

THOMAS P. BEALL et al -vs- DEPARTMENT OF CORRECTIONS et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THOMAS P. BEALL, Administrator
of the Estate of BRIAN JAMES
BEALL, Deceased,

Plaintiff,

vs.

DEPARTMENT OF CORRECTIONS
OF THE COMMONWEALTH
OF PENNSYLVANIA;
JOHN McCULLOUGH;
K. WILLIAM HYLBERT; and
JOHN DOES 1-3, officials, medical
providers and/or corrections officers at the
State Correctional Institution at Houtzdale,

Defendants.

CIVIL DIVISION

No. 01-364-CJ

**PRAECIPE FOR WRIT
OF SUMMONS IN A
CIVIL ACTION**

Filed on behalf of PLAINTIFF

Counsel of record for this party:

MICHAEL LOUIK, ESQUIRE
Pa. I.D. #00788

MEYERS ROSEN
LOUIK & PERRY, P.C.
Firm No. 020

Suite 200, The Frick Building
Pittsburgh, PA 15219
(412) 281-4200

JURY TRIAL DEMANDED

FILED

MAR 12 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL DIVISION

THOMAS P. BEALL, Administrator)
of the Estate of BRIAN JAMES)
BEALL, Deceased,)
Plaintiff,)
vs.)
DEPARTMENT OF CORRECTIONS)
OF THE COMMONWEALTH)
OF PENNSYLVANIA;)
JOHN McCULLOUGH;)
K. WILLIAM HYLBERT; and)
JOHN DOES 1-3, officials, medical)
providers and/or corrections officers at the)
State Correctional Institution at Houtzdale,)
Defendants.)

PRAECIPE FOR WRIT OF SUMMONS
IN A CIVIL ACTION

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Kindly issue a Writ of Summons against the Defendants in the above-captioned matter.

MEYERS ROSEN
LOUIK & PERRY, P.C.

By 
Michael Louik, Esquire

Attorneys For Plaintiff

JURY TRIAL DEMANDED

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

SUMMONS

**Thomas P. Beall , Administrator of the
Estate of Brian James Beall, Deceased**

Vs.

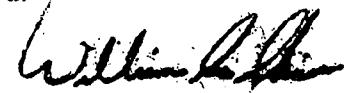
NO.: 2001-00364-CD

**Department Of Corrections of the
Commonwealth of Pennsylvania,
John M. McCullough,
K William Hylbert and
John Does 1-3, officials, medical providers
and/or corrections officers at the State
Correctional Institution at Houtzdale**

TO: DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH OF
PENNSYLVANIA,
JOHN M. MCCULLOUGH,
K WILLIAM HYLBERT AND
JOHN DOES 1-3, OFFICIALS, MEDICAL PROVIDERS
AND/OR CORRECTIONS OFFICERS AT THE STATE
CORRECTIONAL INSTITUTION AT HOUTZDALE

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 03/12/2001



William A. Shaw
Prothonotary

Issuing Attorney:

Michael Louik, Esquire

FILED

REC'D
MAR 12 2001
IN 34364-001
William A. Shaw
Prothonotary

6 Writs atty.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THOMAS P. BEALL, Administrator
of the Estate of Brian James
Beall, Deceased,

CIVIL DIVISION
No. 2001-00364

Plaintiff,

vs.

DEPARTMENT OF CORRECTIONS OF THE
COMMONWEALTH OF PENNSYLVANIA,
JOHN M. McCULLOUGH, K. WILLIAM
HYLBERT and JOHN DOES 1-3,
Officials, Medical Providers
and/or corrections officers
at the State Correctional
Institution at Houtzdale,

PRAECIPE FOR APPEARANCE

Defendants.

