

01-521-CD
KENNETH WELDER -vs- LUCIAN LIPAN et al

CLEARFIELD, PENNSYLVANIA 16880
211 1/2 EAST LOCUST ST. P.O. BOX 562
ATTORNEY AT LAW
CHRIS A. PENNZ

Filed Here

FILED

APR 11 2001
O 1/18/01 Pante
By William A. Shaw
Prothonotary
Pd \$80.00

cc: Sheriff

5 Seal or Document
Reinstated/Resigned Attorney
for service.
Deputy Prothonotary

11 May 01 Document
Reinstated/Resigned Attorney
for service.
Deputy Prothonotary
[Signature]

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- 521 -C.D.

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:

* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED

APR 11 2001

William A. Shaw
Prothonotary

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

KENNETH WELDER,
Plaintiff

VS * No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

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 PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

Prothonotary Office
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
(814) 765-2641

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

COMPLAINT

1. The Plaintiff is Kenneth Welder, *sui juris*, who resides at Box 46, High Street, Woodland, Pennsylvania 16881.

2. The Defendants are Lucian Lipan, *sui juris*, of 2611 West 98th Place, Evergreen Park, Illinois 60805 and Russman Transportation, believed to be a corporation, with a principal place of business at 1326 South Main, Muldrow, Oklahoma 74948.

3. On September 22, 2000, the Defendant Russman Transportation did own a certain vehicle being a 1988 Kenworth bearing Oklahoma registration #1UI152.

4. On September 22, 2000, the Plaintiff did own a certain vehicle being a 1991 Mack truck bearing Pennsylvania registration #ZJ16513.

5. On September 22, 2000, the Defendant Lucian Lipan was employed by Defendant Russman Transportation.

6. On the date aforesaid at approximately 6:30 A.M. the Defendant Lucian Lipan was operating the Defendant Russman Transportation's vehicle on Interstate 80 in an easterly

direction in Lawrence Township, Clearfield County, Pennsylvania.

7. The Defendant Lucian Lipan was operating the vehicle in his capacity as an employee and in furtherance of his employment duties.

8. On the date and at the time aforesaid, the Plaintiff Kenneth Welder was lawfully operating his vehicle on Interstate 80 in an easterly direction in Lawrence Township, Clearfield County, Pennsylvania and was traveling in front of the Russman Transportation vehicle.

9. When the vehicle of the Defendant Russman Transportation, being operated by Defendant Lucian Lipan, neared Plaintiff Kenneth Welder's vehicle as referred to in paragraph 8 above at the place, date and time aforesaid, and struck the rear of Plaintiff Kenneth Welder's vehicle.

10. The above referred to collision was the direct and proximate result of the negligence and carelessness of the Defendant Lucian Lipan and consisted of:

- a. Failing to maintain a proper lookout for other vehicles.
- b. Failing to maintain a vehicle under proper control.

11. As a direct and proximate result of the referred to collision, Plaintiff Kenneth Welder's vehicle suffered damage to the tailgate, transmission, rear-end, rear motor mounts, and brake drum with said repairs costing \$10,085.70.

12. As a direct and proximate result of the referred to damages set forth in paragraph 11 above, Plaintiff Kenneth Welder

was unable to operate his vehicle for a period of eleven (11) days resulting in loss of income of \$2,940.85.

WHEREFORE, Plaintiff Kenneth Welder demands judgment in the amount of \$13,026.55 together with costs, interest, and such other relief the Court deems appropriate against the Defendants, both jointly and severally.

Respectfully submitted this 11 day of April, 2001.



Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

CLIFFFIELD, PENNSYLVANIA 16830
211 1/2 EAST LOCUST ST P.O. BOX 552
ATTORNEY AT LAW
CHRIS A. PENNZ

Filed Here

5/11/01 Document
Clerk of Court/Prothonotary
William A. Shank
Prothonotary
11:45 AM 5/11/01

FILED

MAY 11 2001
5/9/2001
William A. Shank
Prothonotary
Clerk pd. \$7.00

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

KENNETH WELDER,
Plaintiff

vs

LUCIAN LIPAN and
RUSSMAN TRANSPORTAION,
Defendants

* No. 01- 521 -C.D.

* Type of Case: Civil

* Type of Pleading: Praeclipe to
* Reinstate Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:

* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED

MAY 11 2001

William A. Shaw
Prothonotary

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

*

KENNETH WELDER,
Plaintiff

*

vs
* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

*

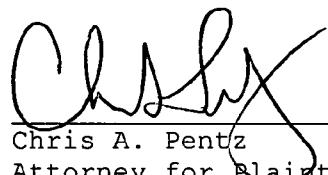
*

*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Pursuant to Pa.R.C.P. No. 401, please reinstate
the Complaint in the above-captioned matter.



Chris A. Pentz
Attorney for Plaintiff
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10887

WELDER, KENNETH

01-521-CD

VS.

LIPAN, LUCIAN and RUSSMAN TRANSPORTATION

COMPLAINT

SHERIFF RETURNS

NOW APRIL 11, 2001, SHERIFF OF COOK COUNTY, ILLINOIS WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON LUCIAN LIPAN, DEFENDANT.

NOW APRIL 20, 2001 ATTEMPTED TO SERVE THE WITHIN COMPLAINT ON LUCIAN LIPAN, DEFENDANT BY DEPUTIZING THE SHERIFF OF COOK COUNTY, ILLINOIS. THE RETURN OF THE SHERIFF OF COOK COUNTY, ILLINOIS IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND".

NOW APRIL 11, 2001, SHERIFF OF SEQUOYAH COUNTY, OKLAHOMA WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON RUSSMAN TRANSPORTATION, DEFENDANT.

NOW APRIL 16, 2001 ATTEMPTED TO SERVE THE WITHIN COMPLAINT ON RUSSMAN TRANSPORATION, DEFENDANT BY DEPUTIZING THE SHERIFF OF SEQUOYAH COUNTY, OKLAHOMA. THE RETURN OF THE SHERIFF OF SEQUOYAH COUNTY, OKLAHOMA IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND"

NOW MAY 21, 2001, SHERIFF OF GWINNETT COUNTY, GEORGIA WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON LUCIAN LIPAN, DEFENDANT.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10887

WELDER, KENNETH

01-521-CD

VS.

