

01-1128-CD  
DEBRA L. MARSHALL -vs- CARL J. WOJTASZEK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 01-1128-CO

Plaintiff

vs.

**PRAECIPE FOR A WRIT OF SUMMONS**

CARL J. WOJTASZEK,

Defendant

Filed on behalf of:  
PLAINTIFF

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE  
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC  
100 West High Street  
Ebensburg, PA 15931-1539

(814) 472-9000

**FILED**

JUL 13 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 01-1128-00

Plaintiff

vs.

CARL J. WOJTASZEK,

Defendant

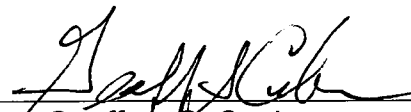
**PRAECIPE FOR WRIT OF SUMMONS**  
**IN A CIVIL ACTION**

TO: William A. Shaw, Prothonotary

Kindly issue a Writ Of Summons In A Civil Action in the within matter directed against the Defendant, CARL J. WOJTASZEK, whose last known address is 1025 WEST LONG AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA 15801.

EDGAR SNYDER & ASSOCIATES, LLC

By



Geoffrey S. Casher  
Attorney for Plaintiff

FILED

JUL 13 2001

Wm 111571 at  
William A. Shaw  
Prothonotary

Liberty rd  
\$80.00

Writ to Court

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

COF-17

SUMMONS

Debra L. Marshall

Vs.

NO.: 2001-01128-CD

Carl J. Wojtaszek

TO: CARL J. WOJTASZEK

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

Date: 07/13/2001

---

William A. Shaw  
Prothonotary

Issuing Attorney:

Geoffrey S. Casher Esq  
100 West High Street  
Ebensburg, PA 15931

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket #

11234

MARSHALL, DEBRA L.

01-1128-CD

VS.

WOJTASZEK, CARL J.

SUMMONS

SHERIFF RETURNS

NOW JULY 23, 2001 AT 10:15 AM DST SERVED THE WITHIN SUMMONS ON  
CARL J. WOJTASZEK, DEFENDANT AT RESIDENCE, 1025 WEST LONG AVE., DUBOIS  
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CARL J. WOJTASZEK  
A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN  
TO HIM THE CONTENTS THEREOF.  
SERVED BY: SNYDER/SHULTZ

Return Costs

Cost Description

31.35 SHFF. HAWKINS PAID BY: ATTY.

10.00 SURCHARGE PAID BY: ATTY.

FILED  
JUL 23 2001  
William A. Shaw  
Prothonotary

Sworn to Before Me This

31<sup>st</sup> Day Of July 2001  
*William A. Shaw*

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

So Answers,

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

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

TYPE OF PLEADING:  
**PRAECIPE FOR ENTRY OF  
APPEARANCE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:  
**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
KATHERINE V. OLIVER, ESQ.  
I.D. NO. 77069  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

AUG 06 2001

11/8:30/uc  
William A. Shaw  
Prothonotary

~~no c/c~~  
no c/c

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

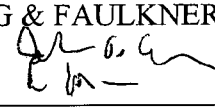
DEBRA L. MARSHALL,	:	No. 2001-01128-CD
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CARL J. WOJTASZEK,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of our Praecipe for Entry of Appearance on behalf of Defendant Carl J. Wojtaszek, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 3<sup>rd</sup> day of August, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant



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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

TYPE OF PLEADING:  
**CERTIFICATE OF SERVICE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:  
**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
KATHERINE V. OLIVER, ESQ.  
I.D. NO. 77069  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

SEP 05 2001

**William A. Shaw**  
Prothonotary

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

DEBRA L. MARSHALL,	:	No. 2001-01128-CD
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CARL J. WOJTASZEK,	:	
	:	
Defendant.	:	

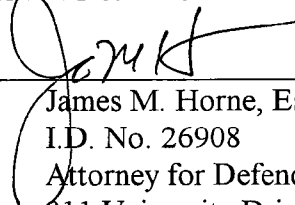
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Interrogatories Propounded by Defendant for Answer By Plaintiff (Set One) and Request for Production (Set One) in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 5<sup>th</sup> day of September, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I.D. No. 26908  
Attorney for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