Filed on Behalf of Defendants
Department of Corrections of
The Commonwealth of Pennsylvania,
John M. McCullough, K. William
Hylbert and John Does 1-3,
Officials, Medical Providers and/or
Corrections Officers at the State
Correctional Institution at
Houtzdale

FILED

MAY 09 2001

William A. Shaw
Prothonotary

Counsel of Record:

JOHN R. BENTY
Sr. Deputy Attorney General
Pa. I. D. #44606
Office of Attorney General
Tort Litigation Unit
Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219
(412) 565-3539

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance in the above-referenced case on behalf of the defendants, Department of Corrections of the Commonwealth of Pennsylvania, John M. McCullough, K. William Hylbert and John Does 1-3, officials, medical providers and/or correction officers at the State Correctional Institution at Houtzdale. The defendants, Department of Corrections of the Commonwealth of Pennsylvania, John M. McCullough, K. William Hylbert and John Does 1-3, officials, medical providers and/or correction officers at the State Correctional Institution at Houtzdale, hereby demand a trial by a jury of twelve.

D. MICHAEL FISHER
Attorney General

BY:


JOHN R. BENTY
Sr. Deputy Attorney General

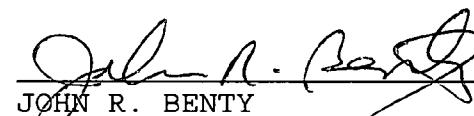
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe for Appearance was served upon the following counsel of record by mailing the same via first class mail, postage pre-paid, on May 7, 2001:

Michael Louik, Esq.
MEYERS ROSEN LOUIK & PERRY, P.C.
Suite 200 Frick Bldg.
Pittsburgh, PA 15219-6003
(Counsel for Plaintiff)

D. MICHAEL FISHER
Attorney General

BY:


JOHN R. BENTY
Sr. Deputy Attorney General

FILED

May 19 2001
Maureen
V. A. Shaw
notary
KPG

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Plaintiff,

vs.

DEPARTMENT OF CORRECTIONS OF THE
COMMONWEALTH OF PENNSYLVANIA,
JOHN M. McCULLOUGH, K. WILLIAM
HYLBERT and JOHN DOES 1-3,
Officials, Medical Providers
and/or corrections officers
at the State Correctional
Institution at Houtzdale.

**PRAECIPE FOR RULE
TO FILE COMPLAINT**

Defendants.

Filed on Behalf of Defendants
Department of Corrections of
The Commonwealth of Pennsylvania,
John M. McCullough, K. William
Hylbert and John Does 1-3,
Officials, Medical Providers and/or
Corrections Officers at the State
Correctional Institution at
Houtzdale

Counsel of Record:

FILED

MAY 09 2001

William A. Shaw
Prothonotary

JOHN R. BENTY
Sr. Deputy Attorney General
Pa. I. D. #44606
Office of Attorney General
Tort Litigation Unit
Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219
(412) 565-3539

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please issue a rule upon the plaintiff, Thomas P. Beall, Administrator of the Estate of Brian James Beall, Deceased, to file a Complaint within twenty (20) days or suffer Judgment of Non Pros sec. reg.

Respectfully Submitted,

D. MICHAEL FISHER
Attorney General

BY:


JOHN R. BENTY
Sr. Deputy Attorney General

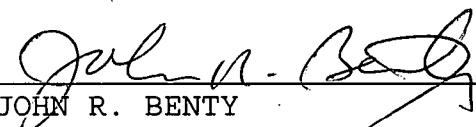
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe for Rule to File Complaint was served upon the following counsel of record by mailing the same via first class mail, postage pre-paid, on May 7, 2001:

Michael Louik, Esq.
MEYERS ROSEN LOUIK & PERRY, P.C.
Suite 200 Frick Bldg.
Pittsburgh, PA 15219-6003
(Counsel for Plaintiff)

D. MICHAEL FISHER
Attorney General

BY:


JOHN R. BENTY
Sr. Deputy Attorney General

FILED

MAY 09 2001
01342 Rule to
William A. Shaw
Prothonotary Atty. Bently
RE

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

COPY

Thomas P. Beall
Brian James Beall Estate

Vs. Case No. #2001-00364-CD
Department Of Corrections
John M. McCullough
K. William Hylbert
John Does 1-3

RULE TO FILE COMPLAINT

TO: Thomas P. Beall, Administrator of the Estate of Brian James Beall

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

William A. Shaw, Prothonotary

Dated: May 9, 2001

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10842

BEALL, THOMAS P., ADM. Of estate of Brian James Beall, deceased

01-364-CD

VS.

DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH OF PA. AI

SUMMONS

SHERIFF RETURNS

**NOW APRIL 3, 2001 AT 1:36 PM DST SERVED THE WITHIN SUMMONS ON
DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH OF PENNSYLVANIA
AT EMPLOYMENT, SCI HOUTZDALE, S.R. 2007, HOUTZDALE, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO SGT. HORTON, P.I.C. A TRUE AND ATTESTED
COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS
THEREOF.**

SERVED BY: DAVIS/MORGILLO

**NOW APRIL 3, 2001 AT 1:36 PM DST SERVED THE WITHIN SUMMONS ON JOHN M.
MCCULLOUGH, DEFENDANT AT EMPLOYMENT, SCI HOUTZDALE, S.R. 2007,
HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SGT. HORTON,
P.I.C. A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN
TO HIM THE CONTENTS THEREOF.**

SERVED BY: DAVIS/MORGILLO

**NOW APRIL 3, 2001 AT 1:36 PM DST SERVED THE WITHIN SUMMONS ON JOHN DOE
#1, A MEDICAL PROVIDER OR CORRECTIONS OFFICER, DEFENDANT AT
EMPLOYMENT, SCI HOUTZDALE, S.R. 2007, HOUTZDALE, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO SGT. HORTON A TRUE AND ATTESTED COPY OF THE
ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.**

SERVED BY: DAVIS/MORGILLO

**NOW APRIL 3, 2001 AT 1:36 PM DST SERVED THE WITHIN SUMMONS ON JOHN DOE
#2, A MEDICAL PROVIDER OR CORRECTIONS OFFICER, DEFENDANT AT
EMPLOYMENT, SCI HOUTZDALE, S.R. 2007, HOUTZDALE, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO SGT. HORTON A TRUE AND ATTESTED COPY OF
THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO.**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10842

BEALL, THOMAS P., ADM. Of estate of Brian James Beall, deceased

01-364-CD

VS.

DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH OF PA. AI

SUMMONS

SHERIFF RETURNS

NOW APRIL 3, 2001 AT 1:36 PM DST SERVED THE WITHIN SUMMONS ON JOHN DOE #3, A MEDICAL PROVIDER OR CORRECTIONS OFFICER, DEFENDANT AT EMPLOYMENT, SCI HOUTZDALE, S.R. 2007, HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SGT. HORTON A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF. SERVED BY: DAVIS/MORGILLO.

NOW APRIL 5, 2001, DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON K. WILLIAM HYLBERT, DEFENDANT.

NOW APRIL 10, 2001 SERVED THE WITHIN SUMMONS ON K. WILLIAM HYLBERT, DEFENDANT BY DEPUTIZING THE SHERIFF OF CENTRE COUNTY. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED LORI LETTIERE, AGENT FOR DEFENDANT.

NOW APRIL 2, 2001 JOHN LOTWICK, SHERIFF OF DAUPHIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON ATTORNEY GENERAL, DEFENDANT.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10842

BEALL, THOMAS P., ADM. Of estate of Brian James Beall, deceased

01-364-CD

VS.

DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH OF PA. AI

SUMMONS

SHERIFF RETURNS

NOW APRIL 11, 2001 SERVED THE WITHIN SUMMONS ON ATTORNEY GENERAL,
DEFENDANT BY DEPUTIZING THE SHERIFF OF DAUPHIN COUNTY. THE RETURN
OF SHERIFF LOTWICK IS HERETO ATTACHED AND MADE A PART OF THIS RETURN
STATING THAT HE SERVED CATHY STEHMAN, EX. SEC.

