

01-950-CD  
WILLIAM SCOTT DELONG et al -vs- DAVID IOFFIDA

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

WILLIAM SCOTT DELONG and  
CHRISTINE DELONG,

Plaintiffs

vs.

DAVID IORFIDA,

Defendant

NO. 01 - ~~950~~ CD

Type of Pleading: Complaint

Filed on behalf of : Plaintiff

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE

Attorney at Law

Supreme Court No. 42519

LEA ANN HELTZEL, ESQUIRE

Attorney at Law

Supreme Court No. 83998

900 Beaver Drive

DuBois, Pennsylvania 15801

(814) 375-0300

**FILED**

JUN 15 2001

William A. Shaw  
Prothonotary

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

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 - - CD
	:	
DAVID IORFIDA,	:	
Defendant	:	

**NOTICE**

TO DEFENDANTS:

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.

Office of the Court Administrator  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, Pennsylvania 16830  
(814) 765-2641

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

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 - - CD
	:	
DAVID IORFIDA,	:	
Defendant	:	

**COMPLAINT**

NOW, COMES the Plaintiffs, William Scott DeLong and Christine DeLong, by and through their attorneys, Lea Ann Heltzel, Esquire and The Hopkins Law Firm, and says:

1. Plaintiffs, William Scott DeLong and Christine DeLong, are adult individuals residing at 626 South Brady Street, DuBois, Clearfield County, Pennsylvania.
2. Defendant, David F. Iorfida, is an adult individual residing at 110 Pinecrest Road, St. Marys, Elk County, Pennsylvania.
3. On April 30, 2000, at approximately 1:30 A.M., Plaintiffs were asleep in their bed in their home located at Dickinson Road, Sandy Township, DuBois, Clearfield County, Pennsylvania.
4. Defendant, David F. Iorfida, was traveling North on Route 255, Sandy Township, Clearfield County, when he failed to negotiate a turn and drove his vehicle directly into Plaintiffs' house.

5. At the time of the accident, Plaintiffs were asleep in their bed. Due to the forceful impact of Defendant's vehicle, Plaintiff William Scott DeLong was thrown out of his bed.

6. The accident was directly and proximately caused by the negligence and carelessness of Defendant which consisted, among other things, of the following:

- a) Operating his motor vehicle in a careless, reckless and negligent manner;
- b) Operating his motor vehicle at an excessive rate of speed under the circumstances;
- c) Operating his motor vehicle without due regard to the rights, safety and position of Plaintiffs;
- d) Failing to have his motor vehicle under the proper control so as to prevent his vehicle from striking Plaintiffs' house;
- e) Failing to keep a proper lookout;
- f) Failing to use due care under the circumstances;
- g) Failing to take evasive action in order to avoid impacting with Plaintiffs' house;
- h) Operating his motor vehicle and disregarding the rules of the road and laws of the Commonwealth of Pennsylvania including, but not limited to, accidents involving death or personal injury; accidents involving damage to attended vehicle or property damage and duty to give information and render aid; and immediate notice of accident to police department.
- i) Operating his motor vehicle while Defendant was under the influence of alcohol.

## **COUNT I**

### **Plaintiff, William Scott DeLong, vs. Defendant**

7. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

8. As a direct, proximate, natural, foreseeable and probable consequence of Defendant's negligence, carelessness and reckless conduct, Plaintiff was placed in immediate peril and sustained an AC joint separation, and other injuries which may yet develop.

9. As a direct result of Defendant's negligence, carelessness and reckless conduct, Plaintiff has suffered, and will suffer in the future, great pain, agony and inconvenience.

10. As a direct and proximate result of Defendant's negligence, carelessness and reckless conduct, Plaintiff has incurred, and will in the future incur, expenses for medical treatment in an amount not yet ascertained.

11. As a direct and proximate result of Defendant's negligence, carelessness and reckless conduct, Plaintiff was prevented from attending his usual duties of employment, causing loss of income and in the future incurred earning losses, by not being able to achieve his full employment potential.