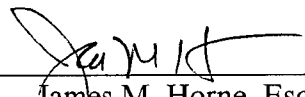
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Second Request For Production of Documents and Tangible Things By Defendant Directed to Plaintiff in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 5<sup>th</sup> day of September, 2001, to the attorney of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

  
James M. Horne, Esquire  
I.D. No. 26908  
Attorney for Defendant  
811 University Drive  
State College, PA 16801  
(814) 238-4926

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

: No. 2001-01128-CD

:  
: TYPE OF PLEADING:  
: **CERTIFICATE OF SERVICE**

:  
: TYPE OF CASE: CIVIL  
: FILED ON BEHALF OF:  
: **DEFENDANT**

:  
: COUNSEL OF RECORD FOR  
: FOR THIS PARTY:  
: JAMES M. HORNE, ESQ.  
: I.D. NO. 26908  
: KATHERINE V. OLIVER, ESQ.  
: I.D. NO. 77069  
: McQUAIDE, BLASKO, SCHWARTZ,  
: FLEMING & FAULKNER, INC.  
: 811 University Drive  
: State College, PA 16801  
: PH# (814) 238-4926  
: FAX#(814) 238-9624

**FILED**

SEP 10 2001

William A. Shaw  
Prothonotary

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

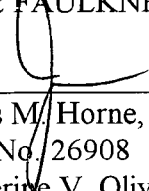
DEBRA L. MARSHALL,	:	No. 2001-01128-CD
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CARL J. WOJTASZEK,	:	
	:	
Defendant.	:	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the issued Rule to File Complaint on behalf of Defendant Carl J. Wojtaszek, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 7<sup>th</sup> day of September, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By:   
James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

FILED

SEP 18 2001  
m q. 8 / noc  
William A. Shaw  
Prothonotary

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

TYPE OF PLEADING:  
**CERTIFICATE OF SERVICE**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:  
**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
KATHERINE V. OLIVER, ESQ.  
I.D. NO. 77069  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

SEP 11 2001

m/11/02/noc  
William A. Shaw  
Prothonotary *WAS*

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Notice of Intent to Serve Subpoenas to Produce Documents and Things directed to: DuBois Regional Medical Center, Martin A. Schaeffer, M.D., James A. Scerbo, M.D., Mark A. Piasio, M.D. and the University of Pittsburgh (Pain Medicine Clinic), in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 10<sup>th</sup> day of September, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 01-1128 CD

Plaintiff

vs.

COMPLAINT IN A CIVIL ACTION

CARL J. WOJTASZEK,

Defendant

Filed on behalf of:  
PLAINTIFF

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE

E-mail address:

gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC

100 West High Street

Ebensburg, PA 15931-1539

(814) 472-9000

**FILED**

SEP 24 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 01-1128 CD

Plaintiff

vs.

CARL J. WOJTASZEK,

Defendant

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any 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 OR KNOW A LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:**

LAWYER REFERRAL SERVICE

- Court Administrator's Office  
1 North Second Street  
Clearfield, PA 16830

Telephone (814) 765-2641, Ext: 50

Clearfield

d

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 01-1128 CD

Plaintiff

vs.

CARL J. WOJTASZEK,

Defendant

**Complaint in a Civil Action**

AND NOW, comes the Plaintiff, DEBRA L. MARSHALL, by and through her attorneys, EDGAR SNYDER & ASSOCIATES, LLC, and GEOFFREY S. CASHER, ESQUIRE, and sets forth the following Complaint in a Civil Action:

1. The Plaintiff is DEBRA L. MARSHALL, an adult individual who resides at R. D. #1, Box 174, Luthersburg, Pennsylvania 15848.
2. The Defendant is CARL J. WOJTASZEK of 1025 West Long Avenue, DuBois, Clearfield County, Pennsylvania.
3. On or about September 18, 1999, the Plaintiff, DEBRA L. MARSHALL, was operating her motor vehicle along West Long Avenue in the City of DuBois, Clearfield County, Pennsylvania, when the Defendant, CARL J. WOJTASZEK, was also operating his motor vehicle in the same direction as the Plaintiff, DEBRA L. MARSHALL.
4. About the same time and place mentioned above, the Plaintiff, DEBRA

L. MARSHALL, stopped her vehicle and was in the process of making a left hand turn, utilizing her left turn signal, attempting to make a left hand turn into Palumbo's Market, situated along said street, when the Defendant, CARL J. WOJTASZEK, caused his vehicle to collide into the rear of the Plaintiff's vehicle.