Return Costs

| Cost | Description |
|-------|------------------------------------|
| 81.91 | SHFF. HAWKINS PAID BY: <i>atty</i> |
| 25.50 | SHFF. LOTWICK PAID BY: ATTY. |
| 32.00 | SHFF. NAU PAID BY: ATTY. |
| 70.00 | SURCHARGE PAID BY: ATTY. |

FILED

MAY 11 2001

01/11/01 am

William A. Shaw

Prothonotary

EPA

Sworn to Before Me This

11th Day Of May 2001

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

So Answers,

Chesté A. Hawkins
Chesté A. Hawkins
Sheriff

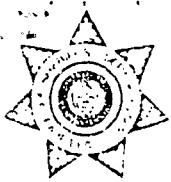
SHERIFF'S OFFICE

4556

C-10842

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

| SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN | | | | INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies. | | | | | | | | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------|--------------------|---------------|---------------------|--------------------------|--|--|--|--|--|--|--|
| 1. Plaintiff(s) | Adm. of the Estate of Brian | | | 2. Case Number | | | | | | | | | | | | | |
| Thomas P. Beall, James Beall, Deceased | | | | 01-364-C0 | | | | | | | | | | | | | |
| 3. Defendant(s) | | | | 4. Type of Writ or Complaint: | | | | | | | | | | | | | |
| K. William Hybert | | | | Writ of Summons | | | | | | | | | | | | | |
| SERVE → AT | 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. K. William Hybert | | | 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 3939 S. Atherton Street, State College, PA 16801 | | | | | | | | | | | | | |
| 7. Indicate unusual service: | <input type="checkbox"/> Reg Mail | <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Deputize | <input type="checkbox"/> Post | <input type="checkbox"/> Other | | | | | | | | | | | | |
| Now, _____ | 20 _____ | I, Sheriff of CENTRE COUNTY, PA., do hereby depose the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____ | | | | | | | | | | | | | | | |
| Sheriff of Centre County | | | | | | | | | | | | | | | | | |
| 8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE | | | | | | | | | | | | | | | | | |
| NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof. | | | | | | | | | | | | | | | | | |
| 9. Print/Type Name and Address of Attorney/Originator | | | | 10. Telephone Number | | | 11. Date | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| | | | | 12. Signature | | | | | | | | | | | | | |
| SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE | | | | | | | | | | | | | | | | | |
| 13. I acknowledge receipt of the writ or complaint as indicated above. | 14. Date Filed | | | 15. Expiration/Hearing Date | | | | | | | | | | | | | |
| TO BE COMPLETED BY SHERIFF | | | | | | | | | | | | | | | | | |
| 16. Served and made known to | Lori Lettiere | | | , on the | | | 10 | day of April | | | | | | | | | |
| 20 01 | at | 10:48 | o'clock, | A | m., at | Same as above | , County of Centre | | | | | | | | | | |
| Commonwealth of Pennsylvania, in the manner described below: | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Defendant(s) personally served. <input type="checkbox"/> Adult family member with whom said Defendant(s) resides(s). Relationship is _____ <input type="checkbox"/> Adult in charge of Defendant's residence. <input type="checkbox"/> Manager/Clerk of place of lodging in which Defendant(s) resides(s). <input checked="" type="checkbox"/> Agent or person in charge of Defendant's office or usual place of business. <input type="checkbox"/> _____ and officer of said Defendant company. <input type="checkbox"/> Other _____ | | | | | | | | | | | | | | | | | |
| On the _____ day of _____, 20_____, at _____ o'clock, _____ M. | | | | | | | | | | | | | | | | | |
| Defendant not found because: | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Moved <input type="checkbox"/> Unknown <input type="checkbox"/> No Answer <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____ | | | | | | | | | | | | | | | | | |
| Remarks: | | | | | | | | | | | | | | | | | |
| Advance Costs | Docket | Service | Sur Charge | Affidavit | Mileage | Postage | Misc. | Total Costs | Costs Due or Refund | | | | | | | | |
| \$75.00 | 9.00 | 9.00 | \$0 | 2.50 | 9.00 | .50 | 2.00 | \$32.00 | \$43.00 | | | | | | | | |
| 17. AFFIRMED and subscribed to before me this 12 | | | | So Answer. | | | | | | | | | | | | | |
| 20. day of April 2001 | | | | 18. Signature of Dep. Sheriff | | | | 19. Date | | | | | | | | | |
| 23. Arlene Peters | | | | 21. Signature of Sheriff | | | | 22. Date | | | | | | | | | |
| <table border="1"> <tr> <td colspan="2">Notarial Seal</td> </tr> <tr> <td colspan="2">My Commission Expires Peters, Notary Public</td> </tr> <tr> <td colspan="2">Centre County</td> </tr> </table> | | | | Notarial Seal | | My Commission Expires Peters, Notary Public | | Centre County | | SHERIFF OF CENTRE COUNTY | | | | | | | |
| Notarial Seal | | | | | | | | | | | | | | | | | |
| My Commission Expires Peters, Notary Public | | | | | | | | | | | | | | | | | |
| Centre County | | | | | | | | | | | | | | | | | |
| | | | | Amount Pd. | | Page | | | | | | | | | | | |
| 24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF ALL DEFENDANTS, MURKIN AND TITLERS | | | | | | | | | | | | | | | | | |
| 25. Date Received | | | | | | | | | | | | | | | | | |