12. Defendant is liable to Plaintiff William Scott DeLong for his injuries described herein inasmuch as Plaintiff's injuries are the direct, proximate, natural, foreseeable and probable consequence of Defendant's negligence, carelessness and recklessness as set forth herein.

WHEREFORE, Plaintiff William Scott DeLong demands judgment to be entered in his favor, against Defendant, in an amount in excess of \$20,000.00, together with interest, costs of suit, damages for delay and other such relief as the Court deems just and appropriate.

**COUNT II**

**Plaintiff Christine DeLong vs. Defendant**

13. Plaintiff Christine DeLong incorporates all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

14. As a result of Defendant's negligence, Plaintiff Christine DeLong has been deprived of the society, companionship, contributions and consortium of her husband, Plaintiff William Scott DeLong, to her great detriment and loss.

15. As a result of Defendant's negligence, Plaintiff Christine DeLong has suffered a disruption in her daily habits and pursuits, and a loss of enjoyment of life.

WHEREFORE, Plaintiff Christine DeLong demands judgment to be entered in her favor and against Defendant in an amount in excess of \$20,000.00, together with interest, costs of suit, damages for delay, and such other relief as the Court deems just and appropriate.

**DEMAND FOR JURY TRIAL**

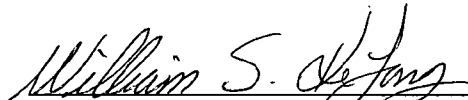
Plaintiffs demand a jury by twelve (12) jurors on all issues presented herein.

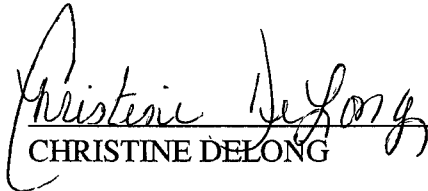
Respectfully submitted,

  
\_\_\_\_\_  
Lea Ann Heltzel, Esquire  
I.D. No. 83998  
900 Beaver Drive  
DuBois, PA 15801  
(814) 375-0300

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, we verify that the statements made in this pleading are true and correct.

  
WILLIAM SCOTT DELONG

  
CHRISTINE DELONG

Dated: 6/14/01



**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket #

11132

DELONG, WILLIAM SCOTT and CHRISTINE

01-950-CD

VS.

IORFIDA, DAVID

COMPLAINT

**SHERIFF RETURNS**

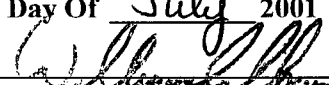
NOW JUNE 21, 2001 TOM KONTES, SHERIFF OF ELK COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT ON DAVID IORFIDA, DEFENDANT.

NOW JUNE 27, 2001 SERVED THE WITHIN COMPLAINT ON DAVID IORFIDA, DEFENDANT BY DEPUTIZING THE SHERIFF OF ELK COUNTY. THE RETURN OF SHERIFF KONTES IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

**Return Costs**

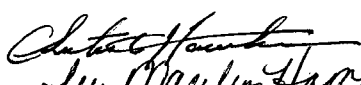
Cost	Description
27.68	SHFF. HAWKINS PAID BY: ATTY.
27.16	SHFF. KONTES PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

13<sup>th</sup> Day Of July 2001  


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

So Answers,

  
by Marilyn Harris  
Chester A. Hawkins  
Sheriff

**FILED** No CC  
013:4781  
JUL 13 2001  
William A. Shaw  
Prothonotary

# Affidavit of Service

William Scott DeLong  
and Christine DeLong  
vs.

David Iorfida

No. 950 Term, 20 01

Returnable within \_\_\_\_\_ days  
from date of service hereof.