**Count I**

**DEBRA L. MARSHALL vs. CARL J. WOJTASZEK**

5. The Plaintiff incorporates herein, by reference, paragraphs one through four inclusive, as if same were fully set forth at length herein.

6. The aforesaid accident and injuries sustained by the Plaintiff, DEBRA L. MARSHALL, were a direct and proximate result of the negligence, carelessness, wantonness, and recklessness of the Defendant, CARL J. WOJTASZEK, as follows:

- a. in traveling at an excessive and dangerous rate of speed under the circumstances then and there existing;
- b. in failing to keep a safe, careful and adequate lookout for other vehicles on the roadway, including that of the Plaintiff's, DEBRA L. MARSHALL;
- c. in operating his vehicle in a direction towards the Plaintiff's vehicle, when he knew or should have known that to do so would result in a collision;
- d. in failing to honk, warn, signal, flash his lights, or in any other way, notify the Plaintiff, DEBRA L. MARSHALL, of the impending collision;
- e. in failing to inspect, repair, service or otherwise maintain his vehicle in a safe and proper working condition, such that his failure to do so resulted in the vehicle being a hazard and unsafe;
- f. in operating his vehicle in such a mental or physical condition that it was unsafe to do so;

- g. in failing to maintain the assured clear distance, and/or in operating his vehicle at such a rate of speed, that he was unable to bring his vehicle to a stop within his assured clear distance ahead;
- h. in failing to observe the vehicle of the Plaintiff, DEBRA L. MARSHALL;
- i. in failing to yield the right of way;
- j. in violating one or more of the provisions of the Motor Vehicle Code; and,
- k. in failing to stop his vehicle prior to the collision with the vehicle of the Plaintiff, DEBRA L. MARSHALL.

7. As a direct and proximate result of the aforesaid accident, the Plaintiff, DEBRA L. MARSHALL, suffered the following injuries, some or all of which are permanent in nature:

- a. concussion;
- b. headaches;
- c. upper back pain;
- d. neck pain/spasm/myofascial injury;
- e. whiplash type injuries;
- f. shoulder pain and spasms;
- g. upper thoracic pain;
- h. fibromyalgia;
- i. carpal tunnel syndrome, bilaterally; and
- j. nerve damage.

8. The Plaintiff, DEBRA L. MARSHALL, is entitled to non-economic damages allowed under the Pennsylvania law in that she is entitled to full tort option of the Pennsylvania Motor Vehicle Code.

9. As a further direct and proximate result of the aforesaid accident, Plaintiff, DEBRA L. MARSHALL, has been and will be obligated to receive and undergo medical attention and care, and to expend various sums of money, and to incur various expenses, which expenses or may exceed the sums recoverable under the limits of 75 Pa. C.S.A. §1711, and may be obliged to expend such sums or incur such expenditures for an indefinite time into the future.

10. As a further direct and proximate result of the aforesaid accident, the Plaintiff has suffered a loss of earnings, or earning capacity and power, which such loss or income, or impairment of earning capacity has or may exceed the sums recoverable under the limits pursuant to the Pennsylvania Motor Vehicle Code.

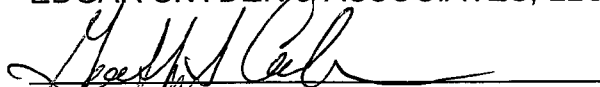
11. As a further result of the accident, Plaintiff, DEBRA L. MARSHALL, suffered severe physical pain, mental anguish, humiliation, embarrassment, loss of enjoyment of life, loss of vitality, vigor, health, and/or strength, and may continue to suffer the same for an indefinite time into the future.

WHEREFORE, the Plaintiff, DEBRA L. MARSHALL, demands judgment in her favor and against the Defendant, CARL J. WOJTASZEK, in an amount in excess of the statutory arbitration limits.