LIPAN, LUCIAN and RUSSMAN TRANSPORTATION

COMPLAINT

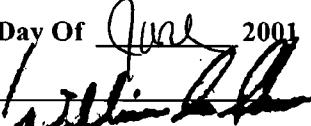
SHERIFF RETURNS

NOW JUNE 1, 2001 SERVED THE WITHIN COMPLAINT ON LUCIAN LIPAN,
DEFENDANT BY DEPUTIZING THE SHERIFF OF GWINNETT COUNTY, GEORGIA. THE
RETUR OF THE SHEIFF OF GWINNETT COUNTY, GEORGIA IS HERETO ATTACHED
AND MADE A PART OF THIS RETURN STATING THAT HE SERVED STEPHANIE
LIPAN, WIFE.

Return Costs

Cost	Description
64.40	SHFF. HAWKINS PAID BY: ATTY.
29.40	COOK COUNTY SHERIFF PAID BY: ATTY.
35.00	SEQUOYAHCOUNTY SHERIFF PAID BY: ATT
25.00	GWINNETT COUNTY SHERIFF PAID BY: PLF
20.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

2nd Day Of June 2001


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

So Answers,


Chester A. Hawkins
Sheriff

FILED
JUN 22 2001
01350
William A. Shaw
Prothonotary
E
RCA

TYPE LAW

SHERIFF'S OFFICE OF COOK COUNTY, ILLINOIS DISTRICT 173

Per
SHERIFF'S NUMBER 022504-001D CASE NUMBER 01521CD

DEPUTY: *Collins 3411*

FILED DT 04-11-2001 RECEIVED DT 04-18-2001 DIE DT 05-01-2001 MULTIPLE SERVICE 1

DEFENDANT

LIPAN, LUCIAN
2611 W 90TH PL
EVERGREEN PARK IL. 60805

ATTORNEY

CHRIS A PENTZ
X
X XX. 00000

PLAINTIFF KENNETH WELDER

SERVICE INFORMATION: AT

(A) I CERTIFY THAT I SERVED THIS SUMMONS ON THE DEFENDANT AS FOLLOWS:

.....1 PERSONAL SERVICE: BY LEAVING A COPY OF THE SUMMONS AND COMPLAINT WITH THE NAMED DEFENDANT PERSONALLY.

.....2 SUBSTITUTE SERVICE: BY LEAVING A COPY OF THE SUMMONS AND A COPY OF THE COMPLAINT AT THE DEFENDANT'S USUAL PLACE OF ABODE WITH SOME PERSON OF THE FAMILY, OF THE AGE OF 13 YEARS OR UPWARDS, AND INFORMING THAT PERSON OF THE CONTENTS THEREOF. ALSO, A COPY OF THE SUMMONS WAS MAILED ON THE DAY OF 20, IN A SEALED ENVELOPE WITH POSTAGE FULLY PREPAID, ADDRESSED TO THE DEFENDANT AT HIS OR HER USUAL PLACE OF ABODE.

SAID PARTY REFUSED NAME

.....3 SERVICE ON: CORPORATION COMPANY BUSINESS PARTNERSHIP
BY LEAVING A COPY OF THE SUMMONS AND COMPLAINT (OR INTERROGATORIES) WITH THE REGISTERED AGENT, AUTHORIZED PERSON OR PARTNER OF THE DEFENDANT.

.....4 CERTIFIED MAIL

(B) MICHAEL F. SHEAHAN, SHERIFF, BY: *Collins 3411*, DEPUTY

1 SEX M/F RACE AGE

2 NAME OF DEFENDANT LIPAN, LUCIAN

WRIT SERVED ON

Not served

THIS 17 DAY OF APR, 2001 TIME 11:15 A.M. P.M.

ADDITIONAL REMARKS

THE NAMED DEFENDANT WAS NOT SERVED. *X*

TYPE OF BLDG

ATTEMPTED SERVICES

NEIGHBORS NAME

DATE 4/17/01 TIME 11:30 A.M./P.M.

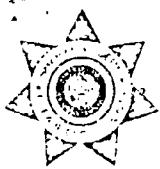
ADDRESS

11:30 A.M./P.M.

REASON NOT SERVED:

<u>01</u> MOVED	<u>07</u> EMPLOYER REFUSAL
<u>02</u> NO CONTACT	<u>08</u> RETURNED BY ATTY
<u>03</u> EMPTY LOT	<u>09</u> DECEASED
<u>04</u> NOT LISTED	<u>10</u> BLDG DEMOLISHED
<u>05</u> WRONG ADDRESS	<u>11</u> NO REGISTERED AGT.
<u>06</u> NO SUCH ADDRESS	<u>12</u> OTHER REASONS
	<u>13</u> OUT OF COUNTY

 :
 :
 :
 :
 :
 :



Sheriff's Office Clearfield County

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

CHESTER A. HAWKINS
SHERIFF

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

DARLENE SHULTZ
CHIEF DEPUTY
MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KENNETH WELDER

NO. 01-521-CD

VS

ACTION: COMPLAINT

LUCIAN LIPAN al

SERVE BY: 5/11/01

Or

HEARING DATE:

SERVE: LUCIAN LIPAN

ADDRESS: 2611 West 9th Place, Evergreen Park, IL. 60805

078

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

This Deputation being made at the request and risk of the Plaintiff this 11th day of APRIL 2001.

Respectfully,

CHESTER A. HAWKINS
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: CHRIS A. PENTZ, Attorney

MICHAEL F. SHEAHAN
SHERIFF OF COOK COUNTY
MUNICIPAL DIVISION

000144-1.4.1	04/17/01	16:17
REF	#	022504
1 FOREIGN WRIT		23.00
1 MILEAGE		6.40
CASE TOTAL		29.40 *
TOTAL		29.40 TL
CHECK I		29.40
CASHIER: PAULA		

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION23rd
2/26/01
2/9/01

3/1

022504

KENNETH WELDER,
Plaintiff

vs

* No. 01- 521 -C.D.

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

	000144-1.4.1	04/17/01	16:17
	REF	# 022504	
	1. FOREIGN WRIT	23.00	
	1. MILEAGE	6.40	
	CASE TOTAL	29.40	*
	TOTAL	29.40	TL
	CHECK I	29.40	
	Type of Pleading: Plaintiff	29.40	

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

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

APR 11 2001

Attest:

William A. Petheny
Prothonotary

**SHERIFF'S RETURN
State of Oklahoma, County of Sequoyah**

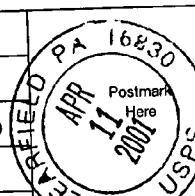
Case # 01-521-CD Pennsylvania

I certify that I received the foregoing summons on the 16th day of April, 2001, and that I delivered, or attempted delivery of the said summons as shown below to each party named for service request.