NOW June 27, 20 01 at 2:00 o'clock P.M.

served the within Complaint on David Iorfida

at 110 Pinecrest Rd., St. Marys, Elk County, PA

by handing to him

a true and attested copy of the original Complaint and made

known to him the contents thereof. Sheriff's Costs - \$27.16 PAID

Sworn to before me this 5<sup>th</sup>

day of July A.D. 20 01

*Carole A. Fray*

My Commission Expires  
January 5, 2004

Prothonotary

So answers,

*Thomas C. Korte*

Sheriff

*Shawn M. Geci*

Shawn M. Geci

Deputy



# 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

WILLIAM SCOTT DELONG & CHRISTINE DELONG

**SERVE BY:** 7/15/01

VS:

or  
**HEARING DATE:**

DAVID IORFIDA

**TERM & NO.:** 01-950-CD

**DOCUMENT TO BE SERVED:**

COMPLAINT

.....  
**SERVE:** DAVID IORFIDA


**ADDRESS:** 110 Pinecrest Road, St. Marys, Pa.

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

This Deputation being made at the request and risk of the Plaintiff this 21st day of JUNE 2001.

**MAKE REFUND PAYABLE TO:** HOPKINS LAW FIRM

Respectfully,

  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

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

WILLIAM SCOTT DELONG and  
CHRISTINE DELONG,  
Plaintiffs

vs.

DAVID IORFIDA,  
Defendant

NO. 01 -950- CD

Type of Pleading: Petition for Special  
Relief

Filed on behalf of : Plaintiffs

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

**FILED**

SEP 19 2001

William A. Shaw  
Prothonotary

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

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 -950- CD
	:	
DAVID IORFIDA,	:	
Defendant	:	

**NOTICE**

TO: Shelby Casualty Insurance Company  
3760 River Run Drive  
Birmingham, AL 35243

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.

Office of the Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, Pennsylvania 16830  
(814) 765-2641

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

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 -950- CD
	:	
DAVID IORFIDA,	:	
Defendant	:	

**COMPLAINT**

NOW, COMES the Plaintiffs, William Scott DeLong and Christine DeLong, by and through their attorneys, The Hopkins Law Firm, and says as follows:

1. On April 30, 2000, David Iorfida was traveling north on Route 255 in Sandy Township, Clearfield County when he failed to negotiate a turn and drove his vehicle directly into a house in which Petitioners were sleeping. Due to the forceful impact of Mr. Iorfida's vehicle, Petitioner, William Scott DeLong was thrown out of his bed and suffered personal injuries.

2. Mr. DeLong was diagnosed with an A/C joint separation by Orthopedic Surgeon, Samuel Barley. Mr. DeLong underwent physical therapy on thirty (30) occasions with elevated pain at level 7 out of 10.

3. Mr. DeLong treated with Casteel Chiropractic Center on twenty-one (21) occasions.

4. Mr. DeLong's medical expenses total \$11,299.91.

5. Mr. DeLong was employed at Gertz Electric as a delivery and stockperson. As a result of the collision, he has been unable to work for nine (9) months and his lost wage claim is

over \$8,000.00.

6. Various criminal charges were filed against Mr. Iorfida including leaving the scene of a motor vehicle accident. To the best knowledge, information and belief of Petitioner, Mr. Iorfida plead guilty to some or all of the charges filed against him and served some period of incarceration as imposed by the criminal courts of Common Pleas of Clearfield County.

7. On June 15, 2001, Petitioners filed a Complaint against Mr. Iorfida. Thereafter, Mr. Iorfida's insurance company, Kemper Insurance Companies, offered to settle all of Petitioner's claims against Mr. Iorfida upon payment of Mr. Iorfida's entire automobile policy limit of \$15,000.00.

8. Petitioners maintain automobile insurance of their own issued by Respondent, Shelby Casualty Insurance Company, providing stacked underinsured motorist coverage of \$25,000.00 per person.

9. Petitioners' claims against Mr. Iorfida far exceed \$15,000.00 and as a result thereof Petitioners intend to pursue an underinsurance motorist claim against Shelby Casualty Insurance Company.


