

01-1148-CD

SANDRA L. COVAL et al -vs- TERRY LINGENFELTER et al



SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

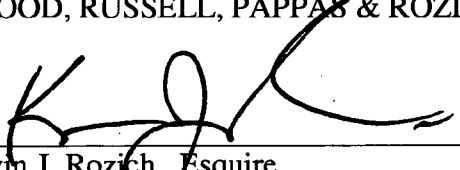
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.


Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded:

  
Kevin J. Rozich, Esquire

**FILED**

*No CC*

*MLB:24/21*  
OCT 09 2001

William A. Shaw  
Prothonotary

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

COPY

SUMMONS

Sandra L. Coval , Individually and as  
Administratrix of the Estate of  
Robert Lee Keirn

Vs.

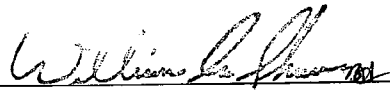
NO.: 2001-01148-CD

Terry Lingenfelter , Individually and Trading  
business as Passage Ways, Inc., Andrew Szebin  
Brian Koch and Richard Boyle

TO: TERRY LINGENFELTER, Individually and Trading as  
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ANDREW SZEBIN,  
BRIAN KOCH, and  
RICHARD BOYLE

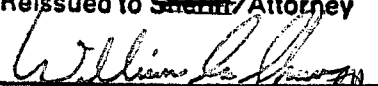
To the above named Defendant(s) you are hereby notified that the above named  
Plaintiff(s) has/have commenced a Civil Action against you.

Date: 07/17/2001

  
William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich, Esquire  
S.St. Station Professional Bldg.  
Johnstown, PA 15901

10901 Document  
~~Reinstated/Reissued to Sheriff/Attorney~~  
for service.  
  
Deputy Prothonotary

**William A. Shaw**  
Prothonotary

SANDRA L. COVAL, Individually and  
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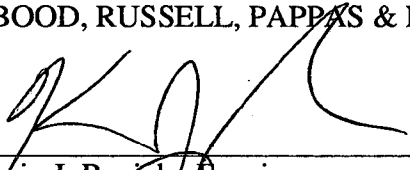
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\_\_\_\_\_  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded: 

\_\_\_\_\_  
Kevin J. Rozich, Esquire

FILED

Att'y P'd.  
7.00

3/8/11  
AUG 13 2001 1 unit reissued

William A. Shaw  
Prothonotary  
to Att'y



SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
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Plaintiff,

-vs-

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RICHARD BOYLE,

Defendants.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

NO. 2001 - 1148-CD

PRAECIPE TO REISSUE WRIT  
OF SUMMONS

Filed on behalf of Plaintiff

Counsel of Record for Plaintiff:

Kevin J. Rozich, Esquire  
Abood, Russell, Pappas & Rozich  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901  
(814) 535-6751

Pa. ID Number: 37494

**FILED**

SEP 12 2001

William A. Shaw  
Prothonotary



FILED

SEP 12 2001

M. J. Smith

William A. Shaw

Prothonotary  
Rich  
\$7.00

Reinstated/Reissued-to-Sheriff/Attorney  
for service.

9.12.01

Document

*William A. Shaw*

Deputy Prothonotary

William A. Shaw  
Prothonotary

Kevin J. Rozich, Esquire

FILED

Atty Rozick

~~10/3/01~~  
OCT 31 2001

pd 7:00

William A. Shaw  
Prothonotary

1 Re-issue sent

to Atty

WAS

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

COPY

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Sandra L. Coval , Individually and as  
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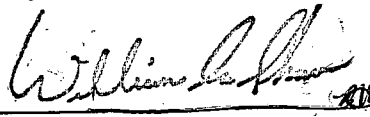
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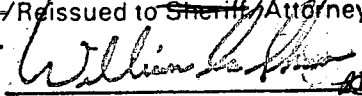
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William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich, Esquire  
S.St. Station Professional Bldg.  
Johnstown, PA 15901

10-370 Document  
~~Reinstated/Reissued to Sheriff/Attorney~~  
for service.  
  