Name of person to be served	Service Address	Served? Yes or No	Date & Time of Service or Attempted Service	Comments
Lucian Lipan	1326 S. Main Muldeon, OK	NO		The address is for a dispatch office that no longer dispatches for this Co.
				new phone # is out of state of OK 818-222-1836

I certify that on _____, I served _____ by leaving a copy of said summons with a copy of the petition attached at _____ which is his/her usual place of residence.

I certify that on _____, I served _____ by leaving a copy of said summons with a copy of the petition attached at _____ with _____, a member of his family over fifteen (15) years of age.

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
Article Sent To:	
Postage	\$ 76
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.16
 <i>Name (Please Print Clearly) (to be completed by mailer)</i> COOK COUNTY SHERIFF	
<i>Street, Apt. No., or PO Box No.</i> Room 701, Daley Center	
<i>City, State, ZIP+4</i> Chicago, IL 60602	
<i>See Reverse for Instructions</i>	

J.W. Philpot, Sheriff of Sequoyah County
By: Mark S. Sank . Deputy Sheriff

Sequoyah County, Oklahoma

SENDER: C

- Complete item 4 if Re
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

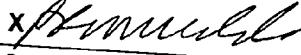
COOK COUNTY SHERIFF
Room 701, Daley Center
Chicago, IL 60602

2. Article

PS Form

Delivery

C. Signature



Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

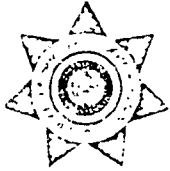
3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

102595-00-M-0952



Brunk 4-16-01

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533

CLEARFIELD COUNTY FAX
(814) 765-6089

**Sheriff's Office
Clearfield County**

SUITE 116

1 NORTH SECOND STREET - COURTHOUSE
CLEARFIELD, PENNSYLVANIA 16830

CHESTER A. HAWKINS
SHERIFF

DARLENE SHULTZ
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

MARGARET PUTT
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KENNETH WELDER

NO. 01-521-CD

VS
LUCIAN LIPAN al

ACTION: COMPLAINT

SERVE BY: 5/11/01

Or

HEARING DATE:

SERVE: RUSSMAN TRANSPORTATION

ADDRESS: 1326 South Main, Muldrow, OK 74948

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

This Deputation being made at the request and risk of the Plaintiff this 11th day of APRIL 2001.

Respectfully,

CHESTER A. HAWKINS.
SHERIFF OF CLEARFIELD COUNTY

MAKE REFUND PAYABLE TO: CHRIS A. PENTZ, Attorney

CHRIS A. PENTZ

ATTORNEY AT LAW

211 1/2 EAST LOCUST ST. P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

CERTIFIED COPY

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

KENNETH WELDER,
Plaintiff

vs

* No. 01-521 -C.D.

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:

* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

I hereby certify this to be a true
copy of the original
in this case.

APR 11 2001

Attest:

Kenneth A. PENTZ
Prothonotary

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

KENNETH WELDER,

Plaintiff

*
No. 01- -CD

vs

LUCIAN LIPAN and

RUSSMAN TRANSPORTATION,

Defendants

*

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 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 the 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.

Office of Court Administrator
Clearfield County Courthouse
1 North Second Street
Clearfield PA 16830
814 765-2641

direction in Lawrence Township, Clearfield County, Pennsylvania.

7. The Defendant Lucian Lipan was operating the vehicle in his capacity as an employee and in furtherance of his employment duties.

8. On the date and at the time aforesaid, the Plaintiff Kenneth Welder was lawfully operating his vehicle on Interstate 80 in an easterly direction in Lawrence Township, Clearfield County, Pennsylvania and was traveling in front of the Russman Transportation vehicle.

9. When the vehicle of the Defendant Russman Transportation, being operated by Defendant Lucian Lipan, neared Plaintiff Kenneth Welder's vehicle as referred to in paragraph 8 above at the place, date and time aforesaid, and struck the rear of Plaintiff Kenneth Welder's vehicle.

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- a. Failing to maintain a proper lookout for other vehicles.
- b. Failing to maintain a vehicle under proper control.

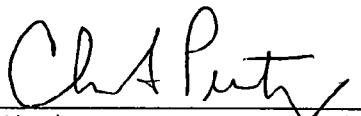
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was unable to operate his vehicle for a period of eleven (11) days resulting in loss of income of \$2,940.85.

WHEREFORE, Plaintiff Kenneth Welder demands judgment in the amount of \$13,026.55 together with costs, interest, and such other relief the Court deems appropriate against the Defendants, both jointly and severally.

Respectfully submitted this 11 day of April, 2001.


Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SEQUOYAH COUNTY SHERIFF
120 E. Chickasaw St.
Sallisaw, OK 74955

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Joyce Lane B. Date of Delivery 4-16-01

C. Signature

Joyce Lane Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

1. Article Number (Copy from service label)

7000 0600 0023 2701 1243

Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage \$ 56
Certified Fee 1.90
Return Receipt Fee (Endorsement Required) 1.50
Restricted Delivery Fee (Endorsement Required) 0.00
Total Postage & Fees \$ 3.95



Name (Please Print Clearly) (to be completed by mailer)
Street, Apt. No., or PO Box No.
SEQUOYAH COUNTY SHERIFF
120 E. Chickasaw St.

City, State, Zip+4
Sallisaw, OK 74955
PS Form 3800, July 1999

See Reverse for Instructions

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

SEQUOYAH COUNTY SHERIFF
120 E. Chickasaw St.
Sallisaw, OK 74955

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Loyle Lane B. Date of Delivery 4-16-01

C. Signature

X Loyle Lane Agent Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

1. Article Number (Copy from service label)

7000 0600 0023 2701 1243

Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

7000 0600 0023 2701 1243

Postage	\$ 55
Certified Fee	1.90
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.95



Name (Please Print Clearly) (to be completed by mailer)

SEQUOYAH COUNTY SHERIFF

Street, Apt. No., or PO Box No.

120 E. Chickasaw St.

City, State, ZIP+4

Sallisaw, OK 74955

PS Form 3800, July 1999

See Reverse for Instructions

off Ammon Shoal - White Bell Zone

L

CASE NO.: 01-521-CD Clearfield County,
Pennsylvania

STATE OF GEORGIA
GWINNETT COUNTY

ATTORNEY'S ADDRESS:

Clearfield County Sheriff's Office
Attn: Civil Division
1 North Second Street, Suite 116
Clearfield, Pa. 16830

Kenneth Welder

Plaintiff

VS
Lucian Lipan
Defendant

CIVIL DIV
CCSO
10. M 8 PM 01

NAME & ADDRESS OF PARTY TO BE SERVED:

Lucian Lipan
364 Hay Market Lane
Lawrenceville, Georgia 30045

SHERIFF'S ENTRY OF SERVICE

AMMATHAS, being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceeding in which this affidavit is made. The affiant received copy of Summons and Complaint and other (if so indicated): on the 30th day of May 2001 at 3:00 P. M.

