

01-179-CD
HARRY V. DAVIS et ux -vs- HOWARD NEEPER

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

HARRY V. DAVIS, JR., and
TINA M. DAVIS,
husband and wife,
Plaintiffs,

v.

HOWARD NEEPER,
an individual,
Defendant.

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* No. 01 - 479 - CD

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* Type of Pleading:

* Complaint

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* Filed on behalf of:
* Plaintiffs

* Counsel of Record for
* this party:

*
*
*
*
*

* James A. Naddeo, Esq.
* Pa I.D. 06820

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

FILED

APR 06 2001

William A. Shaw
Prothonotary

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - - CD
*
HOWARD NEEPER, *
an individual, *
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.

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

(814) 765-2641

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

COMPLAINT

NOW COME the Plaintiffs, Harry V. Davis, Jr. and Tina M. Davis, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiff, Harry V. Davis, Jr., is a sui juris, adult individual whose address is P. O. Box 572, Madera, Pennsylvania 16661.
2. That the Plaintiff, Tina M. Davis, is a sui juris, adult individual whose address is P. O. Box 572, Madera, Pennsylvania 16661.
3. That the Defendant, Howard Neeper, is a sui juris, adult individual who resides at R. D. 3, Box 36, Clearfield, Pennsylvania 16830.

COUNT I

Tina M. Davis v. Howard Neeper

4. That on or about April 15, 1999 at approximately 3:00 p.m., E.D.S.T., the Plaintiff, Tina M. Davis, was the

operator of a 1991 Chevrolet Cavalier bearing Pennsylvania Registration No. HBL793.

5. That on or about the said day and at or about the said time, the Defendant, Howard Neeper, was the operator of a pick-up truck.

6. That on or about the said day and at or about the said time, it was daylight and the roads were dry.

7. That State Route 1002 is a two-lane, macadam roadway which proceeds in a generally north-south direction in the Township of Lawrence, Clearfield County, Pennsylvania.

8. That Lawrence Street is a two-lane, street which proceeds in a east-west direction in the Village of Hyde and intersects with State Route 1002.

9. That Lawrence Street is controlled by a stop sign at the point where it intersects with State Route 1002.

10. That on or about the said day and at or about the said time, the Plaintiff, Tina M. Davis, was proceeding north on State Route 1002 and had reached the point where said road intersects with Lawrence Street.

11. That on or about the said day and at or about the said time, the Defendant, Howard Neeper, was proceeding east on Lawrence Street and had reached the point where Lawrence Street intersects with State Route 1002.

12. That on or about the said day and at or about the said time, the Defendant, Howard Neeper, failed to stop at the stop sign controlling the intersection of Lawrence Street with State Route 1002 and entered unto State Route 1002 directly into the path of the vehicle operated by the Plaintiff, Tina M. Davis, causing Plaintiff to strike the vehicle operated by the Defendant.

13. That as a result of the collision described in Paragraph 12 hereof which is incorporated herein by reference, the Plaintiff, Tina M. Davis, was thrown generally forward and backward within the vehicle she was operating causing the numerous and serious injuries hereinafter set forth.

14. That the Defendant, Howard Neeper, was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries received by the Plaintiff, Tina M. Davis, as follows:

A. The Defendant, Howard Neeper, failed to have his vehicle under proper control;

B. The Defendant, Howard Neeper, failed to maintain a proper lookout;

C. The Defendant, Howard Neeper, violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3714, 75 Pa.C.S.A. Section 3714, and supplements thereto, in that he operated his vehicle upon Lawrence

Street with careless disregard for the safety of the Plaintiff, Tina M. Davis.

D. The Defendant, Howard Neeper, violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3323, 75 Pa.C.S.A. Section 3323, and supplements thereto, in that he failed to stop at a stop sign at the point nearest the intersection roadway and yielding the right-of-way to the vehicle operated by the Plaintiff, Tina M. Davis.

E. That the Defendant, Howard Neeper, violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3736, 75 Pa.C.S.A. Section 3736, and supplements thereto, in that he operated his vehicle upon Lawrence Street in willful or wanton disregard for the safety of the person or property of the Plaintiff, Tina M. Davis.

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

15. That as a result of the negligence, carelessness and recklessness of the Defendant, Howard Neeper, as set forth in Paragraph 14 hereof and incorporated herein by reference, the Plaintiff, Tina M. Davis, received serious and extensive injuries which may and probably will be permanent as follows:

- A. Disc Herniation C6-7;
- B. Disc Herniation C5-6;
- C. C-7 radiculopathy;
- D. C-5 nerve root compression.

16. That the Plaintiff, Tina M. Davis, has been required to expend sums for the treatment of the injuries referred to in Paragraph 15 hereof and will continue to incur medical services for an indefinite period of time in the future for the treatment of those injuries.

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

18. That as a result of the injuries referred to in Paragraph 15 hereof which is incorporated herein by reference, the Plaintiff, Tina M. Davis, has not been employed since the date of the accident and has incurred lost earnings in excess of any amount for which she has been compensated and will continue to incur said loss for an indefinite period of time in the future.

19. That the Plaintiff, Tina M. Davis, claims a reasonable amount for the following:

- A. Lost wages;
- B. Future lost wages;
- C. A reasonable amount for pain and suffering; past, present and future;
- D. Cost of replacing household services;
- E. Privation and inconvenience due to the injuries and treatment, past, present and future;
- F. Impairment of earning power;
- G. Mental anguish and depression resulting from the accident;
- H. Other damages allowable by law.

WHEREFORE, Plaintiff, Tina M. Davis, claims unliquidated damages in an amount in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

COUNT II

Harry V. Davis, Jr. v. Howard Neeper

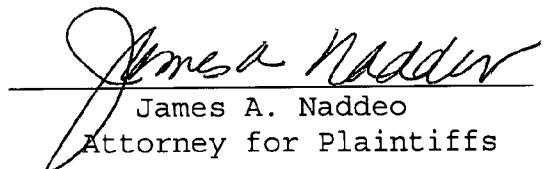
20. That the Plaintiff, Harry V. Davis, Jr., incorporates Paragraphs 1 through 19 of this Complaint by reference and makes them a part hereof.

21. That the Plaintiff, Harry V. Davis, Jr., is the husband of Tina M. Davis, having been married to the said Tina M. Davis on July 8, 1978.

22. That the Plaintiff, Harry V. Davis, Jr., has resided with his wife, Tina M. Davis, since the date of the parties' marriage and has continued to reside with her up to and include the time of the filing of this Complaint.

23. That as a result of the injuries suffered by the Plaintiff, Tina M. Davis, the Plaintiff, Harry V. Davis, Jr., has been denied the society of his wife and shall continue to be denied her society for an indefinite period of time in the future.

WHEREFORE, Plaintiff, Harry V. Davis, Jr., claims unliquidated damages in an amount in excess of Twenty thousand (\$20,000.00) Dollars. Jury Trial Demanded.



James A. Naddeo
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

COUNTY OF CLEARFIELD

)

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

Tina M. Davis
Tina M. Davis

SWORN and SUBSCRIBED before me this 5th day of April, 2001,

Linda C. Davis

Notary Seal
Linda C. Davis, Notary Public Clearfield County, Pennsylvania My Commission Expires July 25, 2003

FILED

APR 06 2001
04/11/01 ATT NADDEO
William A. Shaw
Prothonotary

cc atty.

Leave over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

(2)

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10869

DAVIS, HARRY V. JR. & TINA M.

01-479-CD

VS.

NEEPER, HOWARD

COMPLAINT

SHERIFF RETURNS

**NOW APRIL 9, 2001 AT 10:15 AM DST SERVED THE WITHIN COMPLAINT ON
HOWARD NEEPER, DEFENDANT AT RESIDENCE, RD # 3, BOX 36, CLEARFIELD,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HOWARD NEEPER A
TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN
TO HIM THE CONTENTS THEREOF.**

SERVED BY: DAVIS/MORGILLO

Return Costs

Cost Description

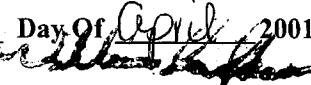
19.34 SHFF. HAWKINS PAID BY: ATTY.

10.00 SURCHARGE PAID BY: ATTY.

FILED

APR 11 2001
01/11/01 am
William A. Shaw
Prothonotary

Sworn to Before Me This

11th Day of April 2001


So Answers,


Chester A. Hawkins
Sheriff

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

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR., and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

APR 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR., and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
* Number 2001 - 479 C.D.

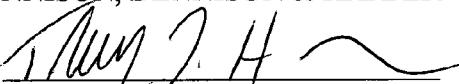
APPEARANCE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please enter our Appearance on behalf of the Defendant, HOWARD NEEPER, in regard to the above entitled matter.