A JURY TRIAL IS DEMANDED.

Respectfully submitted:

EDGAR SNYDER & ASSOCIATES, LLC



Geoffrey S. Casher

Attorney for Plaintiff, DEBRA L. MARSHALL

**VERIFICATION OF COUNSEL**

GEOFFREY S. CASHER, ESQUIRE, says that he is the attorney for the Plaintiff, that he is authorized to make this statement and that the facts contained herein are true and correct to the best of his information, knowledge and belief. The verification of counsel is being attached hereto in lieu of that of Plaintiff because of the inability to obtain a Verification from Plaintiff in the time required to file this Complaint. A Verification of Plaintiff will be provided if requested.

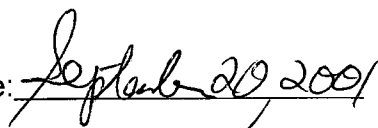
This statement is made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904 relating to unsworn falsification to authorities.

EDGAR SNYDER & ASSOCIATES, LLC

By

  
Geoffrey S. Casher  
Attorney for Plaintiff

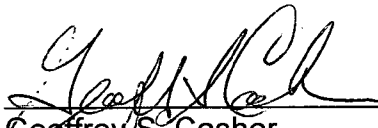
Date:



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Complaint was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 21st day of September, 2001:

James M. Horne, Esquire  
McQUAIDE BLASKO  
811 University Drive  
State College PA 16801-6699

  
\_\_\_\_\_  
Geoffrey S. Casher  
Attorney for Plaintiff



FILED

SEP 24 2001  
011421NO <C  
William A. Shaw  
Prothonotary  
*WAS*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 01-1128 CD

Plaintiff

vs.

CARL J. WOJTASZEK,

Defendant

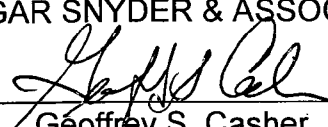
**NOTICE OF SERVICE OF INTERROGATORIES  
AND REQUEST FOR PRODUCTION DIRECTED TO DEFENDANT[S]**

I hereby certify that on this 24<sup>th</sup> day of September, 2001, the original Interrogatories Directed To Defendant[s], the original Request For Production, and one (1) copy of the Notice of Service of Interrogatories and Request For Production were mailed by First Class Mail, postage prepaid, to counsel for Defendant[s] at the following address:

James M. Horne, Esquire  
McQUAIDE BLASKO  
811 University Drive  
State College PA 16801-6609

EDGAR SNYDER & ASSOCIATES, LLC

By

  
Geoffrey S. Casher  
Attorney for Plaintiff

**FILED**

SEP 26 2001

1247110rc  
William A. Shaw  
Prothonotary

64329.1

nosintre.pf

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

TYPE OF PLEADING:  
**Certificate Prerequisite to Service  
of Subpoenas**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:  
**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
KATHERINE V. OLIVER, ESQ.  
I.D. NO. 77069  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

OCT 02 2001

William A. Shaw  
Prothonotary

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

DEBRA L. MARSHALL, : No. 2001-01128-CD  
:   
Plaintiff, :   
v. :   
CARL J. WOJTASZEK, :   
Defendant. :

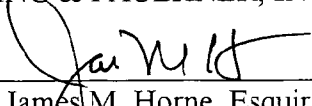
**CERTIFICATE**  
**PREREQUISITE TO SERVICE OF SUBPOENAS**  
**PURSUANT TO RULE 4009.22**

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant certifies that:

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

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: October 1, 2001

By:   
James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

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

Defendant intends to serve subpoenas identical to those that are 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 subpoenas. If no objection is made, the subpoenas may be served.

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: September 10, 2001

By: 

James M. Horne, Esquire  
I.D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Debra L. Marshall  
Plaintiff(s)

Vs.

Carl J. Wojtaszek  
Defendant(s)

\*

\*

\*

No. 2001-01128-CD

**COPY**

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

TO: DUBOIS REGIONAL MEDICAL CENTER  
(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:

A true and correct copy of any and all medical records in your possession  
pertaining to Debra L. Marshall, SS#194-46-4673, d/o/b 4/30/56.