Deputy Prothonotary

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

Sheriff Docket #

11261

COVAL, SANDRA L. l/a/a/ admx. Of estate of Robert Lee Keirn

01-1148-CD

VS.

LINGENFELTER, TERRY al

SUMMONS

**SHERIFF RETURNS**

NOW SEPTEMBER 18, 2001, LARRY FIELD, SHERIFF OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON PASSAGE WAYS, INC.; TERRY LINGENFELTER; ANDREW SZEBIN; BRIAN KOCH and RICHARD BOYLE, DEFENDANTS.

NOW OCTOBER 16, 2001 ATTEMPTED TO SERVE THE WITHIN SUMMONS ON PASSAGE WAYS, INC.; TERRY LINGENFELTER; ANDREW SZEBIN; BRIAN KOCH and RICHARD BOYLE, DEFENDANTS BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY. THE RETURN OF SHERIFF FIELD IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND".

**Return Costs**

Cost	Description
34.68	SHFF. HAWKINS PAID BY: ATTY.
63.50	SHFF. FIELD PAID BY: ATTY.
50.00	SURCHARGE PAID BY: ATTY.

148.18

**FILED**

NOV 02 2001

019.101am

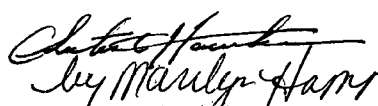
William A. Shaw  
Prothonotary

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



IN THE COURT OF COMMON PLEAS OF  
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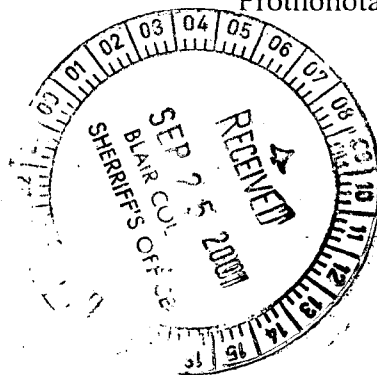
Date: 07/17/2001



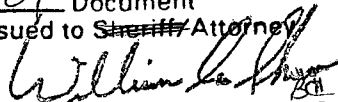
William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich, Esquire  
S.St. Station Professional Bldg.  
Johnstown, PA 15901



9-12-01 Document  
~~Reinstated~~/Reissued to Sheriff Attorney  
for service.



~~Deputy~~ Prothonotary

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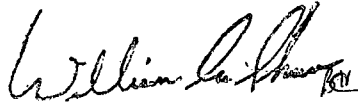
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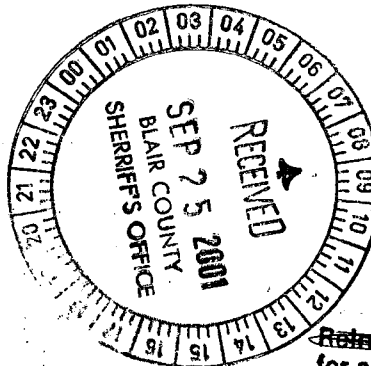
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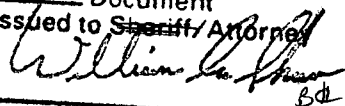
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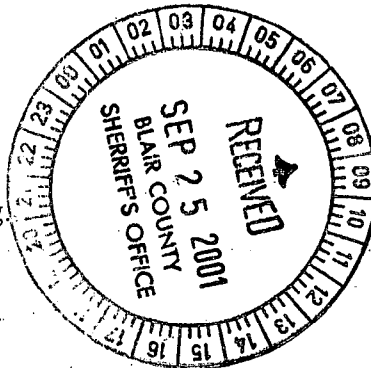
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Johnstown, PA 15901