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for Defendant

Dated: 4/27/01

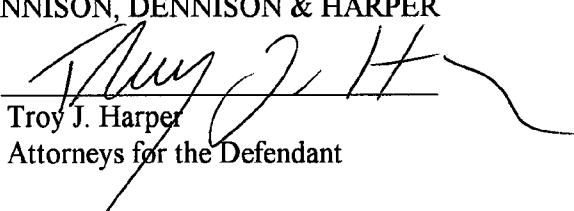
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Appearance was served on the
27th day of April, 2001, by United States Mail, First Class,
Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Answer and New Matter

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 16 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

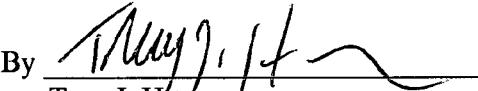
* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

NOTICE TO PLEAD

TO: HARRY V. DAVIS, JR. and TINA M. DAVIS:

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

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
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* Number 2001 - 479 C.D.

ANSWER AND NEW MATTER

AND NOW, comes the Defendant, HOWARD NEEPER, by his attorneys, Dennison, Dennison & Harper, who file the following Answer and New Matter in response to the Plaintiffs' Complaint:

1. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 1 of the Plaintiffs' Complaint, and said averments are therefore denied.
2. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 2 of the Plaintiffs' Complaint, and said averments are therefore denied.
3. Admitted.

COUNT I

Tina M. Davis v. Howard Neeper

4. Admitted.
5. Admitted.

6. Admitted.

7. Admitted.

8. Admitted.

9. Admitted.

10. The averments of Paragraph 10 of the Plaintiffs' Complaint are admitted insofar as the Plaintiff, Tina M. Davis, was proceeding north on State Route 1002 toward the intersection of State Route 1002 and Lawrence Road. With respect to the averments of Paragraph 10 of the Plaintiffs' Complaint concerning the exact point where the Plaintiff was located at any particular time, after reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to establish the truth of the averments, and said averments are therefore denied.

11. Admitted.

12. The averments of Paragraph 12 of the Plaintiffs' Complaint are admitted only insofar as the Defendant, Howard Neeper, was operating the vehicle and that there was a collision. The remaining averments of Paragraph 12 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

13. The averment of Paragraph 13 of the Plaintiffs' Complaint that there was a collision are admitted. By way of further response, the averments of Paragraph 12 of this Answer are incorporated herein by reference thereto. With respect to the remaining averments of Paragraph 13 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, Howard Neeper, is

without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

14. With respect to the averments of Paragraph 14 of the Plaintiffs' Complaint alleging any injuries, after reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied. The remaining averments of Paragraph 14 of the Plaintiffs' Complaint and subparagraphs A. through F. thereof are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

15. The averments of Paragraph 15 of the Plaintiffs' Complaint alleging any negligence, carelessness and recklessness by the Defendant, Howard Neeper, are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required. With respect to the remaining averments of Paragraph 15 of the Plaintiffs' Complaint and subparagraphs A. through D. thereof, after reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

16. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 16 of the Plaintiffs' Complaint, and said averments are therefore denied.

17. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 17 of the Plaintiffs' Complaint, and said averments are therefore denied.

18. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 18 of the Plaintiffs' Complaint, and said averments are therefore denied.

19. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 19 and subparagraphs A. through H. thereof of the Plaintiffs' Complaint, and said averments are therefore denied.

WHEREFORE, the Defendant, Howard Neeper, demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

COUNT II

Harry V. Davis, Jr. v. Howard Neeper

20. Paragraph 20 of the Plaintiffs' Complaint contains no allegations of fact and is merely an incorporation clause, and no further response is required. To the extent any further response is deemed required, the averments of Paragraphs 1 through 19 of this Answer are incorporated herein by reference thereto.

21. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 21 of the Plaintiffs' Complaint, and said averments are therefore denied.

22. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 22 of the Plaintiffs' Complaint, and said averments are therefore denied.

23. After reasonable investigation, the Defendant, Howard Neeper, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 23 of the Plaintiffs' Complaint, and said averments are therefore denied.

WHEREFORE, the Defendant, Howard Neeper, demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

NEW MATTER

24. The terms and conditions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., are hereby incorporated herein by reference thereto as fully as the same bar and/or diminish any claim or cause of action of the Plaintiffs.

25. At the time of the accident complained of in the Plaintiffs' Complaint, and at all times material hereto, the Plaintiff, Tina Davis, was subject to the limited tort option under the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq.

26. The Plaintiff, Tina Davis, did not sustain serious injuries, as defined by the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., as a result of the accident described in the Plaintiffs' Complaint and therefore all claims for noneconomic damages are barred.

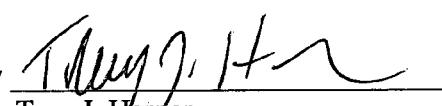
27. The Plaintiffs have failed to state a cause of action upon which relief may be granted.

28. The Defendant, Howard Neeper, without prejudice to any defense and without any admission of liability, made payment to the Plaintiff, Tina M. Davis, in the amount of Two

Hundred Thirty-nine and 36/100 (\$239.36) for her lost wage claim. Said payment is plead as a set off, payment, accord and satisfaction and/or release of any claims by the Plaintiff, Tina M. Davis, including any claim for lost wages.

WHEREFORE, the Defendant, Howard Neeper, demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for Defendant

VERIFICATION

I verify that the averments made in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

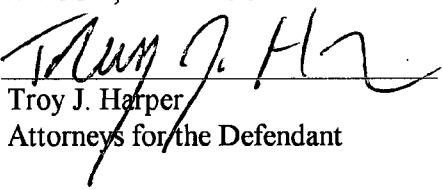
Howard E Neep
Howard Neep

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Answer and New Matter was served on the 15th day of May, 2001, by United States Mail, First Class, Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 17 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
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* Civil Action - Law
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* Number 2001 - 479 C.D.

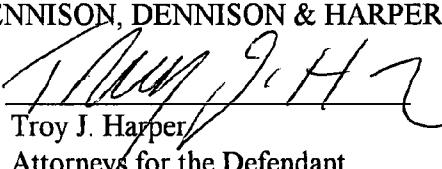
CERTIFICATE OF SERVICE

I certify that an original and two certified copies of the First Set of Interrogatories
Directed to the Plaintiffs and an original and two certified copies of the First Set of Request for
Production of Documents Directed to the Plaintiffs were served on the 16th day of
May, 2001, by United States Mail, First Class, Postage Prepaid,
addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: 5/29/01

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. Michael Moncman, Central Pennsylvania Neurosurgical Associates, 1701
(Name of Person or Entity)
12th Avenue, Suite F, Altoona, PA 16601

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See attached

(Address)

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

TELEPHONE: (814) 849-8316

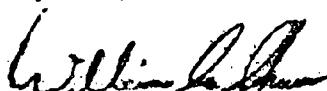
SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

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

**HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,**

vs.

**HOWARD NEEPER,
an individual,
Defendant.**

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

**Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21**

Filed on behalf of: Defendant

Counsel of Record for this Party:

**Troy J. Harper
Supreme Court Number: 74753**

**John C. Dennison, II
Supreme Court Number: 29408**

**DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316**

FILED

MAY 30 2001

**William A. Shaw
Prothonotary**

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: May 29, 2001

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Dr. Amado Lague, 500 Turnpike Avenue, Clearfield, PA 16830
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, ^(Address) 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

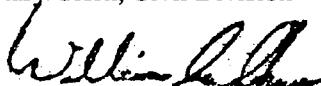
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper

Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Dr. Mark Lipitz, Blair Medical Associates, 1414 Eighth Avenue, Altoona, PA 16602
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:
See attached

(Address)

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

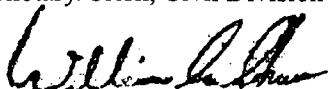
If you fail to produce the documents or things required by this subpoena within twenty (20) days
after its service, the party serving this subpoena may seek a court order compelling you to comply with
it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 24th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Cleqrfield Hospital, 809 Turnpike Avenue, Clearfield,
PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825. (Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

TELEPHONE: (814) 849-8316

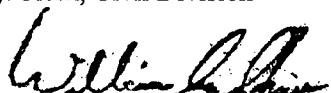
SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: 5/29/01

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Records Custodian, Philipsburg Area Hospital, 210 Loch Lomond Road,
Philipsburg, PA 16866 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:
See attached sheet

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

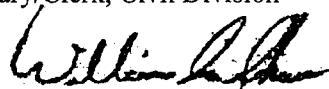
If you fail to produce the documents or things required by this subpoena within twenty (20) days
after its service, the party serving this subpoena may seek a court order compelling you to comply with
it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. H
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

Defendant(s)

*

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

TO: Dr. Ciceron L. Opida, 1915 Valley View Blvd., Altoona, PA 16602
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

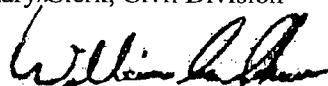
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court



Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper

Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Dr. Patrick Gianopoulos, Philipsburg Medical Center, 15 Ames Plaza,
Philipsburg, PA 16866 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001
Seal of the Court

Deputy



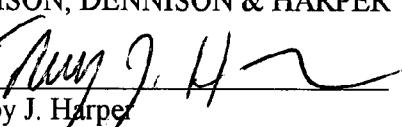
Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 24th day of McWay, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

MAY 30 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: 5/29/01

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

Howard Neeper

*

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

TO: Records Custodian, Outpatient Physical Therapy, Philipsburg Area Hospital,
(Name of Person or Entity)
210 Loch Lomand Road, Philipsburg, PA 16866

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, ^(Address) 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

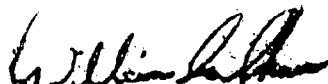
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

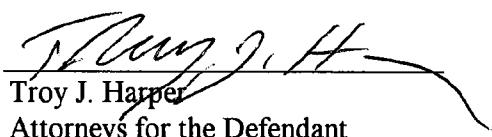
Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, therapy records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

*
*
* Type of Pleading:
*
* Answer to New Matter
*
*
* Filed on behalf of:
* Plaintiffs
*
* Counsel of Record for
* this party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

JUN 04 2001

William A. Shaw
Prothonotary

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

ANSWER TO NEW MATTER

NOW COME Plaintiffs, HARRY V. DAVIS, JR. and TINA M. DAVIS, by and through their attorney, James A. Naddeo, Esquire set forth the following Answer to New Matter.

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

2. Paragraph 25 states a conclusion of law to which no answer is required.

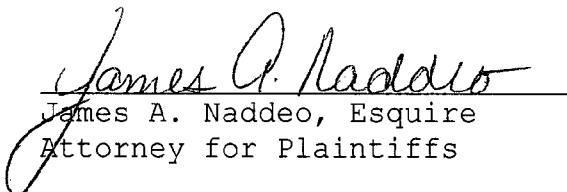
3. Paragraph 26 states a conclusion to which no answer is required. To the extent that an answer may be required, said allegation is denied and to the contrary, it is alleged that Plaintiff, Tina M. Davis, suffered a disc herniation at C6-7 and a disc bulge at C4-5. In further answer thereto, it is alleged that the herniation pinches a nerve column resulting in serious impairment of body function. In further answer thereto, it is

alleged that Plaintiff, Tina M. Davis, had elected the full-tort option at the time of the accident.

4. Paragraph 27 states a conclusion of law to which no answer is required.

5. Paragraph 28 is admitted in so far as it states that Defendant made payment to Plaintiff, Tina M. Davis, in the amount of Two Hundred Thirty Nine and 36/100 (\$239.36) Dollars for lost wages. It is denied, however, that said payment is in any manner a bar to Plaintiff's claim for wage loss over and above the amount for which she has been compensated.

WHEREFORE, Plaintiffs claim damages set forth in their Complaint.



James A. Naddeo, Esquire
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

COUNTY OF CLEARFIELD

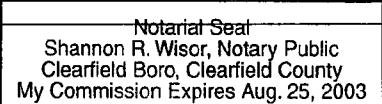
)

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

Tina M. Davis
Tina M. Davis

SWORN and SUBSCRIBED before me this 1st day of June, 2001.

Shannon R. Wisor



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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Answer to New Matter filed in the above-captioned action was served on the following person and in the following manner on the 4th day of June, 2001:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825-1291



James A. Naddeo
Attorney for Plaintiffs

FILED

JUN 04 2001
O 10:38 AM CATTY NADDEO
William A. Shaw
Prothonotary
862

— Lap over margin —

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

14

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUN 14 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
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* Civil Action - Law
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* Number 2001 - 479 C.D.

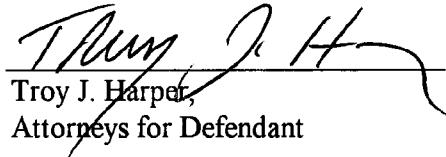
**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 6/13/01

DENNISON, DENNISON & HARPER

By 
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Tyrone Hospital, 1 Hospital Drive, Tyrone, PA 16686
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

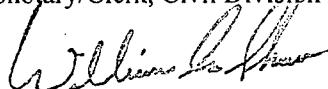
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 13th day of June, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

FILED

JUN 14 2001

110-0712-07

WILLIAM A. SHAW
William A. Shaw
Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUN 14 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

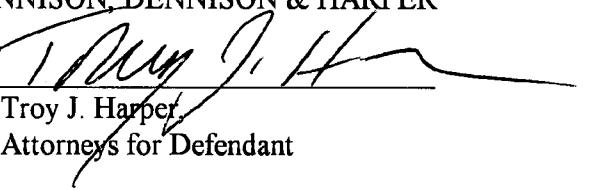
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 6/13/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Nationwide Mutual Insurance Company, 1000 Nationwide
Boulevard, Harrisburg, PA 17110 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

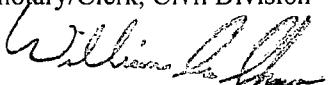
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident that occurred on or about April 15, 1999, involving Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, with a Nationwide Insurance Claim Number of 54370072979041599.

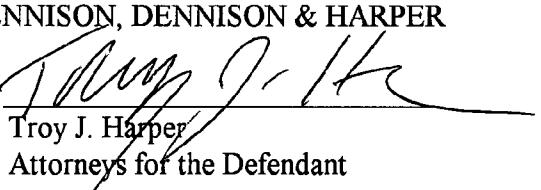
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 13th day of JUNE, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUN 14 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: 6/13/01

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Altoona Hospital, 620 Howard Avenue, Altoona, PA 16601
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

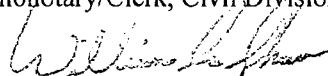
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 13th day of June, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Nepper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By 
Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

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

**HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,**

vs.

**HOWARD NEEPER,
an individual,
Defendant.**

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

**Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21**

Filed on behalf of: Defendant

Counsel of Record for this Party:

**Troy J. Harper
Supreme Court Number: 74753**

**John C. Dennison, II
Supreme Court Number: 29408**

**DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316**

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

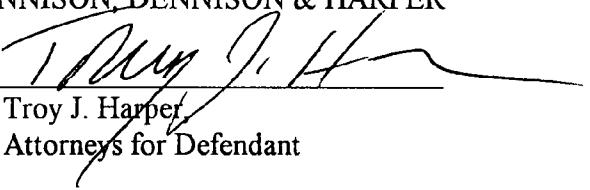
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 6/13/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Nationwide Mutual Insurance Company, 1000 Nationwide
Boulevard, Harrisburg, PA 17110 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

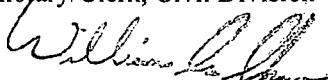
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident that occurred on or about April 15, 1999, involving Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, with a Nationwide Insurance Claim Number of 54370072979041599.

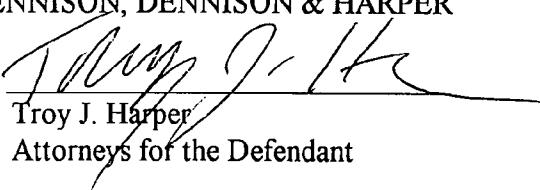
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 13th day of June, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 

Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- *
- * Civil Action - Law
- *
- *
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- *
- *
- * Number 2001-479 C.D.

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,

Defendant.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Records Custodian
Nationwide Mutual Insurance Company
100 Nationwide Boulevard
Harrisburg, PA 17110**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

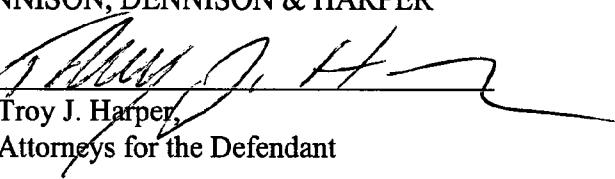
There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire first party benefits, claims, and/or investigative file in his/her possession for an accident that occurred on or about April 15, 1999, involving that Nationwide insured, Tina M. Davis, Date of Birth: 07/05/1961, Social Security

Number: 192-50-7638, with a Nationwide Insurance Claim Number of 54370072979041599 and other such documents as set forth on the attached subpoena.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By



Troy J. Harper
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Nationwide Mutual Insurance Company, 1000 Nationwide
Boulevard, Harrisburg, PA 17110 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

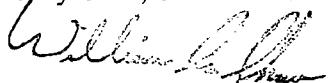
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident that occurred on or about April 15, 1999, involving Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, with a Nationwide Insurance Claim Number of 54370072979041599.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

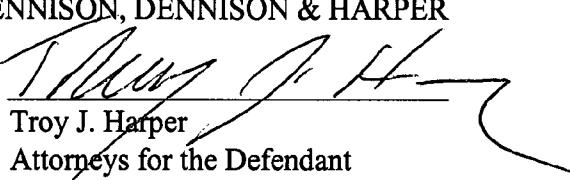
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Records Custodian
Nationwide Mutual Insurance Company
1000 Nationwide Boulevard
Harrisburg, PA 17110