(Address)

at: McQuaide Blasko, 811 University Drive, State College, PA 16801

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: James M. Horne, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: (814) 238-4926  
SUPREME COURT ID # 26908  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Thursday, September 06, 2001  
Seal of the Court

William A. Shaw  
~~Deputy~~

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Debra L. Marshall  
Plaintiff(s)

Vs.

Carl J. Wojtaszek  
Defendant(s)

No. 2001-01128-CD

**COPY**

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

TO: Martin A. Schaeffer, 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:

A true and correct copy of any and all medical records in your possession  
pertaining to Debra L. Marshall, SS#194-46-4673, d/o/b 4-30-56.

(Address)  
at: McQuaide Blasko, 811 University Drive, State College, PA 16801

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: James M. Horne, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: (814) 238-4926  
SUPREME COURT ID # 26908  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Thursday, September 06, 2001  
Seal of the Court

  
Deputy

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

L. Marshall  
Plaintiff(s)

Vs.

Carl J. Wojtaszek  
Defendant(s)

\*

\*

\*

No. 2001-01128-CD

**COPY**

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

TO: James A. Scerbo, 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:

A true and correct copy of any and all medical records in your possession  
pertaining to Debra L. Marshall, SS#194-46-4673, d/o/b 4-30-56.

(Address)

at: McQuaide Blasko, 811 University Drive, State College, PA 16801

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: James M. Horne, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: (814) 238-4926  
SUPREME COURT ID # 26908  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, September 06, 2001  
Seal of the Court



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Debra L. Marshall  
Plaintiff(s)

Vs.

Carl J. Wojtaszek  
Defendant(s)

\*

\*

\*

No. 2001-01128-CD

**COPY**

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

TO: Mark A. Piasio, 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:

A true and correct copy of any and all medical records in your possession  
pertaining to Debra L. Marshall, SS#194-46-4673, d/o/b 4-30-56

(Address)

at: McQuaide Blasko, 811 University Drive, State College, PA 16801

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: James M. Horne, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: (814) 238-4926  
SUPREME COURT ID # 26908  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Thursday, September 06, 2001  
Seal of the Court

Deputy

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Debra L. Marshall  
Plaintiff(s)

Vs.

Carl J. Wojtaszek  
Defendant(s)

\*

\*

\*

No. 2001-01128-CD

**COPY**

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

TO: University of Pittsburgh - Pain Medicine Clinic  
(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:

A true and correct copy of any and all medical records in your possession  
pertaining to Debra L. Marshall, SS#194-46-4673, d/o/b 4-30-56.

(Address)

at: McQuaide Blasko, 811 University Drive, State College, PA 16801

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: James M. Horne, Esquire  
ADDRESS: 811 University Drive  
State College, PA 16801  
TELEPHONE: (814) 238-4926  
SUPREME COURT ID # 26908  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Thursday, September 06, 2001  
Seal of the Court

  
Deputy

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Certificate Prerequisite to Service of Subpoenas to Produce Documents and Things directed to: DuBois Regional Medical Center, Martin A. Schaeffer, M.D., James A. Scerbo, M.D., Mark A. Piasio, M.D. and the University of Pittsburgh (Pain Medicine Clinic), in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 1<sup>st</sup> day of October, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

FILED

OCT 02 2001

MAKOSH  
William A. Shaw  
Prothonotary

*[Handwritten signature]*  
*[Handwritten initials]*

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

TYPE OF PLEADING:  
**ANSWER WITH NEW MATTER**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:  
**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
KATHERINE V. OLIVER, ESQ.  
I.D. NO. 77069  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

**OCT 03 2001**

William A. Shaw  
Prothonotary

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**NOTICE TO PLEAD**

TO: Debra L. Marshall  
% Geoffrey S. Casher, Esquire

YOU ARE HEREBY notified to plead to the within New Matter within twenty (20) days  
from the date of service hereof or a default judgment may be entered against you.