PERSONAL

I have this day served the defendant _____ personally with a copy of the within action and summons. Described as follows:

SEX	SKIN COLOR	HAIR COLOR	AGE	WGT	HGT
MALE/FEMALE	_____	_____	_____	_____	_____

NOTORIOUS

I have this day served the defendant Lucian Lipan by leaving a copy of the action and summons at his most notorious place of abode in the County.

Delivered same into the hands of Stephanie Lipan (wife) described as follows:

SEX	SKIN COLOR	HAIR COLOR	AGE	WGT	HGT
MALE/FEMALE	<u>WHITE</u>	<u>Brown</u>	<u>25</u>	<u>150</u>	<u>5'3"</u>

CORPORATION
NONEST

Served the defendant _____ a corporation by leaving a copy of the within action and summons with _____ in charge of the office and place of doing business of said Corporation in this County.

Affiant states upon information and belief that said person is not in the Military Service of the United States as the term defined in either the State or Federal Statutes.

Diligent search made and defendant _____ not to be found in the jurisdiction of this court.

TIME: 10:00 AM

This 1 day of JUNE 2001

Cpl. A. Mathis 208

DEPUTY SHERIFF

Subscribed and sworn to before me
this 1 day of JUNE 2001.

NOTARY PUBLIC In and for said
County and State

GWINNETT COUNTY, GEORGIA

c:\forms\sesforeign.frm

CLEARFIELD, PENNSYLVANIA 16830
211 1/2 EAST LOCUST ST. P.O. BOX 552
ATTORNEY AT LAW
CHRIS A. PENNZ

Fold Here

9-5-01 Document
Reinstated/Resigned/Retired
for service.

Chris A. Pennz
Attorney
Prothonotary

F
Reinstated to Atty
S. 1040 Atty pd. 7.00
William A. S. Atty
Prothonotary
W.A.S.

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

KENNETH WELDER,
Plaintiff

VS

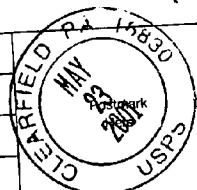
LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendant

No. 01-521-C.D.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage	\$.55
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 395



Name (Please Print Clearly) (to be completed by mailer)
GWINNETT COUNTY SHERIFF
Street, Apt. No., or PO Box No.
75 Langley Drive
City, State, ZIP+4
Lawrenceville, GA 30045
PS Form 3800, July 1999

See Reverse for Instructions

Type of Case: Civil

Type of Pleading: Praeclipe to
Reinstate Complaint

Filed on Behalf of: Plaintiff

Counsel of Record for this Party:

CHRIS A. PENTZ, Esquire

Supreme Court I.D. # 39232
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830
814 765-4000

COMPLETE THIS SECTION	
RECEIVED BY (Please Print Clearly)	
B. Date of Delivery	
5/30/01	
C. Signature	
<i>W.A. Shaw</i>	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

C.O.D.

Insured Mail

Insured Mail</

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

*

KENNETH WELDER,
Plaintiff

*

vs
* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

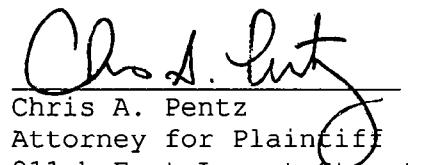
*

*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Pursuant to Pa.R.C.P. No. 401, please reinstate
the Complaint in the above-captioned matter.


Chris A. Pentz
Attorney for Plaintiff
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830

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

KENNETH WELDER,
Plaintiff

vs

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* No. 01- 521 -C.D.

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

I hereby certify this to be a true
copy of the original
in this case.

APR 11 2001

Attest:

W. W. W.
Prothonotary

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- -C. D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

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 PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

Prothonotary Office
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
(814) 765-2641

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

COMPLAINT

1. The Plaintiff is Kenneth Welder, *sui juris*, who resides at Box 46, High Street, Woodland, Pennsylvania 16881.

2. The Defendants are Lucian Lipan, *sui juris*, of 2611 West 98th Place, Evergreen Park, Illinois 60805 and Russman Transportation, believed to be a corporation, with a principal place of business at 1326 South Main, Muldrow, Oklahoma 74948.

3. On September 22, 2000, the Defendant Russman Transportation did own a certain vehicle being a 1988 Kenworth bearing Oklahoma registration #1UI152.

4. On September 22, 2000, the Plaintiff did own a certain vehicle being a 1991 Mack truck bearing Pennsylvania registration #ZJ16513.

5. On September 22, 2000, the Defendant Lucian Lipan was employed by Defendant Russman Transportation.

6. On the date aforesaid at approximately 6:30 A.M. the Defendant Lucian Lipan was operating the Defendant Russman Transportation's vehicle on Interstate 80 in an easterly

direction in Lawrence Township, Clearfield County, Pennsylvania.

7. The Defendant Lucian Lipan was operating the vehicle in his capacity as an employee and in furtherance of his employment duties.

8. On the date and at the time aforesaid, the Plaintiff Kenneth Welder was lawfully operating his vehicle on Interstate 80 in an easterly direction in Lawrence Township, Clearfield County, Pennsylvania and was traveling in front of the Russman Transportation vehicle.

9. When the vehicle of the Defendant Russman Transportation, being operated by Defendant Lucian Lipan, neared Plaintiff Kenneth Welder's vehicle as referred to in paragraph 8 above at the place, date and time aforesaid, and struck the rear of Plaintiff Kenneth Welder's vehicle.

10. The above referred to collision was the direct and proximate result of the negligence and carelessness of the Defendant Lucian Lipan and consisted of:

- a. Failing to maintain a proper lookout for other vehicles.
- b. Failing to maintain a vehicle under proper control.

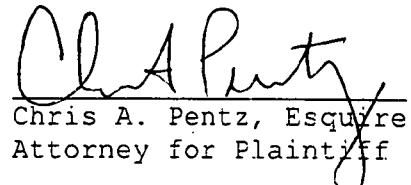
11. As a direct and proximate result of the referred to collision, Plaintiff Kenneth Welder's vehicle suffered damage to the tailgate, transmission, rear-end, rear motor mounts, and brake drum with said repairs costing \$10,085.70.