10. After receiving the July 26, 2001 offer from Kemper Insurance Companies, Petitioner wrote to Shelby Casualty Insurance Company requesting authorization to settle and then pursue an underinsurance motorist claim. See Exhibit "A".

11. No response was received from Respondent, Shelby Casualty Company, and on August 30, 2001, Petitioner set a similar written request by certified mail which Respondent received on September 4, 2001. See Exhibit "B".

12. To date, Respondent has failed to acknowledge the claims of Petitioner.

WHEREFORE, Petitioner respectfully requests this Court enter an Order authorizing Petitioners, William S. DeLong and Christine DeLong, to accept \$15,000.00 from Kemper Insurance Companies and execute a general release in favor of Kemper Insurance Companies and David Iorfida without prejudicing Petitioners' underinsurance claim against Respondent Shelby Insurance Company.

Respectfully submitted,

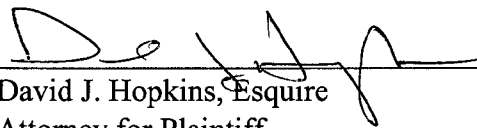


David J. Hopkins, Esquire  
900 Beaver Drive  
DuBois, PA 15801  
(814) 375-0300



## VERIFICATION

I, David J. Hopkins, have discussed this case with Plaintiff and to the best of my knowledge, information and belief, I verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities.

  
\_\_\_\_\_  
David J. Hopkins, Esquire  
Attorney for Plaintiff

# THE HOPKINS LAW FIRM

---

900 Beaver Drive • DuBois, PA 15801

**David J. Hopkins**

Licensed in PA & NJ  
Masters in Taxation

- Voice: (814) 375 - 0300
- Fax: (814) 375 - 5035
- Email: hopkins@penn.com

---

**Lea Ann Heltzel**

Licensed in PA

July 30, 2001

Shelby Casualty Insurance Company  
3760 River Run Drive  
Birmingham, AL 35243

Re: William S. DeLong  
Policy Number: R 8552246  
Underinsurance Motorist Claim

Dear Sir or Madam:

Kindly be advised this office represents the interest of William Scott DeLong who was injured in a motor vehicle accident which occurred on April 30, 2000. At that time, Mr. DeLong was asleep in the house in which he was living when David Iorfida drove his motor vehicle into the DeLong bedroom throwing Mr. DeLong from the bed.

Rather than repeat all of the injuries which Mr. DeLong suffered, I am enclosing herewith my March 5, 2001 correspondence to Kemper Insurance Companies which set forth Mr. DeLong's injuries together with all of his medical expenses.

The tortfeasor, David Iorfida, is insured by Kemper Insurance Companies who has a minimum \$15,000/\$30,000 policy. Kemper Insurance Companies has offered their policy limits.

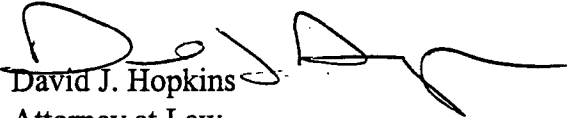
The purpose of this correspondence is to request Shelby Insurance Companies authorize Mr. DeLong to accept the settlement offer from Kemper Insurance Companies and grant both Kemper and David Iorfida a general release upon payment of \$15,000.00.

Mr. DeLong is also now presenting an underinsurance motorist claim and I ask that you assign this matter to a claims representative and have the claims representative contact me.

Shelby Casualty Insurance Company  
July 30, 2001  
Page two

I look forward to hearing from you in the near future.

