony Yankevich  
Anthony Yankevich

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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

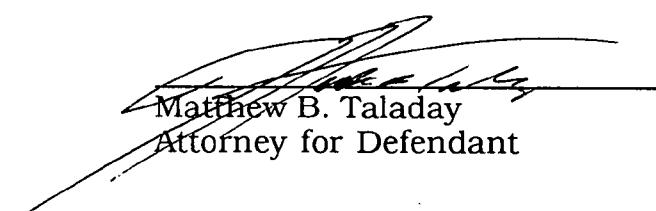
No. 00-1585-CD

ANTHONY YANKEVICH,  
Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 30<sup>th</sup> day of January, 2001, a true and correct copy of Answer and New Matter was mailed, postage prepaid to:

R. Denning Gearhart, Esq.  
Attorney for Plaintiff  
215 E. Locust Street  
Clearfield, PA 16830

  
Matthew B. Taladay  
Attorney for Defendant

FILED

JAN 31 2001  
10:40 AM '01  
William A. Shaw  
Prothonotary  
cc

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

BARBARA E. KUNTZ,  
Plaintiff

VS.

NO. 00-1585-CD

ANTHONY YANKEVICH,  
Defendant

CASE NUMBER: 00-1585-CD

TYPE OF CASE: Civil

TYPE OF PLEADING: ANSWER TO NEW MATTER

FILED ON BEHALF OF: Plaintiff

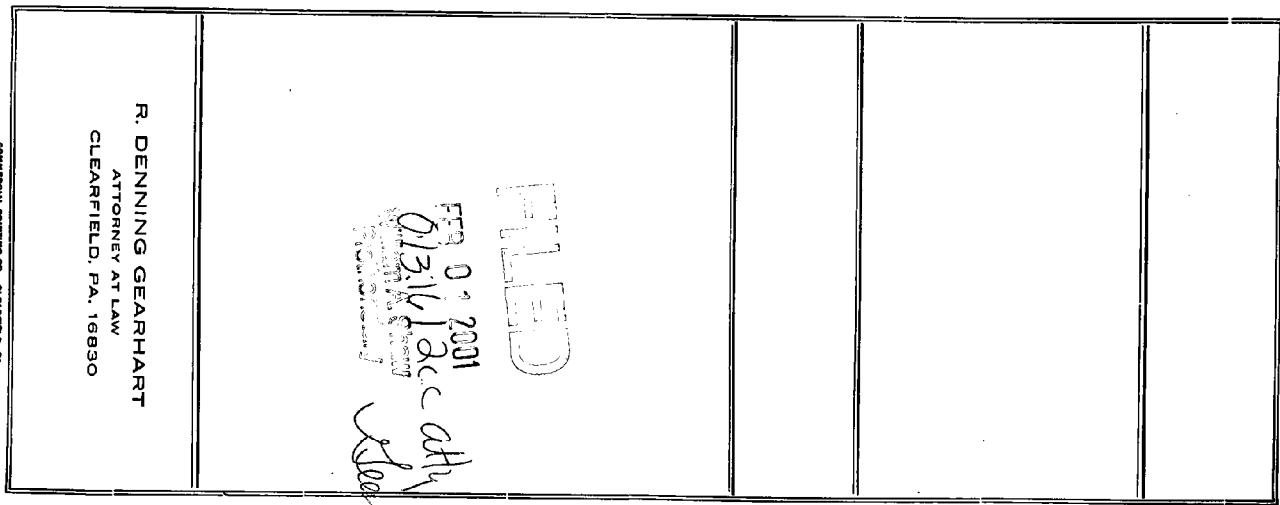
COUNSEL OF RECORD FOR THIS PARTY: R. DENNING GEARHART, ESQUIRE  
Supreme Court I.D. #26540  
215 East Locust Street  
Clearfield, PA 16830  
(814) 765-1581

**FILED**

FEB 01 2001

William A. Shaw  
Prothonotary

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R. DENNING GEARHART  
ATTORNEY AT LAW  
CLEARFIELD, PA. 16830

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

BARBARA E. KUNTZ,  
Plaintiff

-vs-

ANTHONY YANKEVICH,  
Defendant

Type of Case: Civil Action

No. 00-1585-CD

Type of Pleading:

Motion for Summary  
Judgment

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street,  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

**FILED**

MAY 25 2001

William A. Shaw  
Prothonotary

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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

No. 00-1585-CD

ANTHONY YANKEVICH,  
Defendant

**DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

AND NOW, comes the Defendant, Anthony Yankevich, by his attorneys, Hanak, Guido and Taladay, and hereby files the within Motion for Summary Judgment averring as follow:

1. Plaintiff has filed suit seeking recovery for injuries allegedly sustained in a fall which took place on August 30, 2000 on Defendant's property.

2. Paragraph 4 of Plaintiff's Complaint reads as follows:

On August 30, 2000, Plaintiff was visiting a resident of the building owned by Defendant and upon leaving the same, tripped and fell on Defendant's sidewalk. The tripping was caused by a defect on the sidewalk and/or the area on its edge.