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CLEARFIELD COUNTY PENNSYLVANIA  
CIVIL ACTION

SUMMONS

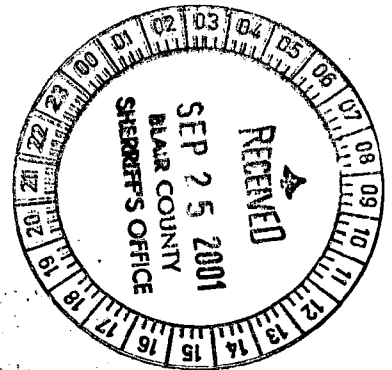
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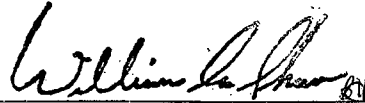
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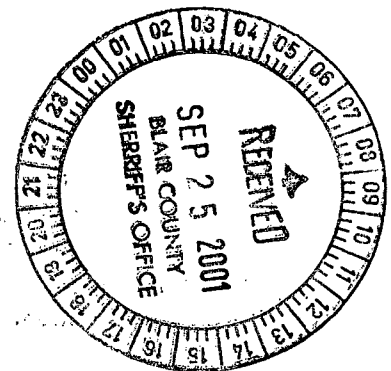
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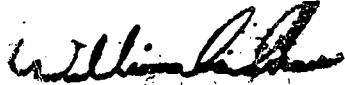
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Johnstown, PA 15901

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Deputy Prothonotary

=====

Receipt Date 09/25/2001  
Receipt Time 09:02:20  
Receipt No. 101783

9/25/2001 Open

Receipt total. = 150.00

150.00

DATE RECEIVED

11261  
DATE PROCESSED**SHERIFF'S DEPARTMENT**BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648**SHERIFF SERVICE  
PROCESS RECEIPT, and AFFIDAVIT OF RETURN****INSTRUCTIONS:**

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV.#

P.113  
L.9.10

1. PLAINTIFF / S / Sandra L. Coval

2. COURT NUMBER 01-1148-CD / 60150 T

3. DEFENDANT / S / Terry Lingenfelter et al

4. TYPE OF WRIT OR COMPLAINT Summons

**SERVE** { 5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.  
Passage Way Inc.

**AT** { 6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)  
RD 3 Box 825 Altoona PA 16601

7. INDICATE UNUSUAL SERVICE: ☒ PERSONAL ☐ PERSON IN CHARGE ☐ DEPUTIZE ☐ CERT. MAIL ☐ REGISTERED MAIL ☐ POSTED ☐ OTHER

NOW, \_\_\_\_\_, I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: Deputized by Clearfield County

10. TELEPHONE NUMBER 814-765-2641

11. DATE

Aboud Russell Pappas Rozick ☒ PLAINTIFF ☐ DEFENDANT

**SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE**

12. I acknowledge receipt of the writ or complaint as indicated above. SIGNATURE of Authorized BCSD Deputy or Clerk and Title Doris Schuler

13. Date Received 9-25-01

14. Expiration/Hearing date 10-12-01

15. I hereby CERTIFY and RETURN that I ☐ have personally served. ☐ have served person in charge. ☐ have legal evidence of service as shown in "Remarks" (on reverse) ☐ have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing/or Posting a TRUE and ATTESTED COPY thereof.

16. ☒ I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

18. A person of suitable age and discretion then residing in the defendant's usual place of abode. ☐ Read Order ☐

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

20. Date of Service

21. Time

22. ATTEMPTS	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.

23. Advance Costs 150.00 Rec # 101783

24. 5350

25. 10.00

26. 63.50

27. Total Costs

28. 86.50

29. 86.50

30. REMARKS

AFFIRMED and subscribed to before me this 16th

day of October 2001

Carol Grieco

NOTARY PUBLIC  
Carol Grieco, Notary Public  
Freedom Twp., Blair County  
My Commission Expires Feb. 3, 2003

By (Sheriff/Dep. Sheriff) (Please Print or Type) DLW

Signature of Sheriff [Signature]

SHERIFF OF BLAIR COUNTY

39. Date Received 10/16/01

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

## SHERIFF'S RETURN OF SERVICE

( ) (1) The within \_\_\_\_\_  
upon \_\_\_\_\_, the within named  
defendant by mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage  
prepaid \_\_\_\_\_ on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_  
defendant on the \_\_\_\_\_ is hereto attached and  
made part of this return.

( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and  
attested copy thereof at \_\_\_\_\_

in the following manner.

( ) (a). To the defendant by ( ) registered ( ) certified mail, return receipt requested,  
postage prepaid, addressee only on the \_\_\_\_\_  
said receipt being returned NOT signed by defendant, but with a notation by the Postal  
Authorities that defendant refused to accept the same. The returned receipt and envelope  
is attached hereto and made part of this return.

And thereafter:

( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the  
return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said  
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a  
proof of mailing.

( ) (3) By publication in a daily publication of general circulation in the County of **Blair**,  
Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing

The affidavit from said publication is hereto attached.

( ) (4) By mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage prepaid,  
on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal  
Authorities marked \_\_\_\_\_  
is hereto attached.

( ) (5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



DATE RECEIVED

DATE PROCESSED

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV. #

1. PLAINTIFF / S / Sandra L. Coval

2. COURT NUMBER 01-1148-CP / 60150 T

3. DEFENDANT / S / Terry Lingenfelter et al

4. TYPE OF WRIT OR COMPLAINT Summons

SERVE { 5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.  
AT { Terry Lingenfelter

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) PO Box 825 Altoona PA 16602

7. INDICATE UNUSUAL SERVICE: ☒ PERSONAL ☒ PERSON IN CHARGE ☐ DEPUTIZE ☐ CERT. MAIL ☐ REGISTERED MAIL ☐ POSTED ☐ OTHER

NOW, I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

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9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: Abraham Russell Pappas Porick ☒ PLAINTIFF ☐ DEFENDANT

10. TELEPHONE NUMBER

11. DATE

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above. SIGNATURE of Authorized BCSD Deputy or Clerk and Title Bonnie Schreiber 13. Date Received 9-25-01 14. Expiration/Hearing date 10-12-01

15. I hereby CERTIFY and RETURN that I ☐ have personally served, ☐ have served person in charge, ☐ have legal evidence of service as shown in "Remarks" (on reverse) ☐ have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by handing/or Posting a TRUE and ATTESTED COPY thereof.

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20. Date of Service

21. Time

22. ATTEMPTS	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.

23. Advance Costs

24.

25.

26.

27. Total Costs

28. COST DUE OR REFUND

30. REMARKS

AFFIRMED and subscribed to before me this

1642

SO ANSWER.

DLW

10/16/01

day of

October 2001

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Date

Signature of Sheriff

Date

SHERIFF OF BLAIR COUNTY

MY COMMISSION EXPIRES

NOTARY PUBLIC Notaria Seal  
Carol Grieco, Notary Public  
Freedom Twp., Blair County  
My Commission Expires Feb. 3, 2003  
Member, Pennsylvania Association of Notaries

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE  
OF AUTHORIZED ISSUING AUTHORITY AND

39. Date Received

## SHERIFF'S RETURN OF SERVICE

( ) (1) The within \_\_\_\_\_  
upon \_\_\_\_\_, the within named/  
defendant by mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage  
prepaid \_\_\_\_\_ on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_  
defendant on the \_\_\_\_\_ is hereto attached and  
made part of this return.

( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1)-(2), by mailing a true and  
attested copy thereof at \_\_\_\_\_

in the following manner.

( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested,  
postage prepaid, addressee only on the \_\_\_\_\_  
said receipt being returned NOT signed by defendant, but with a notation by the Postal  
Authorities that defendant refused to accept the same. The returned receipt and envelope  
is attached hereto and made part of this return.

And thereafter:

( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the  
return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said  
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a  
proof of mailing.

( ) (3) By publication in a daily publication of general circulation in the County of Blair,  
Commonwealth of Pennsylvania, \_\_\_\_\_ time(s) with publication appearing

The affidavit from said publication is hereto attached.

( ) (4) By mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage prepaid,  
on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal  
Authorities marked \_\_\_\_\_  
is hereto attached.