12. As a direct and proximate result of the referred to damages set forth in paragraph 11 above, Plaintiff Kenneth Welder

was unable to operate his vehicle for a period of eleven (11) days resulting in loss of income of \$2,940.85.

WHEREFORE, Plaintiff Kenneth Welder demands judgment in the amount of \$13,026.55 together with costs, interest, and such other relief the Court deems appropriate against the Defendants, both jointly and severally.

Respectfully submitted this 11 day of April, 2001.


Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10887

WELDER, KENNETH

01-521-CD

VS.

LIPAN, LUCIAN and RUSSMAN TRANSPORTATION

COMPLAINT

SHERIFF RETURNS 

NOW SEPTEMBER 10, 2001 MICHAEL BECKER, SHERIFF OF CLARK COUNTY, INDIANA WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON RUSSMAN TRANSPORTATION, DEFENDANT.

NOW SEPTEMBER 13, 2001 ATTEMPTED TO SERVE THE WITHIN COMPLAINT ON RUSSMAN TRANSPORTATION, DEFENDANT BY DEPUTIZING THE SHERIFF OF CLARK COUNTY, INDIANA. THE RETURN OF SHERIFF BECKER IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT AS THIS ADDRESS".

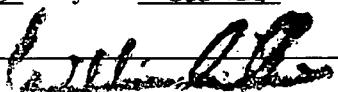
Return Costs

Cost	Description
10.66	SHFF. HAWKINS PAID BY: ATTY.
40.00	CLARK CO. INDIANA SHFF. PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.
<u>10.66</u>	

FILED

NOV 02 2001
019.107 am
William A. Shaw
Prothonotary

Sworn to Before Me This
2nd Day Of November 2001



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

So Answers,


Chester A. Hawkins
Sheriff

RETURN OF SERVICE BY SHERIFF

I hereby certify that on the 13 day of Sept,
2007, I served a copy of the foregoing pleading(s):

(CHECK APPROPRIATE METHOD OF SERVICE)

By delivering a copy of the summons and complaint to the defendant personally;

Copy of summons and complaint was left at the defendant's dwelling, and a copy of the summons was sent by first class mail to the last known address of the defendant;

Property Vacant;

Need better address.

No such address

Not at this address:

Michael L. Becker

SHERIFF of Clark County, Indiana

BY: *Edward J. Weber*

93-39

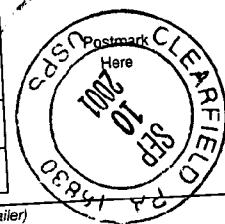
**U.S. Postal Service
CERTIFIED MAIL RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

8355	Postage	\$ 1.72
9001	Certified Fee	
0022	Return Receipt Fee (Endorsement Required)	
0000	Restricted Delivery Fee (Endorsement Required)	
7000	Total Postage & Fees	\$ 5.32
Name (Please Print Clearly) (to be completed by mailer) CLARK COUNTY SHERIFF Street, Apt. No., or PO Box No. 501 E. Court Ave. City, State, ZIP+4 Jeffersonville, IN. 47130		

PS Form 3811, July 1999

See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CLARK COUNTY SHERIFF
501 E. Court Ave.
Jeffersonville, IN. 47130

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **Mr. Clark** B. Date of Delivery **9-12**

C. Signature **Maynard K. Clark** Agent Addressee

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7000 0600 0022 9001 8355

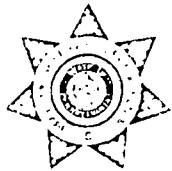
PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

where I live!!!

SHERIFF'S FEES DUE COUNTY		COUNTY SHERIFF'S OFFICIAL RECEIPT	
ORDERS OF SALE, FEE BILLS AND EXECUTIONS	\$ _____	9.12 21655, 192001	
FIREARMS LICENSES	_____	CAUSE NO.	TAX WARRANT NO. _____
OTHER FEES DUE COUNTY	_____	RECEIVED OF	THE SUM
COURT COSTS	_____	OF	DOLLARS
INCOME TAX WARRANTS	_____		
CASH BONDS	_____		
SHERIFF'S PERSONAL FEES	_____		
OTHER TRUST	40 00		
Proc. fee	01-581-CD		
TOTAL	\$ 40 00		
J. Martin SHERIFF CLARK COUNTY			



Sheriff's Office Clearfield County

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765- 5915

CHESTER A. HAWKINS
SHERIFF

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

DARLENE SHULTZ
CHIEF DEPUTY
MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

KENNETH WELDER

TERM & NO. 01-521-CD

vs

SERVE BY: 10/5/01

or

LUCIAN LIPAN al

HEARING DATE:

DOCUMENT TO BE SERVED:

COMPLAINT

MAKE REFUND PAYABLE TO: CHRIS A. PENTZ, Attorney

SERVE: RUSSMAN TRANSPORTATION

Not at this address

ADDRESS: 229 America Place, Suite A, Jeffersonville, IN. 47130

9-13-01

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

This Deputation being made at the request and risk of the Plaintiff this 10th day of September 2001.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

CERTIFIED COPY

CHRIS A. PENTZ
ATTORNEY AT LAW
211 1/2 EAST LOCUST ST. P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

SHERIFF'S FEES DUE COUNTY		COUNTY SHERIFF'S OFFICIAL RECEIPT	
ORDERS OF SALE, FEE	\$	9.12	21655
BILLS AND EXECUTIONS		192007	
FIREARMS LICENSES		CAUSE NO.	TAX WARRANT NO.
OTHER FEES DUE COUNTY		proc. fee	
COURT COSTS		RECEIVED OF	THE SUM
INCOME TAX WARRANTS		Chris Pentry	
CASH BONDS		OF	DOLLARS
SHERIFF'S PERSONAL FEES		Forty	
OTHER TRUST			\$ 21000
proc. fee	40 00		
01-581-CD			
TOTAL	\$ 40 00		
Signature: Martin			
SHERIFF CLARK COUNTY			

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

KENNETH WELDER,
Plaintiff

VS

* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendant

* Type of Case: Civil

* Type of Pleading: Praeclipe to
* Reinstate Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

9.5.01 Document
Reinstated/Retissued to Sheriff/Attorney
for service.


Deputy Sheriff

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

*

KENNETH WELDER,
Plaintiff

*

vs

* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPCRTATION,
Defendants

*

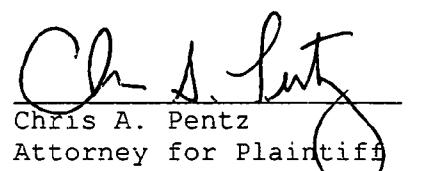
*

*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Pursuant to Pa.R.C.P. No. 401, please reinstate
the Complaint in the above-captioned matter.