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Nepper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- * Civil Action - Law
- *
- *
- *
- *
- *
- * Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,

Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: May 29, 2001

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Dr. Amado Lague, 500 Turnpike Avenue, Clearfield, PA 16830
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See attached

at Dennison, Dennison & Harper, ^(Address) 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

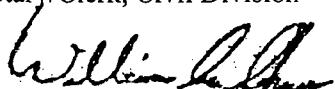
If you fail to produce the documents or things required by this subpoena within twenty (20) days
after its service, the party serving this subpoena may seek a court order compelling you to comply with
it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

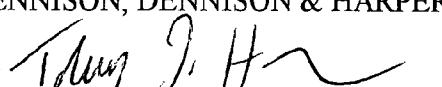
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 24th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

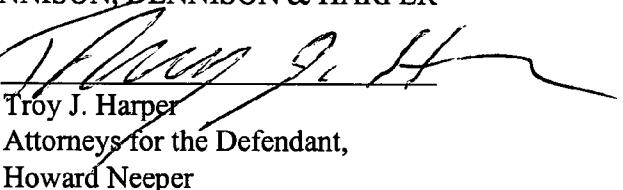
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Dr. Amado Iugue
500 Turnpike Avenue
Clearfield, PA 16830**

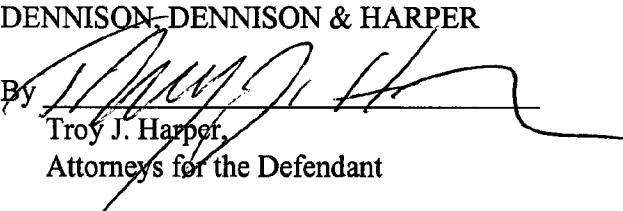
PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. Amado Lugue, 500 Turnpike Avenue, Clearfield, PA 16830

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, ^(Address) 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

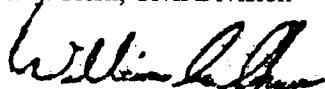
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court



Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

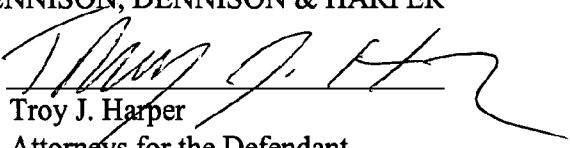
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Dr. Amado Lugue
500 Turnpike Avenue
Clearfield, PA 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Nepper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
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*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By

Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

DENNISON, DENNISON & HARPER

Dated: 5/29/01

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

No. 2001-00479-CD

*

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

TO: Dr. Michael Moncman, Central Pennsylvania Neurosurgical Associates, 1701
(Name of Person or Entity)

12th Avenue, Suite F, Altoona, PA 16601

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See attached

(Address)

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 1/2 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

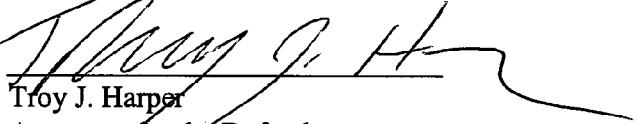
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of JULY, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,

Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- *
- * Civil Action - Law
- *
- *
- *
- *
- * Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Dr. Michael Moncman
Central Pennsylvania Neurosurgical Associates
1701 12th Avenue, Suite F
Altoona, PA 16601**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

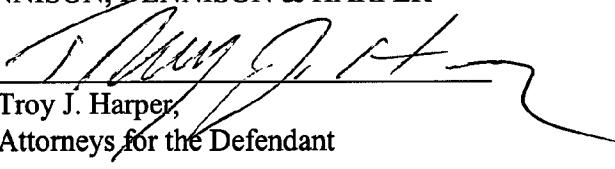
There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other

documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Dr. Michael Moncman, Central Pennsylvania Neurosurgical Associates, 1701
(Name of Person or Entity)

12th Avenue, Suite F, Altoona, PA 16601

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See attached

(Address)

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

TELEPHONE: (814) 849-8316

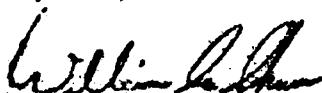
SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage

Prepaid addressed to the following:

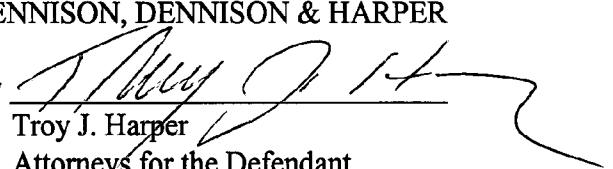
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Dr. Michael Moncman
Central Pennsylvania Neurosurgical Associates
1701 12th Avenue, Suite F
Altoona, PA 16601

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By Troy J. H.
Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- * Civil Action - Law
- *
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- *
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- * Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. Patrick Gianopoulos, Philipsburg Medical Center, 15 Ames Plaza,
Philipsburg, PA 16866 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court

William A. Shaw
Deputy

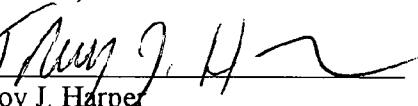
Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 24th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

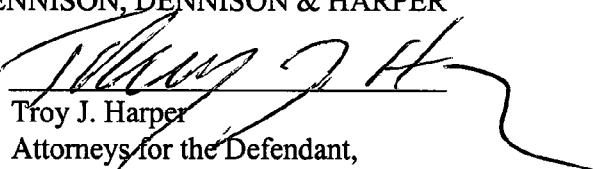
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Dr. Patrick Gianopoulos
Philipsburg Medical Center
15 Ames Plaza
Philipsburg, PA 16866**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

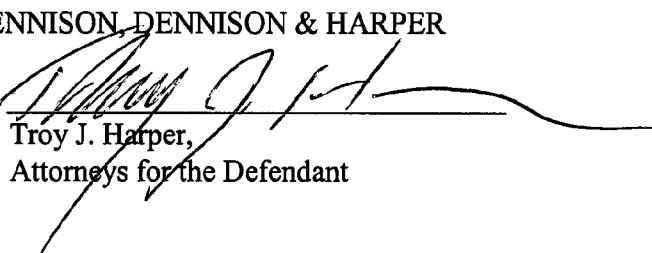
There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other

documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. Patrick Gianopoulos, Philipsburg Medical Center, 15 Ames Plaza,
Philipsburg, PA 16866 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court


Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

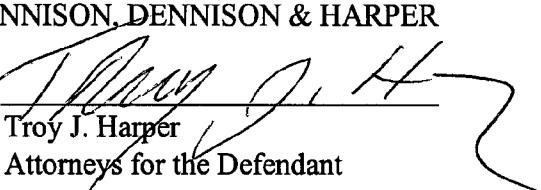
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Dr. Patrick Gianopoulos
Philipsburg Medical Center
15 Ames Plaza
Philipsburg, PA 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

111 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

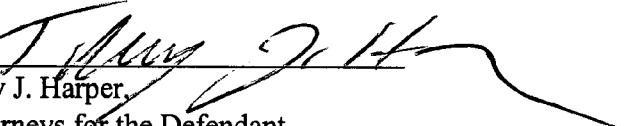
1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
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* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

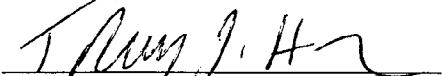
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

No. 2001-00479-CD

*

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

TO: Records Custodian, Cleqrfield Hospital, 809 Turnpike Avenue, Clearfield,
PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)
at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001
Seal of the Court



Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 

Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Records Custodian
Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

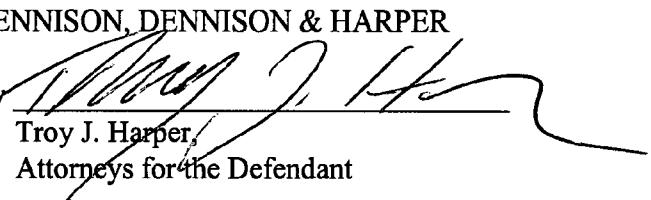
There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other

documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Records Custodian, Cleqrfield Hospital, 809 Turnpike Avenue, Clearfield,
PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)
at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

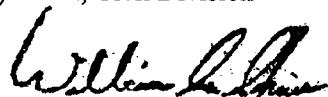
NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001
Seal of the Court

Deputy



Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

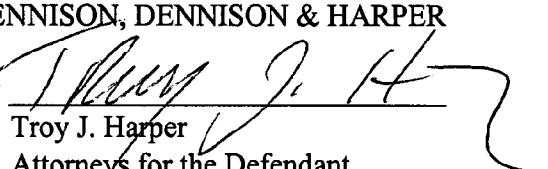
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Records Custodian
Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/20/01

DENNISON, DENNISON & HARPER

By Troy J. H
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper
Defendant(s)