( ) (5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE RECEIVED

DATE PROCESSED

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

3-5

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV.#

1. PLAINTIFF / S <i>Sandra L. Coval</i>		2. COURT NUMBER <i>01-1148-cv/60150T</i>
3. DEFENDANT / S <i>Terry Ungenfelter et al</i>		4. TYPE OF WRIT OR COMPLAINT <i>Summons</i>
SERVE AT	5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD. <i>Andrew Szebin</i>	
	6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>RD #3 Box 825 Altoona PA</i>	
7. INDICATE UNUSUAL SERVICE: <input checked="" type="checkbox"/> PERSONAL <input type="checkbox"/> PERSON IN CHARGE <input type="checkbox"/> DEPUTIZE <input type="checkbox"/> CERT. MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> POSTED <input type="checkbox"/> OTHER		
NOW, <i>10/10/01</i> , I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.		
SHERIFF OF BLAIR COUNTY		
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:		

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: <i>Abraham Russell Pappas Bozich</i>	10. TELEPHONE NUMBER	11. DATE
<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT		

### SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized BCSD Deputy or Clerk and Title <i>Bonnie Schreiber</i>	13. Date Received <i>9-25-01</i>	14. Expiration/Hearing date <i>10-12-01</i>
15. I hereby CERTIFY and RETURN that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have served person in charge, <input type="checkbox"/> have legal evidence of service as shown in "Remarks" (on reverse) <input type="checkbox"/> have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.			
16. <input checked="" type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)			
17. Name and title of individual served		18. A person of suitable age and discretion then residing in the defendant's usual place of abode. <input type="checkbox"/>	Read Order <input type="checkbox"/>
19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)		20. Date of Service	21. Time
22. ATTEMPTS	Date	Miles	Dep. Int.
23. Advance Costs	24.	25.	26.
27. Total Costs		28. COST DUE OR REFUND	

## 30. REMARKS

AFFIRMED and subscribed to before me this <i>16th</i> day of <i>October</i> 2001 <i>Carol Shuman</i> Notary Public Freedom Twp., Blair County My Commission Expires Feb. 3, 2003	SO ANSWER. <i>DLW</i> By (Sheriff/Dep. Sheriff) (Please Print or Type) Signature of Sheriff <i>[Signature]</i> SHERIFF OF BLAIR COUNTY	<i>10/10/01</i> Date
39. Date Received		

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

## SHERIFF'S RETURN OF SERVICE

- ( ) (1) The within \_\_\_\_\_ upon \_\_\_\_\_, the within named defendant by mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid \_\_\_\_\_ on the \_\_\_\_\_ a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_ defendant on the \_\_\_\_\_ is hereto attached and made part of this return.

- ( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405(c)(1)-(2), by mailing a true and attested copy thereof at \_\_\_\_\_ in the following manner.

- ( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested, postage prepaid, addressee only on the \_\_\_\_\_ said receipt being returned NOT signed by defendant, but with a notation by the Postal Authorities that defendant refused to accept the same. The returned receipt and envelope is attached hereto and made part of this return.

And thereafter:

- ( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a proof of mailing.

- ( ) (3) By publication in a daily publication of general circulation in the County of Blair, Commonwealth of Pennsylvania, \_\_\_\_\_ time(s) with publication appearing

The affidavit from said publication is hereto attached.

- ( ) (4) By mailing to \_\_\_\_\_ by \_\_\_\_\_ mail, return receipt requested, postage prepaid, on the \_\_\_\_\_ a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal Authorities marked \_\_\_\_\_ is hereto attached.