Sheriff's Office Clearfield County

CHESTER A. HAWKINS
SHERIFF

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

#594
OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765-6089

DARLENE SHULTZ
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

MARGARET PUTT
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THOMAS P. BEALL, Adm. of the Estate of
of Brian James Beall, Deceased

NO. 01-364-CD

VS
DEPARTMENT OF CORRECTIONS a1

ACTION: SUMMONS

SERVE BY: 4/11/01

Or

HEARING DATE:

SERVE: K. WILLIAM HYLBERT

ADDRESS: 3939 South Atherton St., State College, Pa. 16801

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

This Deposition being made at the request and risk of the Plaintiff this 5th day of APRIL 2001.

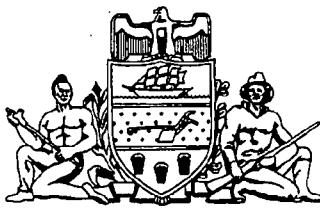
Respectfully,

Chester A. Hawkins
CHESTER A. HAWKINS
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: MEYERS, ROSEN, LOUIK & PERRY, Attorneys

pg 1584A
ed 76:00

Office of the Sheriff



Mary Jane Snyder
Real Estate Deputy

William T. Tully
Solicitor

J. Daniel Basile
Chief Deputy

Michael W. Rinehart
Assistant Chief Deputy

Dauphin County
Harrisburg, Pennsylvania 17101
ph: (717) 255-2660 fax: (717) 255-2889

Jack Lotwick
Sheriff

Commonwealth of Pennsylvania : BEALL THOMAS P ADMIN OF ESTATE OF BRIA
vs
County of Dauphin : ATTORNEY GENERAL

Sheriff's Return

No. 0930-T - - - 2001
OTHER COUNTY NO. 01-364-CD

AND NOW: April 11, 2001 at 9:45AM served the within

SUMMONS upon
ATTORNEY GENERAL by personally handing
to CATHY STEHMAN, EXECUTIVE SECRETARY 1 true attested copy(ies)
of the original SUMMONS and making known
to him/her the contents thereof at STRAWBERRY SQUARE
16TH FLOOR
HKG, PA 17120-0000

Sworn and subscribed to
before me this 12TH day of APRIL, 2001

Stephen C. Darina
PROTHONOTARY

So Answers,

J.R. Lotwick

Sheriff of Dauphin County, Pa.

By *David Herzog*
Deputy Sheriff

Sheriff's Costs: \$25.50 PD 04/04/2001

RCPT NO 148339

HERZOG



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

THOMAS P. BEALL, Adm. of Estate of
Brian James Beall, Deceased

NO. 01-364-CD

VS

ACTION: SUMMONS

DEPARTMENT OF CORRECTIONS OF THE COMMONWEALTH
OF PENNSYLVANIA a1

SERVE BY: 4/11/01

Or

HEARING DATE:

SERVE: ATTORNEY GENERAL

ADDRESS: Office of Attorney General, 16th Floor, Strawverry Square
Harrisburg, Pa. 17120

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

This Deputation being made at the request and risk of the Plaintiff this 2nd day of APRIL 2001.