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: October 2, 2001

By: 

James M. Horne, Esquire  
I.D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**DEFENDANT'S ANSWER WITH NEW MATTER**  
**TO PLAINTIFF'S COMPLAINT**

AND NOW, comes the Defendant, Carl J. Wojtaszek, by and through his undersigned counsel, McQuaide, Blasko, Schwartz, Fleming & Faulkner, Inc., and files the within Answer with New Matter to Plaintiff's Complaint and, in support thereof, avers as follows:

1. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 1. The same are therefore denied and strict proof thereof demanded.

2. Admitted.

3. Admitted.

4. Admitted in part and denied in part. It is admitted that at or about the date, time and place alleged, contact occurred between the front of a motor vehicle operated by the Defendant and the rear of a motor vehicle operated by the Plaintiff. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the balance of the allegations of paragraph 1. The same are therefore denied and strict proof thereof demanded.

**COUNT I**  
**Debra L. Marshall v. Carl J. Wojtaszek**

5. Defendant incorporates herein by reference, the same as though set forth at length, his responses to paragraphs through 4, inclusive.

6. a. - k. The allegations of paragraphs 6(a) through (k), inclusive, are denied pursuant to Pa. Rule of Civil Procedure 1029(e).

7. a. - j. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraphs 7(a) through (j), inclusive. The same are therefore denied and strict proof thereof demanded.

8. Defendant is advised and therefore believes that paragraph 8 pleads conclusions of law to which no response is required. To the extent any response is required, after reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 8. The same are therefore denied and strict proof thereof demanded.

9. - 11. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraphs 9 through 11, inclusive. The same are therefore denied and strict proof thereof demanded.

WHEREFORE, Defendant Carl J. Wojtaszek requests that the Complaint of Plaintiff Debra L. Marshall be dismissed with prejudice and costs of suit.

**NEW MATTER**

12. Defendant hereby asserts and raises all those defenses and/or limitations on damages available to him by reason of the terms and provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended.



13. To the extent Plaintiff's medical expenses, if any, have been paid or are payable under a policy of insurance, the same may not be pled, proven or recovered in the instant action.

14. To the extent Plaintiff incurred any wage loss, and to the extent same has been paid or is payable under a policy of insurance, the same may not be pled, proven or recovered in the instant action.

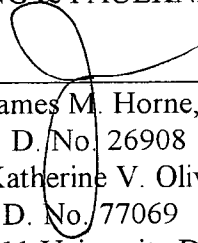
15. To the extent Plaintiff was insured under a policy of insurance bearing the limited tort option, Plaintiff's damages, if any, are barred or reduced accordingly.

WHEREFORE, Defendant Carl J. Wojtaszek requests that the Complaint of Plaintiff Debra L. Marshall be dismissed with prejudice and costs of suit.

Respectfully submitted,

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: October 2, 2001

By:   
James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

### VERIFICATION

The undersigned verifies that he is authorized to make this Verification on his own behalf, and that the statements made in the foregoing Answer with New Matter to Plaintiffs' Complaint, are true and correct to the best of his knowledge, information and belief. The undersigned understand that false statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, related to unsworn falsification to authority.

  
CARL J. WOJTASZEK

Dated: Sept 27, 2011, 2001

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Answer with New Matter to Plaintiff's Complaint, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 2<sup>nd</sup> day of October, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: 

James M. Horne, Esquire

I. D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

FILED

OCT 03 2001

M/10:45/120CC

William A. Shaw

Prothonotary

*[Signature]*

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

: No. 2001-01128-CD

:  
: TYPE OF PLEADING:  
: **PRAECIPE FOR RULE TO FILE**  
: **COMPLAINT**

:  
: TYPE OF CASE: CIVIL  
: FILED ON BEHALF OF:  
: **DEFENDANT**

:  
: COUNSEL OF RECORD FOR  
: FOR THIS PARTY:  
: JAMES M. HORNE, ESQ.  
: I.D. NO. 26908  
: KATHERINE V. OLIVER, ESQ.  
: I.D. NO. 77069  
: McQUAIDE, BLASKO, SCHWARTZ,  
: FLEMING & FAULKNER, INC.  
: 811 University Drive  
: State College, PA 16801  
: PH# (814) 238-4926  
: FAX#(814) 238-9624

**FILED**

SEP 06 2001

William A. Shaw  
Prothonotary

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**PRAECIPE FOR RULE TO FILE COMPLAINT**

TO THE PROTHONOTARY:

Please issue a Rule on Plaintiff to file her Complaint within twenty (20) days from service thereof or suffer a judgment of non pros against her.