Chris A. Pentz
Attorney for Plaintiff
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830

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

KENNETH WELDER,
Plaintiff

vs

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* No. 01-521 -c.d.

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

I hereby certify this to be a true
copy of the original
in this case.

APR 11 2001

Attest:

Chris A. Pentz
Prothonotary

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

*

KENNETH WELDER,
Plaintiff

*

vs

* No. 01- -C.D.

*

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

*

*

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Prothonotary Office
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
(814) 765-2641

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

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9. When the vehicle of the Defendant Russman Transportation, being operated by Defendant Lucian Lipan, neared Plaintiff Kenneth Welder's vehicle as referred to in paragraph 8 above at the place, date and time aforesaid, and struck the rear of Plaintiff Kenneth Welder's vehicle.

10. The above referred to collision was the direct and proximate result of the negligence and carelessness of the Defendant Lucian Lipan and consisted of:

- a. Failing to maintain a proper lookout for other vehicles.
- b. Failing to maintain a vehicle under proper control.

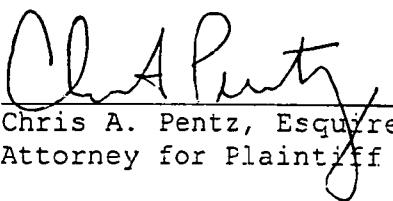
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12. As a direct and proximate result of the referred to damages set forth in paragraph 11 above, Plaintiff Kenneth Welder

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Respectfully submitted this 11 day of April, 2001.


Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

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

KENNETH WELDER,
Plaintiff

VS * No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendant

* Type of Case: Civil

* Type of Pleading: Praeclipe to
* Reinstate Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

9-5-01 Document
Reinstated/Retssued to Sheriff/Attorney
for service.


Deputy Commissioner

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

*

KENNETH WELDER,
Plaintiff

*

vs
* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

*

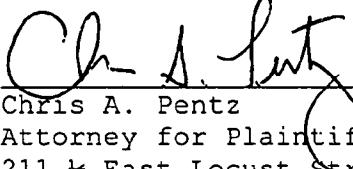
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*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Pursuant to Pa.R.C.P. No. 401, please reinstate
the Complaint in the above-captioned matter.


Chris A. Pentz
Attorney for Plaintiff
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830

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

KENNETH WELDER,
Plaintiff

vs

* No. 01-521 -C.D.

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

I hereby certify this to be a true
copy of the original
in this case.

APR 11 2001

Attest:

Wm. C. Pfeifer
Prothonotary

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

KENNETH WELDER,
Plaintiff

*

VS * No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

☆

*

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 PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU
CAN GET HELP

Prothonotary Office
Clearfield County Courthouse
Clearfield, Pennsylvania 16830
(814) 765-2641

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

COMPLAINT

1. The Plaintiff is Kenneth Welder, *sui juris*, who resides at Box 46, High Street, Woodland, Pennsylvania 16881.

2. The Defendants are Lucian Lipan, *sui juris*, of 2611 West 98th Place, Evergreen Park, Illinois 60805 and Russman Transportation, believed to be a corporation, with a principal place of business at 1326 South Main, Muldrow, Oklahoma 74948.

3. On September 22, 2000, the Defendant Russman Transportation did own a certain vehicle being a 1988 Kenworth bearing Oklahoma registration #1UI152.

4. On September 22, 2000, the Plaintiff did own a certain vehicle being a 1991 Mack truck bearing Pennsylvania registration #ZJ16513.

5. On September 22, 2000, the Defendant Lucian Lipan was employed by Defendant Russman Transportation.

6. On the date aforesaid at approximately 6:30 A.M. the Defendant Lucian Lipan was operating the Defendant Russman Transportation's vehicle on Interstate 80 in an easterly

direction in Lawrence Township, Clearfield County, Pennsylvania.

7. The Defendant Lucian Lipan was operating the vehicle in his capacity as an employee and in furtherance of his employment duties.

8. On the date and at the time aforesaid, the Plaintiff Kenneth Welder was lawfully operating his vehicle on Interstate 80 in an easterly direction in Lawrence Township, Clearfield County, Pennsylvania and was traveling in front of the Russman Transportation vehicle.

9. When the vehicle of the Defendant Russman Transportation, being operated by Defendant Lucian Lipan, neared Plaintiff Kenneth Welder's vehicle as referred to in paragraph 8 above at the place, date and time aforesaid, and struck the rear of Plaintiff Kenneth Welder's vehicle.

10. The above referred to collision was the direct and proximate result of the negligence and carelessness of the Defendant Lucian Lipan and consisted of:

- a. Failing to maintain a proper lookout for other vehicles.
- b. Failing to maintain a vehicle under proper control.

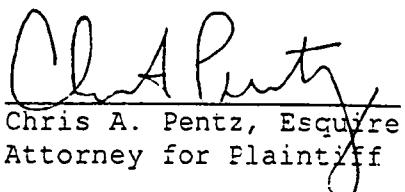
11. As a direct and proximate result of the referred to collision, Plaintiff Kenneth Welder's vehicle suffered damage to the tailgate, transmission, rear-end, rear motor mounts, and brake drum with said repairs costing \$10,085.70.

12. As a direct and proximate result of the referred to damages set forth in paragraph 11 above, Plaintiff Kenneth Welder

was unable to operate his vehicle for a period of eleven (11) days resulting in loss of income of \$2,940.85.

WHEREFORE, Plaintiff Kenneth Welder demands judgment in the amount of \$13,026.55 together with costs, interest, and such other relief the Court deems appropriate against the Defendants, both jointly and severally.

Respectfully submitted this 11 day of April, 2001.


Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

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

KENNETH WELDER,
Plaintiff

vs

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendant

* No. 01-521-C.D.

* Type of Case: Civil

* Type of Pleading: Praeclipe to
* Reinstate Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

9-5-01 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Commonwealth

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

KENNETH WELDER,

Plaintiff

*

vs

* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

*

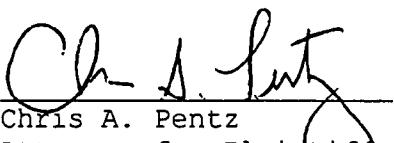
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*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Pursuant to Pa.R.C.P. No. 401, please reinstate
the Complaint in the above-captioned matter.