Very truly yours,

  
David J. Hopkins  
Attorney at Law

DJH/bjt

Enclosures

cc: William S. DeLong

# THE HOPKINS LAW FIRM

900 Beaver Drive • DuBois, PA 15801

**David J. Hopkins**  
Licensed in PA & NJ  
Masters in Taxation

- Voice: (814) 375 - 0300
- Fax: (814) 375 - 5035
- Email: hopkins@penn.com

**Lea Ann Heltzel**  
Licensed in PA

August 30, 2001

## **Certified Mail – Return Receipt Requested**

Shelby Casualty Insurance Company  
3760 River Run Drive  
Birmingham, AL 35243

Re: William S. DeLong  
Policy Number: R 8552246  
~~Underinsurance Motorist Claim~~

Dear Sir or Madam:

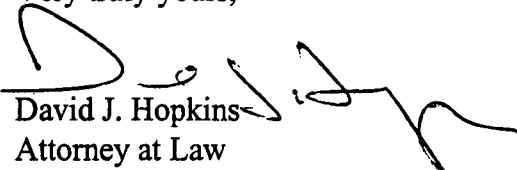
This office represents the interest of William S. DeLong who was injured in a motor vehicle accident. At the time of the accident, Mr. DeLong was insured by your company and maintained an underinsurance provision in the policy.

On July 30, 2001, I wrote to you advising Mr. DeLong had been involved in a motor vehicle accident and the tortfeasor had offered to settle for the total policy limits. I requested authorization to settle with the tortfeasor and present an uninsured motorist claim. To date, I have not heard from you.

Please be advised that if I do not receive an answer from you within ten (10) days from the date of this letter I intend to settle with the tortfeasor and proceed with an underinsurance claim against your insurance company.

Kindly accept this letter as my client's demand for arbitration of Mr. DeLong's underinsurance claim.

Very truly yours,

  
David J. Hopkins  
Attorney at Law

DJH/bjt  
cc: William S. DeLong

FILED

SEP 19 2001

0/11:10 a.m.  
William A. Shaw  
Prothonotary

Done (1) cc to Betty  
9/19/01

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

WILLIAM SCOTT DELONG and  
CHRISTINE DELONG,

Plaintiffs

vs.

DAVID IORFIDA,

Defendant

NO. 01 -950- CD

**RULE RETURNABLE**

NOW, this 20<sup>th</sup> day of September, 2001, upon consideration of the attached Petition,  
a Rule is hereby issued upon Respondent, Shelby Casualty Insurance Company, to Show Cause why the  
Petition should not be granted. Rule Returnable the 10<sup>th</sup> day of October, 2001,  
for filing written response.

**NOTICE**

A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR MOVANT. YOU MAY LOSE 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 Courthouse  
230 E. Market Street  
Clearfield, PA 16830  
(814) 765-2641

**FILED**

SEP 20 2001  
11:10 AM  
William A. Shaw  
Prothonotary

BY THE COURT,

JUDGE

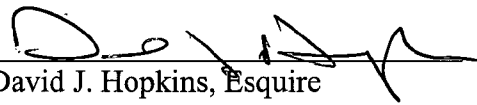
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 -950- CD
	:	
DAVID IORFIDA,	:	
Defendant	:	

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the Petition for Special Relief, filed on behalf of Plaintiffs, William Scott DeLong and Christine DeLong, was forwarded on the 26th day of September, 2001, by United States Certified Mail, addressed as follows:

Shelby Casualty Insurance Company  
3760 River Run Drive  
Birmingham, AL 35243

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs  
Supreme Court No. 42519

**FILED**

SEP 28 2001

m/la/noc  
A. Shaw  
Notary



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

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 -950- CD
	:	
DAVID IORFIDA,	:	
	:	
Defendant	:	

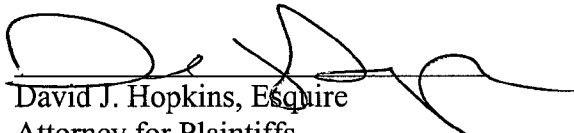
**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the Rule Returnable, filed on behalf of Plaintiffs, William Scott DeLong and Christine DeLong, was forwarded on the 26<sup>th</sup> day of September, 2001, by United States Certified Mail, addressed as follows:

Article No. 7000-1670-0002 5643 1534

Shelby Casualty Insurance Company  
3760 River Run Drive  
Birmingham, AL 35243

Service was made upon Shelby Casualty Insurance Company on October 1, 2001 as evidence by the attached certified mail receipt.