*

*

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

TO: Dr. Ciceron L. Opida, 1915 Valley View Blvd., Altoona, PA 16602
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

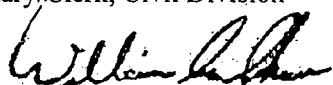
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 24th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. H
Troy J. Harper
Attorneys for the Defendant

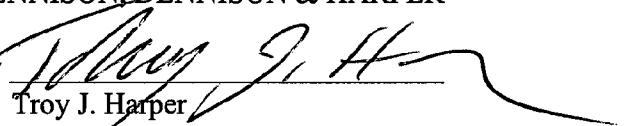
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

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William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,

Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- *
- * Civil Action - Law
- *
- *
- *
- *
- * Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Dr. Ciceron L. Opida
1915 Valley View Blvd.
Altoona, PA 16602**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON DENNISON & HARPER

By 

Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. Ciceron L. Opida, 1915 Valley View Blvd., Altoona, PA 16602
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court



Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

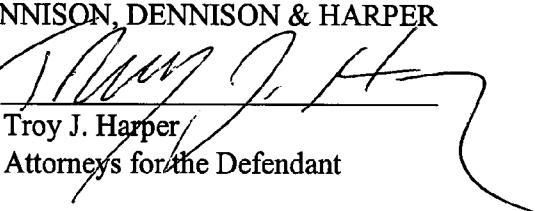
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Dr. Ciceron L. Opida
1915 Valley View Blvd.
Altoona, PA 16602

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

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William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

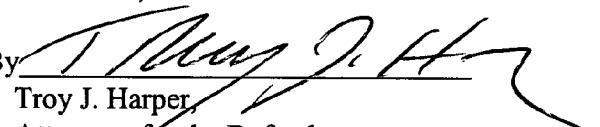
1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. Mark Lipitz, Blair Medical Associates, 1414 Eighth Avenue, Altoona, PA 16602
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:
See attached

(Address)

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

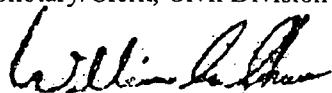
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 24th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

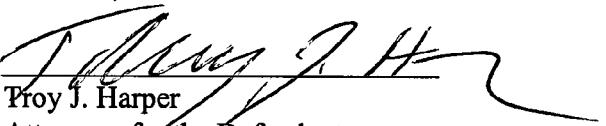
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

**HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,**

**Plaintiffs,
vs.**

**HOWARD NEEPER,
an individual,
Defendant.**

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Dr. Mark Lipitz
Blair Medical Associates
1414 Eighth Avenue
Altoona, PA 16602**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

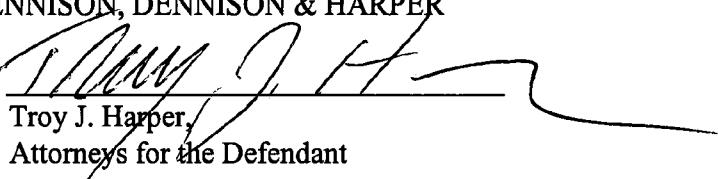
There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other

documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

*

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

TO: Dr. Mark Lipitz, Blair Medical Associates, 1414 Eighth Avenue, Altoona, PA 16602
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:
See attached

(Address)

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

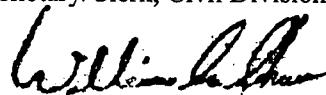
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court



Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

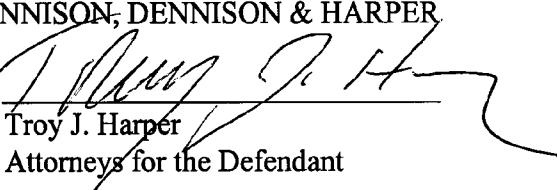
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Dr. Mark Lipitz
Blair Medical Associates
1414 Eighth Avenue
Altoona, PA 16602

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Philipsburg Area Hospital, 210 Loch Lomond Road,
Philipsburg, PA 16866 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:
See attached sheet

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

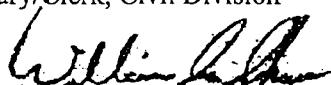
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

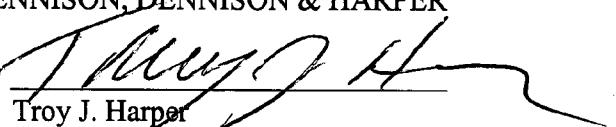
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,
vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Records Custodian
Philipsburg Area Hospital
210 Loch Lomond Road
Philipsburg, PA 16866**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other

documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By



Troy J. Harper

Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Records Custodian, Philipsburg Area Hospital, 210 Loch Lomond Road,
Philipsburg, PA 16866 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:
See attached sheet

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

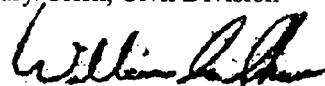
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001
Seal of the Court



Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

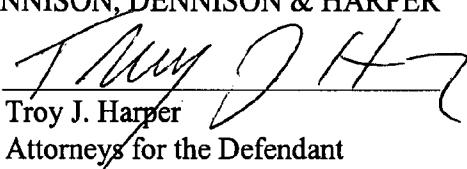
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Records Custodian
Philipsburg Area Hospital
210 Loch Lomond Road
Philipsburg, PA 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By Troy J. Harper

Troy J. Harper

Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 5/29/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Outpatient Physical Therapy, Philipsburg Area Hospital,
(Name of Person or Entity)
210 Loch Lomand Road, Philipsburg, PA 16866

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See attached

at Dennison, Dennison & Harper, ^(Address) 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

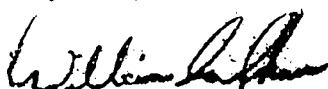
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, May 17, 2001

Seal of the Court

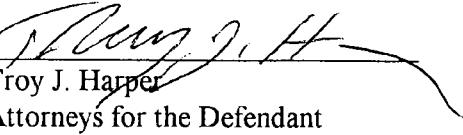
Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, therapy records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 29th day of May, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Records Custodian
Outpatient Physical Therapy
Philipsburg Area Hospital
210 Loch Lomand Road
Philipsburg, PA 16866**

PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

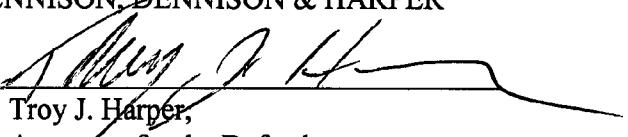
There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire meical recods in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena, including copies and/or originals of all imaging

studies or x-rays.

DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper
Defendant(s)

*

*

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

TO: Records Custodian, Outpatient Physical Therapy, Philipsburg Area Hospital,
(Name of Person or Entity)
210 Loch Lomand Road, Philipsburg, PA 16866

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See attached

at Dennison, Dennison & Harper, ^(Address) 293 Main Street, Brookville, PA 15825.

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Howard Neeper, Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Thursday, May 17, 2001

Seal of the Court

William A. Shaw
Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, therapy records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

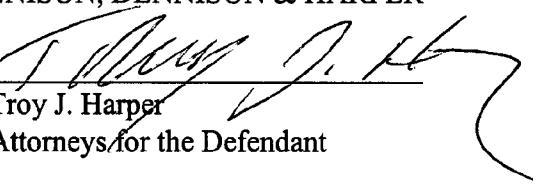
I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of JULY, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Records Custodian
Outpatient Physical Therapy
Philipsburg Area Hospital
210 Loch Lomand Road
Philipsburgh, PA 16866

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

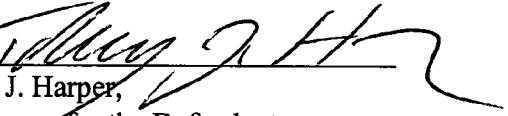
1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- * Civil Action - Law
- *
- *
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- *
- *
- * Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

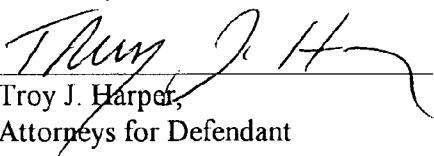
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 6/13/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Tyrone Hospital, 1 Hospital Drive, Tyrone, PA 16686
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

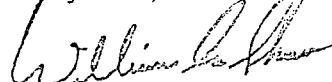
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

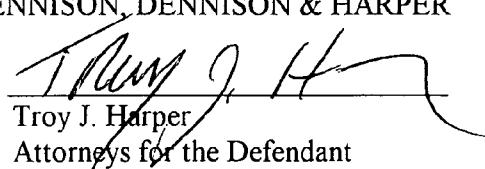
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 13th day of June, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

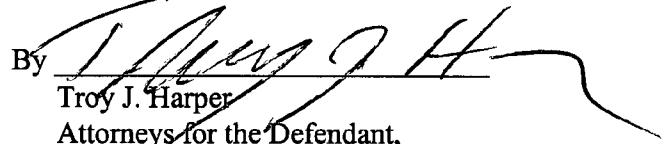
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 11 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Records Custodian
Tyrone Hospital
1 Hospital Drive
Tyrone, PA 16686**