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

Dated: September 5, 2001

By: 

James M. Horne, Esquire

I.D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

FILED

SEP 06 2001  
M 10:34  
William A. Shaw  
F. Secretary

*Rule to City Hare*  
*WAS*

COPY

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

DEBRA L. MARSHALL,

No. 2001-01128-CD

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

**RULE**

To: Debra L. Marshall  
% Geoffrey S. Casher, Esquire

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



William A. Shaw, Prothonotary  
[SEAL]

Dated: 9.6.01



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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of our Praecipe for Rule to File Complaint on behalf of Defendant Carl J. Wojtaszek, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 5<sup>th</sup> day of September, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By: \_\_\_\_\_

James M. Horne, Esquire  
I. D. No. 26908  
Katherine V. Oliver, Esquire  
I.D. No. 77069  
811 University Drive  
State College, PA 16801  
(814) 238-4926

Attorneys for Defendant

**FILED**

SEP 06 2001

m/10.45/ no c/c  
William A. Shaw  
Notary

*[Signature]*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 2001-01128-CD

Plaintiff

vs.

**REPLY TO NEW MATTER**

CARL J. WOJTASZEK,

Defendant

Filed on behalf of:  
PLAINTIFF

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE  
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC  
100 West High Street  
Ebensburg, PA 15931-1539

(814) 472-9000

**FILED**

OCT 23 2001

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 2001-01128-CD

Plaintiff

vs.

CARL J. WOJTASZEK,

Defendant

**REPLY TO NEW MATTER**

AND NOW, comes the Plaintiff, DEBRA L. MARSHALL, by and through her attorneys, EDGAR SNYDER & ASSOCIATES, LLC and GEOFFREY S. CASHER, ESQUIRE, and files the following response to New Matter, and asserts as follows:

12. Denied. This is a conclusion of law to which no response is required. To the extent that a response is required, it is denied that the Defendant has any defenses or may assert any limitations on the damages as set forth under the Pennsylvania Motor Vehicle Financial Responsibility Law. Strict proof of the same is demanded at trial.

13. Denied. This is a conclusion of law to which no response is required. To the extent that a response is required, it is denied that the Defendant has any defenses or may assert any limitations on the damages as set forth under the Pennsylvania Motor Vehicle Financial Responsibility Law. Strict proof of the same is demanded at trial.

14. Denied. This is a conclusion of law to which no response is required. To the extent that a response is required, it is denied that the Defendant has any defenses

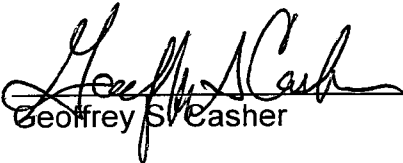
or may assert any limitations on the damages as set forth under the Pennsylvania Motor Vehicle Financial Responsibility Law. Strict proof of the same is demanded at trial.

15. Denied. It is denied that the Plaintiff has the limited tort option and, consequently, is entitled to collect and demand any and all damages as set forth under Pennsylvania law and the Pennsylvania Motor Vehicle Financial Responsibility law as amended.

WHEREFORE, the Plaintiff requests judgment against the Defendant, together with the costs of the suit.

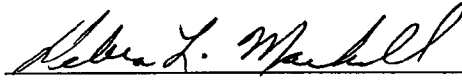
Respectfully submitted:

EDGAR SNYDER & ASSOCIATES, LLC

  
Geoffrey S. Casher

**VERIFICATION**

I, DEBRA L. MARSHALL, Plaintiff herein, hereby verify that the averments of fact contained in the foregoing REPLY TO NEW MATTER are true and correct and based upon my personal knowledge, information or belief. I understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Debra L. Marshall

Date:

10-18-01

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Reply to New Matter was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 22nd day of October, 2001:

James M. Horne, Esquire  
McQUAIDE BLASKO  
811 University Drive  
State College PA 16801-6699