  
David J. Hopkins, Esquire  
Attorney for Plaintiffs  
Supreme Court No. 42519

**FILED**

OCT 12 2001

011103/120C  
William A. Shaw  
Prothonotary



**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:

Shelby Casualty Insurance Co.  
3760 River Run Drive  
Birmingham, AL 35243

## 2. Article Number (Copy from service label)

7000 1670 0002 5643 1534

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

B. Date of Delivery

10-1-01

C. Signature

*Charles Horn*

☐ 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

PS 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)

Shelby Casualty Insurance Co.

Postage

\$

Certified Fee

Return Receipt Fee  
(Endorsement Required)Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees

\$

Postmark  
Here

1

Sept 26, 2001

Sent To

Shelby Casualty Insurance Co.

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

3760 River Run Drive

City, State, ZIP+4

Birmingham, AL 35243

PS Form 3800, May 2000

See Reverse for Instructions

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

WILLIAM SCOTT DELONG and  
CHRISTINE DELONG,  
Plaintiffs

vs.

DAVID IORFIDA,  
Defendant

NO. 01 -950- CD

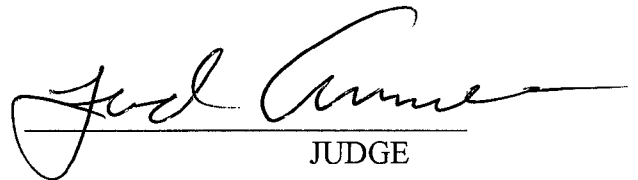
**ORDER**

AND NOW, this 15 day of October, 2001, it is hereby ORDERED and  
ADJUDGED as follows:

1. Petitioners, William Scott DeLong and Christine DeLong, are hereby authorized to settle all of their claims against David Iorfida and Kemper Insurance Companies upon payment of \$15,000.00 by Kemper Insurance Companies and William Scott DeLong and Christine DeLong are hereby authorized and directed to execute a general release in favor of David Iorfida and the Kemper Insurance Companies.

2. William Scott DeLong and Christine DeLong's settlement with David Iorfida and Kemper Insurance Companies set forth above shall be without prejudice to their ability to pursue an underinsurance motorist claim against Shelby Casualty Insurance Companies.

BY THE COURT,

  
JUDGE

**FILED**

**OCT 16 2001**

**William A. Shaw  
Prothonotary**

FILED

OCT 16 2001

William A. Shaw  
Prothonotary

OCT 16 2001

0/ 8:30 /  
William A. Shaw  
Prothonotary

File

2 CENT TO ATT

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

WILLIAM SCOTT DELONG and  
CHRISTINE DELONG,

Plaintiffs

vs.

DAVID IORFIDA,

Defendant

NO. 01 -950- CD

Type of Pleading: Praecipe to Discontinue

Filed on behalf of: William Scott DeLong  
and Christine DeLong, Plaintiffs.

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE

Attorney at Law

Supreme Court I.D. No. 42519

900 Beaver Drive

DuBois, Pennsylvania 15801

(814) 375-0300

**FILED**

NOV 02 2001

William A. Shaw  
Prothonotary

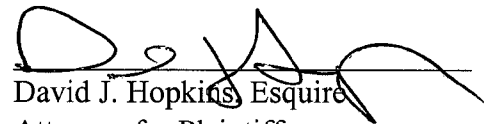
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

WILLIAM SCOTT DELONG and	:	
CHRISTINE DELONG,	:	
Plaintiffs	:	
	:	
vs.	:	NO. 01 -950- CD
	:	
DAVID IORFIDA,	:	
Defendant	:	

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Kindly mark the above captioned matter settled and discontinued.