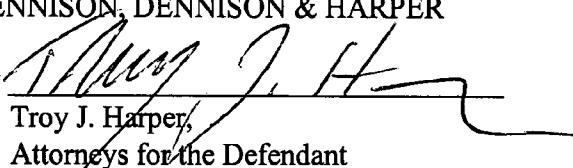
PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

*

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

*

Defendant(s)

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

TO: Records Custodian, Tyrone Hospital, 1 Hospital Drive, Tyrone, PA 16686
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

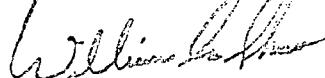
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

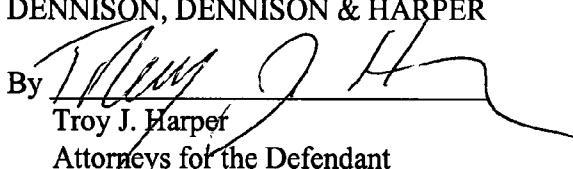
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Records Custodian
Tyrone Hospital
1 Hospital Drive
Tyrone, PA 16686

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant, Howard
Neeper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 7/5/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,

Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 6/13/01

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Records Custodian, Altoona Hospital, 620 Howard Avenue, Altoona, PA 16601
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

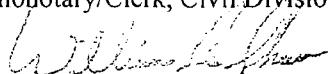
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 13th day of June, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 5th day of July, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JUL 06 2001

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Records Custodian
Altoona Hospital
620 Howard Avenue
Altoona, PA 16601**

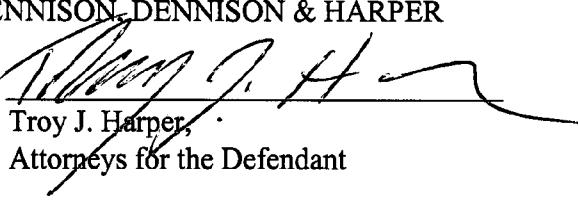
PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Records Custodian for Altoona Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Records Custodian, Altoona Hospital, 620 Howard Avenue, Altoona, PA 16601
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

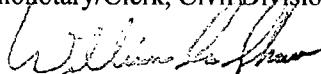
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



DATE: Tuesday, May 29, 2001
Seal of the Court

Deputy

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/1961, SSN: 192-50-7638, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
5th day of July, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552

and by certified mail, return receipt requested, addressed to the following:

Records Custodian
Altoona Hospital
620 Howard Avenue
Altoona, PA 16601

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendant

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

*
*
* Type of Pleading:
*
* Certificate of Service
*
*
* Filed on behalf of:
* Plaintiffs
*
* Counsel of Record for
* this party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

JUL 09 2001

William A. Shaw
Prothonotary

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiffs' Answer to Defendant's Interrogatories and Answer to Production of Documents filed in the above-captioned action was served on the following person and in the following manner on the 9th day of July, 2001:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo
Attorney for Plaintiffs

10/23
1 Curr to ATTY
Prothonotary
William A. Straw
0/31301w
JUL 09 2001

RECEIVED

Lap over margin

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

AUG 09 2001

**William A. Shaw
Prothonotary**

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

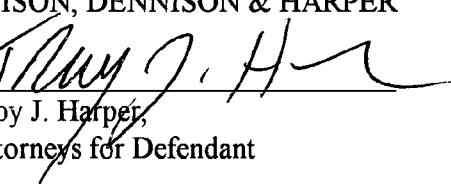
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 8/8/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper
Defendant(s)

*

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

TO: Dr. William Welch, Department of Neurosurgery, Presbyterian University Hospital, 200 Lothrop Street, Pittsburgh, PA 15213
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

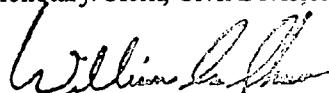
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001
Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/61, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

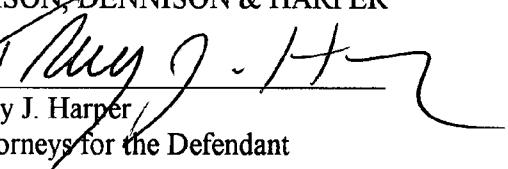
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 8th day of August, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED
AUG 09 2001
William A. Sharz
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- * Civil Action - Law
- *
- *
- *
- * Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

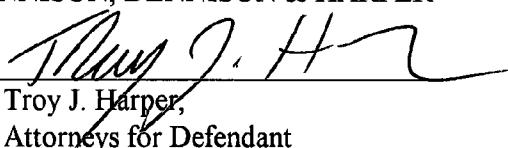
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 8/8/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.
Tina M. Davis
Plaintiff(s)

Vs.

Howard Neeper
Defendant(s)

*

*

No. 2001-00479-CD

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

TO: Personnel Director, Bayer Clothing Group, Fletcherville Plant, Route 17040, Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

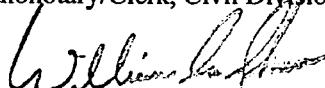
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

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

NAME: Troy J. Harper
ADDRESS: 293 Main Street
Brookville, PA 15825
TELEPHONE: (814) 849-8316
SUPREME COURT ID # 74753
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001
Seal of the Court

Any and all documents and records contained in any employment file for Tina M. Davis, DOB: 7/5/61, SSN: 192-50-7638, including but not limited to applications for employment, payroll records, disciplinary reports, evaluations, notices, leaves of absence, termination notices, job descriptions, salary information, workman's compensation claims, accident reports and correspondences.

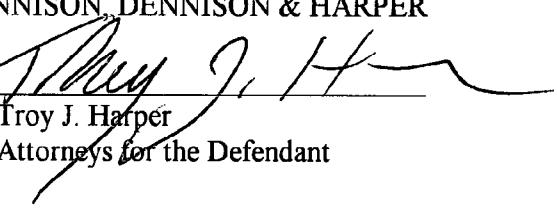
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 8th day of August, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

*
*
* Type of Pleading:
*
* Certificate of Service
*
*
* Filed on behalf of:
* Plaintiffs
*
* Counsel of Record for
* this party:
*
*
* James A. Naddeo, Esq.
* Pa I.D. 06820
*
* 211 1/2 E. Locust Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

FILED

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John A. Shaw
Prothonotary

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

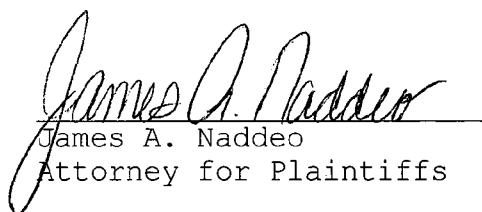
HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Interrogatories Addressed to Defendant filed in the above-captioned action was served on the following person and in the following manner on the 13th day of November, 2001:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825-1291



James A. Naddeo
Attorney for Plaintiffs

FILED

NOV 13 2001

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J.A. Shaw
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JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

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William A. Shaw
Prothonotary



HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,

Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- *
- * Civil Action - Law
- *
- *
- *
- *
- * Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

TO: Dr. William Welch
Department of Neurosurgery
Presbyterian University Hospital
200 Lothrop Street
Pittsburgh, PA 15213

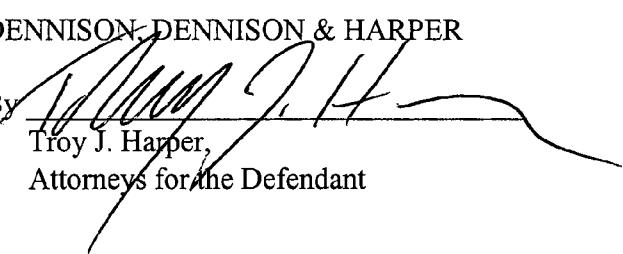
PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of Dr. William Welch, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena, including copies and/or originals of all imaging studies or x-rays.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

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

TO: Dr. William Welch, Department of Neurosurgery, Presbyterian University Hospital, 200 Lothrop Street, Pittsburgh, PA 15213
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

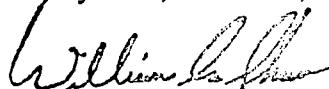
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/61, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
31st day of December, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

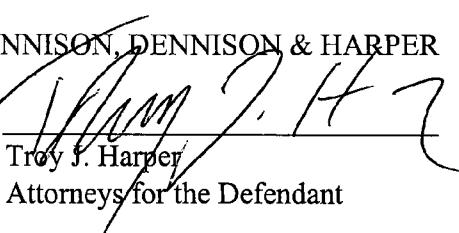
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Dr. William Welch
Department of Neurosurgery
Presbyterian University Hospital
200 Lothrop Street
Pittsburgh, PA 15213

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant, Howard
Nepper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JAN 02 2002

1/1/34/noc
William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

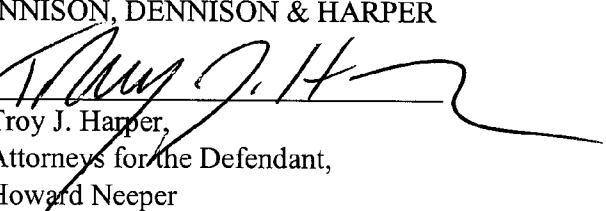
1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 12/31/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

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

**HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,**

vs.