Respectfully,
CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: Meyers, Rosen, Louik & Perry, Attorneys



COUNTY OF DAUPHIN
HARRISBURG, PA.

J. R. LOTWICK
SHERIFF OF DAUPHIN COUNTY
OFFICIAL RECEIPT

RECEIPT NUMBER... 148339
RECEIVED FROM... MEYERS, ROSEN, LOUIK
DESCRIPTION.... (1) CIVIL ACTION-NOTICE
DOCKET NUMBER... 0930T 2001
DEFENDANT.... ATTORNEY GENERAL

RECEIPT DATE... 04/04/2001

OPERATOR.... MBV

COUNTY.... *****23.00
STATE.... *****.00
AGENCY.... *****2.50
TOTAL.... *****25.50

CASH.... *****.00
CHECK.... *****25.50

RECD. BY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

THOMAS P. BEALL, Administrator
of the Estate of BRIAN JAMES
BEALL, Deceased,

Plaintiff,

vs.

DEPARTMENT OF CORRECTIONS
OF THE COMMONWEALTH
OF PENNSYLVANIA;
JOHN McCULLOUGH;
K. WILLIAM HYLBERT; and
JOHN DOES 1-3, officials, medical
providers and/or corrections officers at the
State Correctional Institution at Houtzdale,

Defendants.

CIVIL DIVISION

No. 2001-00364-CD

PRAECIPE FOR DISCONTINUANCE

Filed on behalf of PLAINTIFF

Counsel of record for this party:

MICHAEL LOUIK, ESQUIRE
Pa. I.D. #00788

MEYERS ROSEN
LOUIK & PERRY, P.C.
Firm No. 020

Suite 200, The Frick Building
Pittsburgh, PA 15219
(412) 281-4200

FILED

JUL 09 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
CIVIL DIVISION

THOMAS P. BEALL, Administrator) No. 2001-00364-CD
of the Estate of BRIAN JAMES)
BEALL, Deceased,)
Plaintiff,)
vs.)
DEPARTMENT OF CORRECTIONS)
OF THE COMMONWEALTH)
OF PENNSYLVANIA;)
JOHN McCULLOUGH;)
K. WILLIAM HYLBERT; and)
JOHN DOES 1-3, officials, medical)
providers and/or corrections officers at the)
State Correctional Institution at Houtzdale,)
Defendants.)

PRAECIPE FOR DISCONTINUANCE

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Pursuant to Pa.R.C.P. No. 229(a), kindly discontinue the above-captioned action against all defendants and mark the docket accordingly.

MEYERS ROSEN LOUIK & PERRY, P.C.

By

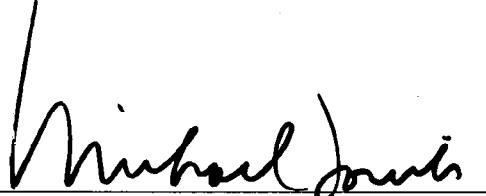

Michael Louik, Esquire

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that the foregoing PRAECIPE FOR DISCONTINUANCE has been served upon all counsel of record by forwarding a certified copy, this _____ day of _____, 2001.

John R. Benty, Esquire
Sr. Deputy Attorney General
Office of Attorney General
Tort Litigation Unit
Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219



Michael Louik, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

**Thomas P. Beall
Brian James Beall Estate**

Vs. No. 2001-00364-CD
Department Of Corrections
John M. McCullough
K. William Hylbert
John Does 1-3

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on 7/9/01 marked:

Discontinue and Settle.

Record costs in the sum of \$80.00 have been paid in full by Mr. Michael Louik.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 9th day of July A.D. 2001.



William A. Shaw, Prothonotary