3. The Plaintiff, in her deposition of February 16, 2001, testified that "the sidewalk was in perfect condition." (T. 15)

4. Based on her testimony, the claimant's accident occurred when she was proceeding from the Yankevich residence toward the street and "cut the corner" to her right and her right foot went off the sidewalk and into an area that "hadn't been landscaped or even leveled off". (T. 20)

5. The Plaintiff further testified that there was nothing that prevented her from seeing the area adjacent to the sidewalk where she stepped and lost her balance. (T. 20)

6. Based on the deposition testimony of Plaintiff, as well as all other material provided in discovery, affidavits, and interrogatories, Plaintiff has failed to present facts which establish a defective condition of Defendant's sidewalk that caused Plaintiff's accident.

7. Based on Plaintiff's own testimony, she has failed to establish a claim upon which relief can be granted and Defendant is entitled to judgment as a matter of law.

WHEREFORE, it is respectfully requested that Defendant's Motion for Summary Judgment be granted.

HANAK, GUIDO AND TALADAY

By

Matthew B. Taladay

**FILED**

MAY 25 2001  
0/9.08) /C <athy T. Laday  
William A. Shaw  
Prothonotary

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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

No. 00-1585-CD

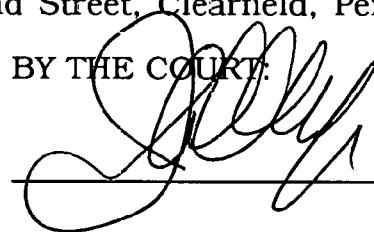
ANTHONY YANKEVICH,  
Defendant

**RULE TO SHOW CAUSE ORDER**

AND NOW, this 10 day of June, 2001, upon  
filing of Motion for Summary Judgment, Rule is hereby entered upon  
Barbara E. Kuntz to appear and show cause why the Summary  
Judgment should not be granted.

Rule Returnable the 16<sup>th</sup> day of July,  
2001, at 10:30 A.m. in the Clearfield County Courthouse,  
Courtroom No. 1, North Second Street, Clearfield, Pennsylvania.

BY THE COURT:



J.

**FILED**

JUN 07 2001

William A. Shaw  
Prothonotary

**FILED**

JUN 07 2001  
O/1/38/1cc atty Talady  
William A. Shaw  
Prothonotary  


IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

BARBARA E. KUNTZ,  
Plaintiff

-vs-

ANTHONY YANKEVICH,  
Defendant

Type of Case: Civil Action

No. 00-1585-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

**FILED**

JUN 14 2001

William A. Shaw  
Prothonotary

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

BARBARA E. KUNTZ,  
Plaintiff

-vs-

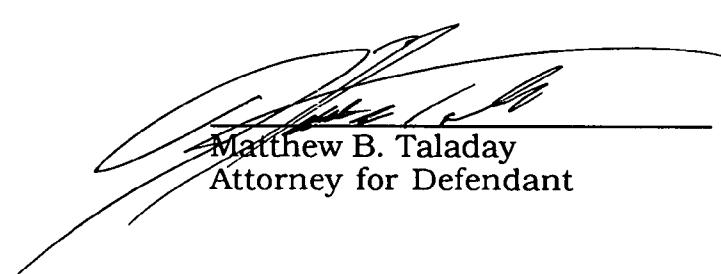
No. 00-1585-CD

ANTHONY YANKEVICH,  
Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of June, 2001, a true and correct copy of Motion for Summary Judgment, Defendant's Brief in Support of Motion for Summary Judgment and Order of Court was mailed, postage prepaid, to:

R. Denning Gearhart, Esq.  
Attorney for Plaintiff  
215 E. Locust Street  
Clearfield, PA 16830

  
Matthew B. Taladay  
Attorney for Defendant

**FILED**

JUN 14 2001

RECEIVED  
JUN 11 2001  
William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

BARBARA E. KUNTZ

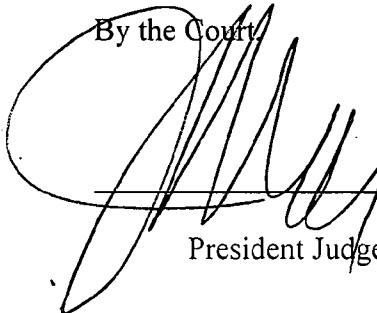
-vs-

: No. 00-1585-CD

ANTHONY YANKEVICH

**ORDER**

NOW, this 2<sup>nd</sup> day of August, 2001, following argument and briefs into Motion for Summary Judgment filed on behalf of Defendant above-named, it is the ORDER of this Court that said Motion be and is hereby granted and judgment entered in favor of Defendant and against the Plaintiff.

By the Court  
  
President Judge

**FILED**

AUG 07 2001

William A. Shaw  
Prothonotary

**FILED**

AUG 02 2001

CO 134 cc atty Taladery  
William A. Shaw  
Prothonotary  
cc atty DeWolfe  
RFB