**HOWARD NEEPER,
an individual,
Defendant.**

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

**Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21**

Filed on behalf of: Defendant

Counsel of Record for this Party:

**Troy J. Harper
Supreme Court Number: 74753**

**John C. Dennison, II
Supreme Court Number: 29408**

**DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316**

**HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,**

vs.

**HOWARD NEEPER,
an individual,
Defendant.**

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- * Civil Action - Law
- *
- *
- *
- *
- * Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 8/8/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

Defendant(s)

*

*

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

TO: Dr. William Welch, Department of Neurosurgery, Presbyterian University Hospital, 200 Lothrop Street, Pittsburgh, PA 15213
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all medical records in your possession for Tina M. Davis, DOB: 7/5/61, SSN: 192-50-7638, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

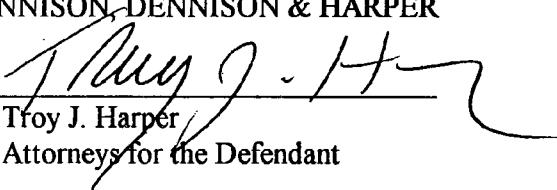
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 8th day of August, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 31st day of December, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 

Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition for
the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JAN 02 2002

m/1134/noc

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER,
an individual,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
*
* Civil Action - Law
*
*
*
* Number 2001-479 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF
COPYING RECORDS ONLY**

**TO: Personnel Director
Bayer Clothing Group
Fletcherville Plant
Route 17040
Clearfield, PA 16830**

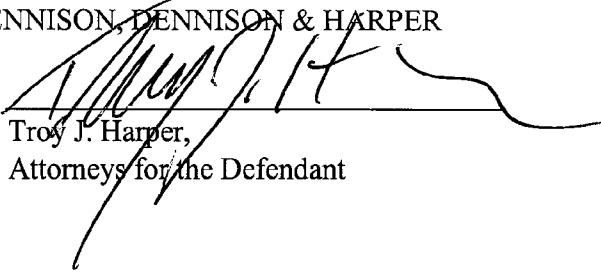
PLEASE TAKE NOTE that the Defendant, Howard Neeper, will take the deposition of the Personnel Director for Bayer Clothing Group, twenty (20) days from the service of this Notice and attached Subpoena upon the same, at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825.

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire employee file in his/her possession for Tina M. Davis, Date of Birth: 07/05/1961, Social Security Number: 192-50-7638, and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for the Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

*

Defendant(s)

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

TO: Personnel Director, Bayer Clothing Group, Fletcherville Plant, Route 17040,
Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

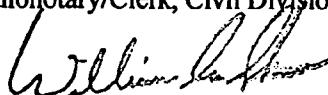
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001

Seal of the Court

Any and all documents and records contained in any employment file for Tina M. Davis, DOB: 7/5/61, SSN: 192-50-7638, including but not limited to applications for employment, payroll records, disciplinary reports, evaluations, notices, leaves of absence, termination notices, job descriptions, salary information, workman's compensation claims, accident reports and correspondences.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the
31st day of December, 2001 by United States Mail, First Class, Postage
Prepaid addressed to the following:

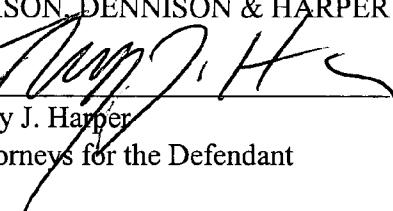
James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pa 16830

and by certified mail, return receipt requested, addressed to the following:

Personnel Director
Bayer Clothing Group
Fletcherville Plant
Route 17040
Clearfield, PA 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001-479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite
to Service of a Subpoena Pursuant to
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant, Howard
Nepper

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JAN 02 2002

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William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
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*
* Number 2001-479 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

Date: 12/31/01

DENNISON, DENNISON & HARPER

By 
Troy J. Harper,
Attorneys for the Defendant,
Howard Neeper

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

**HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,**

vs.

**HOWARD NEEPER,
an individual,
Defendant.**

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

**Type of Pleading: Notice of Intent
to Serve Subpoena to Produce Documents
and Things for Discovery Pursuant to
Pa.R.C.P. 4009.21**

Filed on behalf of: Defendant

Counsel of Record for this Party:

**Troy J. Harper
Supreme Court Number: 74753**

**John C. Dennison, II
Supreme Court Number: 29408**

**DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316**

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

- * In the Court of Common Pleas of
- * Clearfield County, Pennsylvania
- *
- * Civil Action - Law
- *
- *
- *
- *
- * Number 2001 - 479 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO
PA.R.C.P. 4009.21**

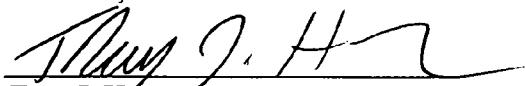
TO : HARRY V. DAVIS, JR., and TINA M. DAVIS:

Howard Neeper, by and through his attorneys, Dennison, Dennison & Harper, intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 8/8/01

DENNISON, DENNISON & HARPER

By


Troy J. Harper,
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Harry V. Davis Jr.

Tina M. Davis

Plaintiff(s)

Vs.

*

No. 2001-00479-CD

Howard Neeper

*

Defendant(s)

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

TO: Personnel Director, Bayer Clothing Group, Fletcherville Plant, Route 17040, Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached

(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

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

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

NAME: Troy J. Harper

ADDRESS: 293 Main Street
Brookville, PA 15825

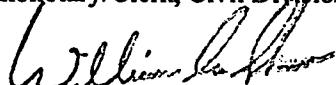
TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, May 29, 2001
Seal of the Court

Any and all documents and records contained in any employment file for Tina M. Davis, DOB: 7/5/61, SSN: 192-50-7638, including but not limited to applications for employment, payroll records, disciplinary reports, evaluations, notices, leaves of absence, termination notices, job descriptions, salary information, workman's compensation claims, accident reports and correspondences.

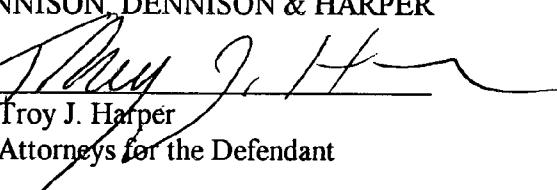
CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 8th day of August, 2001, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

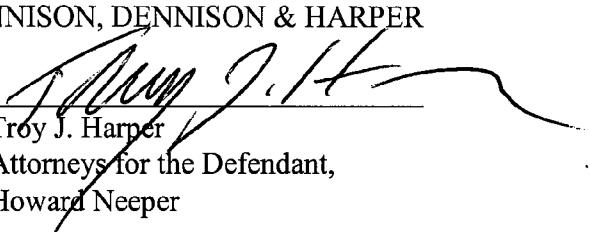

Troy J. Harper
Attorneys for the Defendant

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 31st day of December, 2001, by United States Mail, First Class, Postage Prepaid addressed to the following:

James A. Naddeo, Esq.
211 1/5 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By 

Troy J. Harper
Attorneys for the Defendant,
Howard Neeper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JAN 16 2002

11:50 a.m.

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

CERTIFICATE OF SERVICE

I certify that an original and one certified copy of the Defendant's Answers to
Interrogatories Addressed to Defendant were served on the 14th day of
January, 2002, by United States Mail, First Class, Postage Prepaid,
addressed to the following:

James A. Naddeo, Esq.
211 1/2 E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER
By Troy J. Harper
Troy J. Harper
Attorneys for the Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

HARRY V. DAVIS, JR. and TINA M. :
DAVIS, husband and wife :
-VS- : No. 01 - 479 - CD
HOWARD NEEPER, an individual :

ORDER

NOW, this 4th day of September, 2002, following status conference into the above-captioned matter, it is the ORDER of this Court that discovery, including depositions, shall be completed on or before February 1, 2003.

By the Court,

President Judge

FILED

SEP 04 2002

William A. Shaw
Prothonotary

FILED

SEP 04 2002

6 / 2:35 PM

William A. Shaw
Prothonotary

Client to Mandeville

get *get* (HARPER)

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

HARRY V. DAVIS, JR., and
TINA M. DAVIS,
husband and wife,
Plaintiffs,

v.

HOWARD NEEPER,
an individual,
Defendant.