- ( ) (5) Other \_\_\_\_\_

DATE RECEIVED

DATE PROCESSED

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

4-5

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV. #

1. PLAINTIFF / S / <i>Sandra L. Coval</i>	2. COURT NUMBER <i>01-1148-CP/60150T</i>
3. DEFENDANT / S / <i>Terry Lingenfelter et al</i>	4. TYPE OF WRIT OR COMPLAINT
5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD. <i>Brian Koch</i>	
6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>RD 3 Box 825 Altoona PA 16601</i>	
7. INDICATE UNUSUAL SERVICE: <input checked="" type="checkbox"/> PERSONAL <input type="checkbox"/> PERSON IN CHARGE <input type="checkbox"/> DEPUTIZE <input type="checkbox"/> CERT. MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> POSTED <input type="checkbox"/> OTHER	

SERVE



AT

NOW, \_\_\_\_\_, I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION. N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: <i>Aboud Russell Pappas Porich</i>	10. TELEPHONE NUMBER	11. DATE
<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT		

## SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized BCSD Deputy or Clerk and Title <i>Bonnie Schreiber</i>	13. Date Received <i>9-25-01</i>	14. Expiration/Hearing date <i>10-12-01</i>
15. I hereby CERTIFY and RETURN that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have served person in charge, <input type="checkbox"/> have legal evidence of service as shown in "Remarks" (on reverse) <input type="checkbox"/> have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.			
16. <input checked="" type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)			
17. Name and title of individual served	18. A person of suitable age and discretion then residing in the defendant's usual place of abode. <input type="checkbox"/>		Read Order <input type="checkbox"/>
19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)	20. Date of Service	21. Time	
22. ATTEMPTS	Date	Miles	Dep. Int.
23. Advance Costs	24.	25.	26.
27. Total Costs		28. COST DUE OR REFUND	

30. REMARKS

AFFIRMED and subscribed to before me this

16th

SO ANSWER.

Dhw

10/16/01

day of

October 2001

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Date

Signature of Sheriff

Date

SHERIFF OF BLAIR COUNTY

MY COMMISSION EXPIRES

NOTARY PUBLIC Notary Seal

Carol Grieco, Notary Public  
Freedom Twp., Blair County

My Commission Expires Feb. 3, 2003

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE

39. Date Received

## SHERIFF'S RETURN OF SERVICE

- ( ) (1) The within \_\_\_\_\_  
upon \_\_\_\_\_, the within named  
defendant by mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage  
prepaid \_\_\_\_\_ on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_  
defendant on the \_\_\_\_\_ is hereto attached and  
made part of this return.

- ( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and  
attested copy thereof at \_\_\_\_\_  
in the following manner.

- ( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested,  
postage prepaid, addressee only on the \_\_\_\_\_  
said receipt being returned NOT signed by defendant, but with a notation by the Postal  
Authorities that defendant refused to accept the same. The returned receipt and envelope  
is attached hereto and made part of this return.

And thereafter:

- ( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the  
return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said  
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a  
proof of mailing.

- ( ) (3) By publication in a daily publication of general circulation in the County of **Blair**,  
Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing

The affidavit from said publication is hereto attached.

- ( ) (4) By mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage prepaid,  
on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal  
Authorities marked \_\_\_\_\_  
is hereto attached.

- ( ) (5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE RECEIVED

DATE PROCESSED

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

5-5

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSD ENV. #

1. PLAINTIFF / S <i>Sandra L. Corral</i>		2. COURT NUMBER <i>01-1148-co / 60150T</i>	
3. DEFENDANT / S <i>Terry Hingenfelder et al</i>		4. TYPE OF WRIT OR COMPLAINT <i>Summons</i>	
5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD. <i>Richard Boyle</i>			
6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>PO Box 825 Altoona PA 16601</i>			
7. INDICATE UNUSUAL SERVICE: <input checked="" type="checkbox"/> PERSONAL <input type="checkbox"/> PERSON IN CHARGE <input type="checkbox"/> DEPUTIZE <input type="checkbox"/> CERT. MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> POSTED <input type="checkbox"/> OTHER			
NOW, _____, I, SHERIFF OF BLAIR, COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.			
SHERIFF OF BLAIR COUNTY			
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:			