Chris A. Pentz
Attorney for Plaintiff
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830

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

KENNETH WELDER,
Plaintiff

vs

* No. 01-521 -c.p.

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

I hereby certify this to be a true
copy of the original
in this case.

APR 11 2001

Attest.

William A. PENTZ
Prothonotary

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

KENNETH WELDER,
Plaintiff

Plaintiff

六

VS

-* No. 01-

-C. D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

2

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NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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Clearfield, Pennsylvania 16830
(814) 765-2641

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- -C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

COMPLAINT

1. The Plaintiff is Kenneth Welder, *sui juris*, who resides at Box 46, High Street, Woodland, Pennsylvania 16881.

2. The Defendants are Lucian Lipan, *sui juris*, of 2611 West 98th Place, Evergreen Park, Illinois 60805 and Russman Transportation, believed to be a corporation, with a principal place of business at 1326 South Main, Muldrow, Oklahoma 74948.

3. On September 22, 2000, the Defendant Russman Transportation did own a certain vehicle being a 1988 Kenworth bearing Oklahoma registration #1UI152.

4. On September 22, 2000, the Plaintiff did own a certain vehicle being a 1991 Mack truck bearing Pennsylvania registration #ZJ16513.

5. On September 22, 2000, the Defendant Lucian Lipan was employed by Defendant Russman Transportation.

6. On the date aforesaid at approximately 6:30 A.M. the Defendant Lucian Lipan was operating the Defendant Russman Transportation's vehicle on Interstate 80 in an easterly

direction in Lawrence Township, Clearfield County, Pennsylvania.

7. The Defendant Lucian Lipan was operating the vehicle in his capacity as an employee and in furtherance of his employment duties.

8. On the date and at the time aforesaid, the Plaintiff Kenneth Welder was lawfully operating his vehicle on Interstate 80 in an easterly direction in Lawrence Township, Clearfield County, Pennsylvania and was traveling in front of the Russman Transportation vehicle.

9. When the vehicle of the Defendant Russman Transportation, being operated by Defendant Lucian Lipan, neared Plaintiff Kenneth Welder's vehicle as referred to in paragraph 8 above at the place, date and time aforesaid, and struck the rear of Plaintiff Kenneth Welder's vehicle.

10. The above referred to collision was the direct and proximate result of the negligence and carelessness of the Defendant Lucian Lipan and consisted of:

- a. Failing to maintain a proper lookout for other vehicles.
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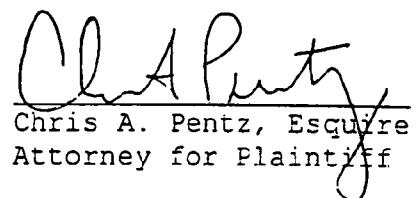
11. As a direct and proximate result of the referred to collision, Plaintiff Kenneth Welder's vehicle suffered damage to the tailgate, transmission, rear-end, rear motor mounts, and brake drum with said repairs costing \$10,085.70.

12. As a direct and proximate result of the referred to damages set forth in paragraph 11 above, Plaintiff Kenneth Welder

was unable to operate his vehicle for a period of eleven (11) days resulting in loss of income of \$2,940.85.

WHEREFORE, Plaintiff Kenneth Welder demands judgment in the amount of \$13,026.55 together with costs, interest, and such other relief the Court deems appropriate against the Defendants, both jointly and severally.

Respectfully submitted this 11 day of April, 2001.


Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

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

KENNETH WELDER,
Plaintiff

vs

* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendant

* Type of Case: Civil

* Type of Pleading: Praecipe to
* Reinstate Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

9.5.01 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Sergeant of the Commonwealth

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

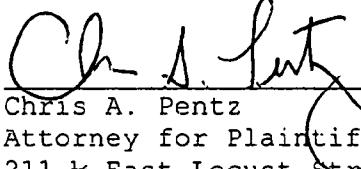
*
KENNETH WELDER, Plaintiff *
vs * No. 01-521-C.D.
LUCIAN LIPAN and *
RUSSMAN TRANSPORTATION, *
Defendants *

*

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

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the Complaint in the above-captioned matter.


Chris A. Pentz
Attorney for Plaintiff
211 1/2 East Locust Street
P. O. Box 552
Clearfield PA 16830

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

KENNETH WELDER,
Plaintiff

vs

* No. 01- 521 -c.d.

LUCIAN LIPAN AND
RUSSMAN TRANSPORTATION,
Defendants

* Type of Case: Civil

* Type of Pleading: Complaint

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

I hereby certify this to be a true
copy of the original
in this case.

APR 11 2001

Attest:

Wm. A. PENTZ
Prothonotary

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

KENNETH WELDER,
Plaintiff

Plaintiff

☆

vs

- * No. 01 -

-C, D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

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NOTICE

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Clearfield, Pennsylvania 16830
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

KENNETH WELDER,
Plaintiff

vs

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

*
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* No. 01- C.D.
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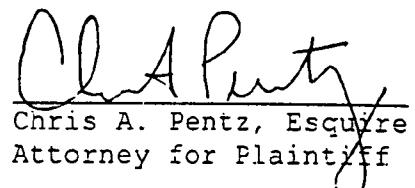
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Respectfully submitted this 11 day of April, 2001.


Chris A. Pentz, Esquire
Attorney for Plaintiff

VERIFICATION

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

4-5-01
Date

Kenneth Welder
Kenneth Welder

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
NO. 01-521-CD

KENNETH WELDER, Plaintiff

vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

FILED

NOV 15 2001

William A. Shaw
Prothonotary

APPEARANCE

BELL, SILBERBLATT & WOOD

ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

Type of Pleading
APPEARANCE

Filed on Behalf of:
DEFENDANTS

Counsel of Record for
this Party:

Richard A Bell, Esquire
PA I.D. #06808
BELL, SILBERBLATT & WOOD
318 East Locust Street
P.O. Box 670
Clearfield, PA 16830

(814) 765-5537

FILED

NOV 15 2001

William A. Shaw
Prothonotary

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

PRAECIPE FOR APPEARANCE

To William A. Shaw, Prothonotary:

Please enter my Appearance in the above matter on behalf of Lucian
Lipan and Russman Transportation, the above named Defendants.