* No. 01 - 479 - CD

* Type of Pleading:

CERTIFICATE OF SERVICE

* Filed on behalf of:
* Plaintiffs

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

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

FILED

SEP 04 2002

William A. Shaw
Prothonotary

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, Attorney for Plaintiffs, do hereby certify that a true and correct copy of Notice of Deposition of Howard Neeper in the above matter was served by first-class mail, postage prepaid, upon the following:

Troy J. Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825-1291

Sargent's Court Reporting
210 Main Street
Johnstown, PA 15901

Said Notice of Deposition was mailed this 4th day of September, 2002.

James A. Naddeo
James A. Naddeo, Esquire
Attorney for Plaintiffs

3:44 PM 04/20/02
S.E.P. 1cc
Atty naddeo
C.R.S.
William A. Shaw
Prothonotary

----- Lap over margin -----

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER, an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001-479 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of
Deposition of Tina M. Davis

Filed on behalf of: Defendant

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

SEP 05 2002
mli:351noc C
William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER, an individual,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action Law
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* Number 2001 - 479 C.D.

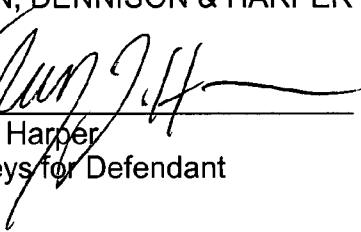
NOTICE OF DEPOSITION

TO: Tina M. Davis
c/o James A. Naddeo, Esq.
211-1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830

Take notice that the deposition of **TINA M. DAVIS** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, on Friday, October 18, 2002, at 11:00 A.M., at the offices of James A. Naddeo, Esq., 211-1/2 E. Locust Street, Clearfield, Pennsylvania 16830. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

Date: September 3, 2002

By: 
Troy J. Harper
Attorneys for Defendant

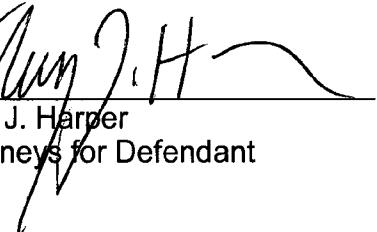
CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September, 2002, a true and correct copy of the foregoing Notice of Deposition for Tina M. Davis was mailed by United States mail, first class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211-1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830

Sargent's Court Reporting Service, Inc.
210 Main Street
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

By: 

Troy J. Harper
Attorneys for Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER, an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001-479 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of
Deposition of Harry V. Davis, Jr.

Filed on behalf of: Defendant

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

AS

SEP 05 2002

M11351NO/C

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,

Plaintiffs,

vs.

HOWARD NEEPER, an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action Law
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* Number 2001 - 479 C.D.

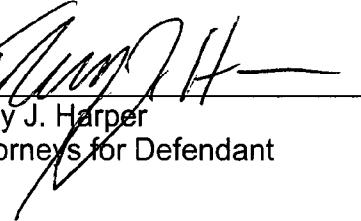
NOTICE OF DEPOSITION

TO: Harry V. Davis, Jr.
c/o James A. Naddeo, Esq.
211-1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830

Take notice that the deposition of **HARRY V. DAVIS, JR.** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, on Friday, October 18, 2002, at 10:00 A.M., at the offices of James A. Naddeo, Esq., 211-1/2 E. Locust Street, Clearfield, Pennsylvania 16830. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

Date: September 3, 2002

By: 
Troy J. Harper
Attorneys for Defendant

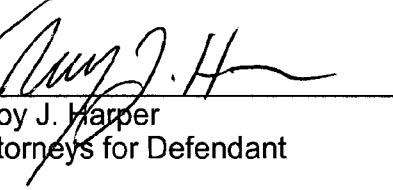
CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September, 2002, a true and correct copy of the foregoing Notice of Deposition for Harry V. Davis, Jr., was mailed by United States mail, first class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
211-1/2 E. Locust Street
P.O. Box 552
Clearfield, PA 16830

Sargent's Court Reporting Service, Inc.
210 Main Street
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

By: 

Troy J. Harper
Attorneys for Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

CIVIL ACTION - LAW

Number 2001 - 479 C.D.

Type of Case: Civil Division

Type of Pleading: Motion to Extend Time
for Discovery

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

JAN 09 2003

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
*
* Number 2001 - 479 C.D.

MOTION TO EXTEND TIME FOR DISCOVERY

AND NOW, comes the Defendant, HOWARD NEEPER, by his attorneys, Dennison, Dennison & Harper, who file the following Motion to Extend Time for Discovery:

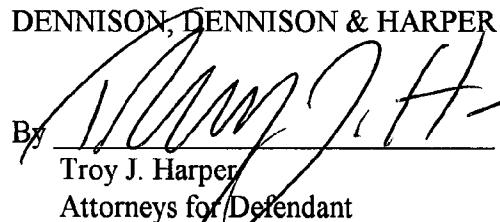
1. The above-captioned action was instituted by filing a Complaint on or about April 6, 2001.
2. An Answer and New Matter was filed on or about May 15, 2001.
3. Thereafter, the parties engaged in various discovery including Interrogatories, Request for Production of Documents and the issuance on third parties of various Subpoenas to Produce Documents for Discovery.
4. On or about September 4, 2002, a Status Conference was conducted by the Court.
5. Following the Status Conference, the Court entered an Order dated September 4, 2002, directing discovery to be completed by February 1, 2003.
6. Following the entry of the Order, the depositions of the parties were completed, although the deposition transcripts have not yet been produced, and supplemental discovery information was exchanged.

7. The Defendant has not yet secured an Independent Medical Examination, and it is believed that the Plaintiff intends to secure an expert report from a vocational specialist.
8. The parties are presently engaged in settlement negotiations which may obviate the need for securing expert reports.
9. No prior requests for an extension to conclude discovery have been made.
10. None of the parties will be prejudiced by extending the time for discovery.
8. Counsel for the Plaintiffs consents to the extension to complete discovery, and said consent is attached hereto.

WHEREFORE, the Defendant, Howard Neeper, respectfully requests this Court to enter an Order extending the time to complete discovery until April 1, 2003.

Respectfully submitted,

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for Defendant

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
* Number 2001 - 479 C.D.

CONSENT

I, James A. Naddeo, as counsel for the Plaintiffs, consent to the Motion to Extend Time
for Discovery.

James A. Naddeo
James A. Naddeo, Esq.
Attorney for the Plaintiffs

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Motion to Extend Time for Discovery was served on the 8th day of January, 2003, by United States Mail, First Class, Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.
211 ½ E. Locust Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By



Troy J. Harper

Attorneys for the Defendant

FILED

200

01/3: 34, 651 Atty ~~████████~~

JAN 09 2003

Added for Jasper

William A. Shaw
Prothonotary

HARRY V. DAVIS, JR. and
TINA M. DAVIS, husband and wife,
Plaintiffs,

vs.

HOWARD NEEPER,
an individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
*
*
* Number 2001 - 479 C.D.

ORDER

AND NOW, this 13th, day of January, 2003, upon
consideration of the Defendant's Motion to Extend Time for Discovery, and the Plaintiffs through
their counsel consenting to the same;

IT IS HEREBY ORDERED that all discovery, including depositions, shall be completed
on or before April 1, 2003.

BY THE COURT,

 J.

FILED

JAN 14 2003

William A. Shaw
Prothonotary

FILED

acc

O/11: Oleg S. Atty Naddeo per
JAN 14 2003 Naddeo's request

William A. Shaw
Secretary

6/24

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

HARRY V. DAVIS, JR., and
TINA M. DAVIS,
husband and wife,
Plaintiffs,

v.

HOWARD NEEPER,
an individual,
Defendant.

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* No. 01 - 479 - CD

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* Type of Pleading:

*
* PRAECIPE TO SETTLE
* AND DISCONTINUE

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*
*

* Filed on behalf of:
* Plaintiffs

*
*
*

* James A. Naddeo, Esq.
* Pa I.D. 06820

*
*
*

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

FILED

FEB 19 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

HARRY V. DAVIS, JR., and *
TINA M. DAVIS, *
husband and wife, *
Plaintiffs, *
*
v. * No. 01 - 479 - CD
*
HOWARD NEEPER, *
an individual, *
Defendant. *

PRAECIPE TO SETTLE AND DISCONTINUE

To the Prothonotary:

Please mark the above-captioned case settled and discontinued.

James A. Naddeo

James A. Naddeo, Esquire
Attorney for Plaintiffs

FILED 11/10/04
CC GOF
FEB 19 2004
William A. Shaw
Prothonotary/Clerk of Courts
Certificate to Atty Naddeo
Copy to CJA

1/2" over margin

JAMES A. NADDEO
ATTORNEY AT LAW
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

Harry V. Davis Jr.
Tina M. Davis

Vs.
Howard Neeper

No. 2001-00479-CD

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 February 19, 2004, marked:

Settled and Discontinued

Record costs in the sum of \$109.34 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 19th day of February A.D. 2004.

William A. Shaw, Prothonotary