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: <i>Abdoul Russell Pappas Rozich</i>		10. TELEPHONE NUMBER	11. DATE
<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT			
SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE			
12. I acknowledge receipt of the writ or complaint as indicated above.		SIGNATURE of Authorized BCSD, Deputy or Clerk and Title <i>Donna Schreiber</i>	13. Date Received <i>9-25-01</i>
			14. Expiration/Hearing date <i>10-12-01</i>
15. I hereby CERTIFY and RETURN that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have served person in charge, <input type="checkbox"/> have legal evidence of service as shown in "Remarks" (on reverse) <input type="checkbox"/> have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.			
15. <input checked="" type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)			
17. Name and title of individual served		18. A person of suitable age and discretion then residing in the defendant's usual place of abode. <input type="checkbox"/>	Read Order <input type="checkbox"/>
19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)		20. Date of Service	21. Time
22. ATTEMPTS	Date	Miles	Dep. Int.
23. Advance Costs	24.	25.	26.
27. Total Costs		28. COST DUE OR REFUND	
30. REMARKS			

AFFIRMED and subscribed to before me this

16th

SO ANSWER.

OKW

10/16/01

day of

October, 2001

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Date

(Signature of Sheriff)

Date

SHERIFF OF BLAIR COUNTY

MY COMMISSION EXPIRES

Notary Seal  
Carol Grieco, Notary Public  
Freedom Twp., Blair County  
My Commission Expires Feb 3, 2003  
Member, Pennsylvania Association of Notaries

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE  
OF AUTHORIZED ISSUING AUTHORITY AND WILL

39. Date Received

## SHERIFF'S RETURN OF SERVICE

- ( ) (1) The within \_\_\_\_\_  
upon \_\_\_\_\_, the within named  
defendant by mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage  
prepaid \_\_\_\_\_ on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

TX 100 (10-11-11)  
The return receipt signed by \_\_\_\_\_  
defendant on the \_\_\_\_\_ is hereto attached and  
made part of this return.

- ( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and  
attested copy thereof at \_\_\_\_\_

in the following manner:

- ( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested,  
postage prepaid, addressee only on the \_\_\_\_\_  
said receipt being returned NOT signed by defendant, but with a notation by the Postal  
Authorities that defendant refused to accept the same. The returned receipt and envelope  
is attached hereto and made part of this return.

And thereafter:

- ( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the  
return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said  
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a  
proof of mailing.

- 10-11-11  
( ) (3) By publication in a daily publication of general circulation in the County of Blair  
Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing

The affidavit from said publication is hereto attached.

- ( ) (4) By mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage prepaid,  
on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal  
Authorities marked \_\_\_\_\_  
is hereto attached.

- ( ) (5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

: PRAECIPE TO REISSUE WRIT  
: OF SUMMONS

: Filed on behalf of Plaintiff

: Counsel of Record for Plaintiff:

: Kevin J. Rozich, Esquire  
: Abood, Russell, Pappas & Rozich  
: South Street Station Professional Building  
: 709 Franklin Street, Suite 200  
: Johnstown, Pennsylvania 15901  
: (814) 535-6751

: Pa. ID Number: 37494

**FILED**

NOV 21 2001

m/12:20/ve

William A. Shaw

Prothonotary

PP 7. a

1 CENT. COURT

REISSUED WRIT TO ATTY

8  
KES

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

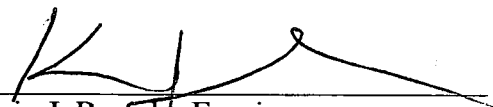
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.

Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded: 

Kevin J. Rozich, Esquire

for service  
to be made  
to the  
prothonotary  
for  
recording  
and  
returning  
to the  
court  
for  
entry  
on the  
docket

Nov. 21, 2001 Document  
~~Registered~~/Reissued to Sheriff/Attorney  
for service.