  
David J. Hopkins Esquire  
Attorney for Plaintiffs  
900 Beaver Drive  
DuBois, PA 15801

FILED

NOV 02 2001

6/23/01  
William A. Shaw  
Prothonotary

1cc atty Hopkins  
Per. Dr. to atty Hopkins  
copy ca

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IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

William Scott DeLong  
Christine DeLong

Vs.  
David F. Iorfida

No. 2001-00950-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 November 2, 2001 marked:

Settled and Discontinued

Record costs in the sum of \$80.00 have been paid in full by David J. Hopkins, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of November A.D. 2001.

---

William A. Shaw, Prothonotary

CERTIFICATE  
PREREQUISITE TO SERVICE OF A SUBPOENA  
PURSUANT TO RULE 4009.22

IN THE MATTER OF:

WILLIAM SCOTT AND CHRISTINE DELONG

COURT OF COMMON PLEAS

TERM,

-VS-

CASE NO: 01-950-CD

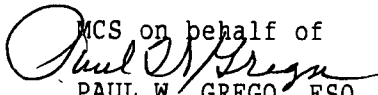
DAVID IORFIDA

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22

MCS on behalf of PAUL W. GREGO, ESQ.  
certifies that

- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

DATE: 12/23/2002

MCS on behalf of  
  
PAUL W. GREGO, ESQ.  
Attorney for DEFENDANT

**FILED**

DEC 26 2002

William A. Shaw  
Prothonotary

DE11-383170 14053-L01



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

IN THE MATTER OF:

WILLIAM SCOTT AND CHRISTINE DELONG

-VS-

DAVID IORFIDA

COURT OF COMMON PLEAS

TERM,

CASE NO: 01-950-CD

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE DOCUMENTS AND  
THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21**

SAMUEL B. BARLEY, M.D.

MEDICAL RECORDS

TO: JOSEPH MAX LEWIS, ESQ.

DAVID J. HOPKINS, ESQ.

MCS on behalf of PAUL W. GREGO, ESQ. 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 the twenty day notice period is waived or if no objection is made, then the subpoena may be served. Complete copies of any reproduced records may be ordered at your expense by completing the attached counsel card and returning same to MCS or by contacting our local MCS office.

DATE: 12/03/2002

MCS on behalf of

PAUL W. GREGO, ESQ.

Attorney for DEFENDANT

CC: PAUL W. GREGO, ESQ.

- 260-86382  
-

Any questions regarding this matter, contact

THE MCS GROUP INC.  
1601 MARKET STREET  
#800  
PHILADELPHIA, PA 19103  
(215) 246-0900

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

William Scott DeLong  
Christine DeLong  
Plaintiff(s)

Vs.

David F. Iorfida  
Defendant(s)

No. 2001-00950-CD

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

TO: CUSTODIAN OF RECORDS FOR: SAMUEL B. BARLEY, M.D.  
(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: PAUL W. GREGO, ESQ.

ADDRESS: 1857 WILLIAM PENN WAY  
LANCASTER PA 17605

TELEPHONE: (215) 246-0900

SUPREME COURT ID # \_\_\_\_\_

ATTORNEY FOR: DEFENDANT

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



Deputy

Deputy Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

12/23/2002

DATE: Monday, November 25, 2002  
Seal of the Court

## **EXPLANATION OF REQUIRED RECORDS**

**TO: CUSTODIAN OF RECORDS FOR:**

**SAMUEL B. BARLEY, M.D.  
KEYSTONE REHAB. SYSTEMS  
470 JEFFERS STREET**

**DUBOIS, PA 15801**

**RE: 14053  
WILLIAM SCOTT DELONG**

**RECORDS BEFORE 04/30/00.**

Entire medical file, including but not limited to any and all records, correspondence to and from the consulting and treating physicians, files, memoranda, handwritten notes, history and physical reports, medication/prescription records, including any and all such items as may be stored in a computer database or otherwise in electronic form, relating to any examination, diagnosis or treatment pertaining to:

**Dates Requested: up to and including the present.  
Subject : WILLIAM SCOTT DELONG**

**Social Security #: 172-56-3034  
Date of Birth: 06-27-1961**

FILED

NO  
CC

M/12:51 PM  
DEC 28 2002

2  
KES

William A. Shaw  
Prothonotary

CERTIFICATE  
PREREQUISITE TO SERVICE OF A SUBPOENA  
PURSUANT TO RULE 4009.22

IN THE MATTER OF:

WILLIAM SCOTT AND CHRISTINE DELONG

COURT OF COMMON PLEAS

TERM,

-VS-

CASE NO: 01-950-CD

DAVID IORFIDA

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22

MCS on behalf of PAUL W. GREGO, ESQ.  
certifies that

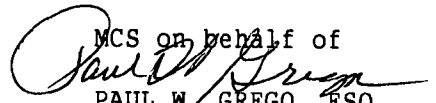
- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

DATE: 02/18/2003

**FILED**

FEB 24 2003

William A. Shaw  
Prothonotary

MCS on behalf of  
  
PAUL W. GREGO, ESQ.  
Attorney for DEFENDANT

DE11-393537 14053-L02

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

IN THE MATTER OF:

WILLIAM SCOTT AND CHRISTINE DELONG

-VS-

DAVID IORFIDA

COURT OF COMMON PLEAS

TERM,

CASE NO: 01-950-CD

NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE DOCUMENTS AND  
THINGS FOR DISCOVERY PURSUANT TO RULE 4009.21

DUBOIS REGIONAL MED. CTR. MEDICAL RECORDS

TO: JOSEPH MAX LEWIS, ESQ.

DAVID J. HOPKINS, ESQ.

MCS on behalf of PAUL W. GREGO, ESQ. 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 the twenty day notice period is waived or if no objection is made, then the subpoena may be served. Complete copies of any reproduced records may be ordered at your expense by completing the attached counsel card and returning same to MCS or by contacting our local MCS office.

DATE: 01/28/2003

MCS on behalf of

PAUL W. GREGO, ESQ.  
Attorney for DEFENDANT

CC: PAUL W. GREGO, ESQ.

- 260-86382  
-

Any questions regarding this matter, contact

THE MCS GROUP INC.  
1601 MARKET STREET  
#800  
PHILADELPHIA, PA 19103  
(215) 246-0900

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

William Scott DeLong  
Christine DeLong  
Plaintiff(s)

Vs.

David F. Iorfida  
Defendant(s)

No. 2001-00950-CD

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

TO: CUSTODIAN OF RECORDS FOR: DUBOIS REGIONAL MED. CTR.

(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: PAUL W. GREGO, ESQ.

ADDRESS: 1857 WILLIAM PENN WAY, PO BX 10248  
LANCASTER, PA 17605

TELEPHONE: 215-246-0900

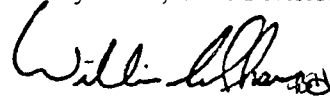
SUPREME COURT ID # \_\_\_\_\_

ATTORNEY FOR: DEFENDANT

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Wednesday, January 22, 2003  
Seal of the Court

## **EXPLANATION OF REQUIRED RECORDS**

**TO:** CUSTODIAN OF RECORDS FOR:

DUBOIS REGIONAL MED. CTR.  
100 HOSPITAL AVE.

DUBOIS, PA 15801

**RE:** 14053  
WILLIAM SCOTT DELONG

ANY AND ALL RECORDS BEFORE 4/30/2000.

Entire medical file, including but not limited to any and all records, correspondence to and from the consulting and treating physicians, files, memoranda, handwritten notes, history and physical reports, medication/prescription records, including any and all such items as may be stored in a computer database or otherwise in electronic form, relating to any examination, diagnosis or treatment pertaining to:

**Dates Requested:** up to and including the present.  
**Subject :** WILLIAM SCOTT DELONG

**Social Security #:** 172-56-3034  
**Date of Birth:** 06-27-1961



FILED

NO  
CC

11:33 AM  
FEB 24 2003

gels

William A. Shaw  
Prothonotary