BELL, SILBERBLATT & WOOD
BY

Dated: 11/15/01



RICHARD A. BELL, ESQUIRE

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Appearance entered on behalf of Lucian Lipan and Russman Transportation, Defendants in the above matter was mailed the 15th day of November, 2001, by regular mail postage prepaid at the post office in Clearfield, PA 16830 to the following:

Chris A. Pentz, Esquire
211 ½ E. Locust Street
P.O. Box 552
Clearfield, PA 16830


Richard A. Bell, Esquire
Attorney for Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
CIVIL DIVISION
NO. 01-521-CD

KENNETH WELDER, Plaintiff
vs.
LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

ANSWER AND NEW MATTER

FILED
01/18/2002
JAN 18 2002
1

William A. Shaw
Prothonotary

BELL, SILBERBLATT & WOOD
ATTORNEYS AT LAW
318 EAST LOCUST STREET
P. O. BOX 670
CLEARFIELD, PA. 16830

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

Type of Pleading
ANSWER AND NEW MATTER

Filed on Behalf of:
DEFENDANTS

Counsel of Record for
this Party:

Richard A Bell, Esquire
PA I.D. #06808
BELL, SILBERBLATT & WOOD
318 East Locust Street
P.O. Box 670
Clearfield, PA 16830

(814) 765-5537

FILED

JAN 18 2002

William A. Shaw
Prothonotary

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

NOTICE TO PLEAD

TO: Kenneth Welder
c/o Chris A. Pentz, Esquire
211 ½ E. Locust Street
P.O. Box 552
Clearfield, PA 16830

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



Richard A. Bell
Richard A. Bell, Esquire
Attorney for Defendants

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

ANSWER AND NEW MATTER OF DEFENDANTS

NOW COMES, the Defendants by their attorney Richard A. Bell, of Bell, Silberblatt & Wood and files the following Answer And New Matter:

1. Admitted.

2. Admitted, with the exception that the address for Lucian Lipan may not be correct at present.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

7. Admitted.

8. Admitted.

9. Denied as stated. It is admitted that as the two vehicles proceeded down Interstate 80, the front of the Defendants' vehicle and the rear of the Plaintiff's vehicle touched in a minor bumping or collision.

10. Paragraph ten is denied. After reasonable investigation the Defendants have not been able to determine the cause of the vehicles coming together and therefore strict proof is demanded.

11. Paragraph eleven is denied. Rather it is alleged that the minor touching between the two vehicles would not and could not have caused the damage claimed by the Plaintiff in this paragraph.

12. It is denied that the Plaintiff was unable to operate his vehicle for any reason connected with this accident.

NEW MATTER

In further answer to the Complaint of the Plaintiffs the Defendants allege the following New Matter.

13. When the two vehicles came together as alleged in the Complaint, the collision consisted of a light touching.

14. As the result of the two vehicles coming together insofar as the vehicle of the Plaintiff was concerned, there was a very small mark on the right lower rail of the tailgate which would have a value for purposes of this lawsuit of no more than One Hundred (\$100.00) Dollars.

WHEREFORE, the Defendants respectfully request that judgment be entered for them and against the Plaintiff.

BELL, SILBERBLATT & WOOD
By


Richard A. Bell, Esquire
Attorney for Defendants

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

VERIFICATION

The undersigned verifies that he is the Attorney of record of Defendants, named in the within action, that as such Attorney, he is authorized to make this verification, and that the statements made in the foregoing Answer and New Matter, are true and correct not from his own knowledge, but from information supplied to him and believed to be true, and that this Verification is filed by him for the purposes of expediting this litigation, and in the event a Verification from Defendants, or its representative is required, same will be supplied. The undersigned understands that false statements made herein are subject to the penalties of 18 PA. CS. 4904 relating to unsworn falsification to authorities.

Dated: 1/18/02



Richard A. Bell, Esquire
Attorney for Defendants

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

KENNETH WELDER,
Plaintiff

NO. 01-521-CD

Vs.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION
Defendants

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Answer and New Matter filed on behalf of Lucian Lipan and Russman Transportation, Defendants in the above matter was mailed the 18th day of January, 2002, by regular mail postage prepaid at the post office in Clearfield, PA 16830 to the following:

Chris A. Pentz, Esquire
211 ½ E. Locust Street
P.O. Box 552
Clearfield, PA 16830


Richard A. Bell, Esquire
Attorney for Defendants

CLEARFIELD, PENNSYLVANIA 16830
211 1/2 EAST LOCUST ST. P.O. BOX 552
ATTORNEY AT LAW
CHRIS A. PENNZ

Fold Here

FILED

FEB 04 2002

William A. Shaw
Prothonotary

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

KENNETH WELDER,
Plaintiff

VS

* No. 01-521-C.D.

LUCIAN LIPAN and
RUSSMAN TRANSPORTATION,
Defendants

* Type of Case: Civil

* Type of Pleading: Reply to New
* Matter

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED

FEB 04 2002
013:40 PM

William A. Shaw
Prothonotary

Leave to File



VERIFICATION

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

1-29-07

Date

Kenneth Welder

Kenneth Welder

CLIBARFIELD, PENNSYLVANIA 16890
211 1/2 EAST LOCUST ST. P.O. BOX 552
ATTORNEY AT LAW
CHRIS A. PENTZ

Fold Here

FILED

No CC

03:47 PM
DEC 18 2002
Disc. to Atty & C/A

KAJ

William A. Shaw
Prothonotary

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

KENNETH WELDER,
Plaintiff

VS

LUCIAN LIPPAN and
RUSSMAN TRANSPORTATION,
Defendants

* No. 01-521-C.D.

* Type of Case: Civil

* Type of Pleading: Praecipe to
* Discontinue

* Filed on Behalf of: Plaintiff

* Counsel of Record for this Party:
* CHRIS A. PENTZ, Esquire

* Supreme Court I.D. # 39232
* 211 1/2 East Locust Street
* P. O. Box 552
* Clearfield PA 16830
* 814 765-4000

FILED

DEC 18 2002

William A. Shaw
Prothonotary

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

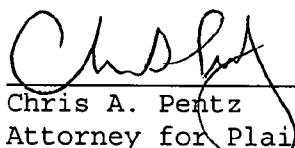
KENNETH WELDER,)
Plaintiff)
)
vs) No. 01 - 521 - C.D.
)
LUCIAN LIPAN and)
RUSSMAN TRANSPORTATION,)
Defendants)

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Please mark the record in the above captioned
matter settled and discontinued with prejudice.

Date: 12/17/02


Chris A. Pentz
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Kenneth W. Welder

Vs.
Lucian Lipan and
Russman Transportation

No. 2001-00521-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 December 18, 2002, marked:

Settled and Discontinued with Prejudice

Record costs in the sum of \$94.00 have been paid in full by Chris A. Pentz, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of December A.D. 2002.

William A. Shaw, Prothonotary