  
\_\_\_\_\_  
Geoffrey S. Casher  
Attorney for Plaintiff

FILED

OCT 23 2001  
m1:03/ncc  
William A. Shaw  
Prothonotary

*[Handwritten signature]*

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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

TYPE OF PLEADING:  
**Certificate of Service**

TYPE OF CASE: CIVIL  
FILED ON BEHALF OF:  
**DEFENDANT**

COUNSEL OF RECORD FOR  
FOR THIS PARTY:  
JAMES M. HORNE, ESQ.  
I.D. NO. 26908  
KATHERINE V. OLIVER, ESQ.  
I.D. NO. 77069  
McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.  
811 University Drive  
State College, PA 16801  
PH# (814) 238-4926  
FAX#(814) 238-9624

**FILED**

OCT 22 2001

1719:40/ndcc

William A. Shaw  
Prothonotary

*CS*



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

DEBRA L. MARSHALL,

Plaintiff,

v.

CARL J. WOJTASZEK,

Defendant.

No. 2001-01128-CD

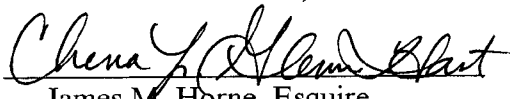
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Defendant's Answers/Objections to Plaintiff's Interrogatories and Response/Objections to Plaintiff's Request for Production of Documents, in the above-captioned matter was mailed by U.S. First Class Mail, postage prepaid, on this 19<sup>th</sup> day of October, 2001, to the attorneys/parties of record:

Geoffrey S. Casher, Esquire  
Edgar Snyder & Associates  
100 West High Street  
Ebensburg, PA 15931  
(for Plaintiff)

McQUAIDE, BLASKO, SCHWARTZ,  
FLEMING & FAULKNER, INC.

By:



James M. Horne, Esquire

I. D. No. 26908

Chena L. Glenn-Hart, Esquire

I.D. No. 82750

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

01-1128-CO

**VERIFICATION**

I, DEBRA L. MARSHALL, Plaintiff herein, hereby verify that the averments of fact contained in the foregoing Complaint are true and correct and based upon my personal knowledge, information or belief. I understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.

  
DEBRA L. MARSHALL

Date:

9/26/01

**FILED**

OCT 24 2001

mla:09110cc

William A. Shaw  
Prothonotary



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 2001-01128-CD

Plaintiff

vs.

**PRAECIPE TO SETTLE AND  
DISCONTINUE**

CARL J. WOJTASZEK,

Defendant

Filed on behalf of:  
PLAINTIFF

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE  
E-mail address:  
gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC  
100 West High Street  
Ebensburg, PA 15931-1539

(814) 472-9000

**FILED**

DEC 03 2001

11/1:37 p.m.  
William A. Shaw  
Prothonotary

no cc

*[Signature]*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DEBRA L. MARSHALL,

No. 2001-01128-CD

Plaintiff

vs.

CARL J. WOJTASZEK,

Defendant

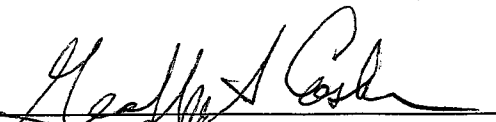
**PRAECIPE TO SETTLE AND DISCONTINUE**

To: William A. Shaw, Prothonotary

Please satisfy, settle and discontinue the within matter.

EDGAR SNYDER & ASSOCIATES, LLC

By



Geoffrey S. Casher  
Attorney for Plaintiff

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

**CIVIL DIVISION**

**Debra L. Marshall**

**Vs.**

**No. 2001-01128-CD**

**Carl J. Wojtaszek**

**CERTIFICATE OF DISCONTINUATION**

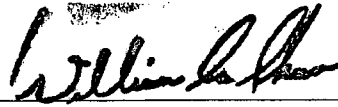
Commonwealth of PA  
County of Clearfield

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 this 3rd day of December, 2001 marked:

Settle and Discontinue

Record costs in the sum of \$145.35 have been paid in full by Geoffrey S. Casher, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of December A.D. 2001.

A handwritten signature in black ink, appearing to read 'William A. Shaw', is written over a horizontal line.

William A. Shaw, Prothonotary