  
Deputy Prothonotary

**FILED**

NOV 21 2001

William A. Shaw  
Prothonotary

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

**SUMMONS**

**Sandra L. Coval  
Robert Lee Keirn Estate**

**Vs.**

**NO.: 2001-01148-CD**

**Terry Lingenfelter  
Passage Ways, Inc.  
Andrew Szebin  
Brian Koch  
Richard Boyle**

**TO: TERRY LINGENFELTER  
PASSAGE WAYS, INC.  
ANDREW SZEBIN  
BRIAN KOCH  
RICHARD BOYLE**

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: 07/17/2001

---

William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich  
S.St. Station Professional Bld  
Johnstown, PA 15901

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

: PRAECIPE TO REISSUE WRIT  
: OF SUMMONS

: Filed on behalf of Plaintiff

: Counsel of Record for Plaintiff:

: Kevin J. Rozich, Esquire  
: Abood, Russell, Pappas & Rozich  
: South Street Station Professional Building  
: 709 Franklin Street, Suite 200  
: Johnstown, Pennsylvania 15901  
: (814) 535-6751

: Pa. ID Number: 37494

**FILED**

DEC 14 2001

William A. Shaw  
Prothonotary

RECEIVED

DEC 14 2001

Prothonotary  
William A. Shaw

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.

Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

William A. Rozich  
Prothonotary

Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded:

Kevin J. Rozich, Esquire

Document  
Filed for  
Prothonotary  
Johnstown, PA  
15901  
2001-1148-CD

FILED

m 11:35 AM  
DEC 14 2001

William A. Shaw  
Prothonotary

ice  
Atty

Atty pd. 7.00

6 Summons reissued  
to Atty

WAS

12-14-01 Document  
Registered/Reissued to Sheriff/Attorney  
for service.  
William A. Shaw  
Deputy Prothonotary



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

**SUMMONS**

**Sandra L. Coval individually and as  
Administratrix of the Estate of  
Robert Lee Keirn**

**Vs.**

**NO.: 2001-01148-CD**

**Terry Lingenfelter, Individually and trading  
business as Passage Ways, Inc.; Andrew Szebin,  
Brian Koch and Richard Boyle**

**TO: TERRY LINGENFELTER  
PASSAGE WAYS, INC.  
ANDREW SZEBIN  
BRIAN KOCH  
RICHARD BOYLE**

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: 07/17/2001

---

William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich  
S.St. Station Professional Bld  
Johnstown, PA 15901

\_\_\_\_\_  
Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

---

Deputy Prothonotary

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

:  
: CIVIL ACTION - LAW

:  
: NO. 2001 - 1148-CD

:  
: PRAECIPE TO REISSUE WRIT  
: OF SUMMONS

:  
: Filed on behalf of Plaintiff

:  
: Counsel of Record for Plaintiff:

:  
: Kevin J. Rozich, Esquire  
: Abood, Russell, Pappas & Rozich  
: South Street Station Professional Building  
: 709 Franklin Street, Suite 200  
: Johnstown, Pennsylvania 15901  
: (814) 535-6751

:  
: Pa. ID Number: 37494

**FILED**

JAN 08 2002

William A. Shaw  
Prothonotary

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

: IN THE COURT OF COMMON PLEAS OF  
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: NO. 2001 - 1148-CD

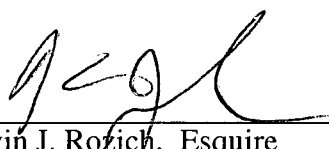
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.

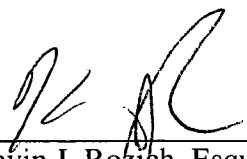
Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded:

  
Kevin J. Rozich, Esquire

FILED

JAN 23 2002

MPX/ att Ryd, pd 57.00  
William A. Shaw  
Prothonetary

5 Summons issued atty.

1-803 Document  
Reinstated/Retissed to Sheriff/Attorney  
or Service.

  
Deputy

**COPY**

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

**SUMMONS**

**Sandra L. Coval individually and as  
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Date: 07/17/2001

\_\_\_\_\_  
William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich  
S.St. Station Professional Bld  
Johnstown, PA 15901

1-802 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service. *William A. Shaw*

\_\_\_\_\_  
Deputy Prothonotary

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

: PETITION FOR SPECIAL SERVICE

: Counsel of Record for Plaintiff:

: Kevin J. Rozich, Esquire  
: Abood, Russell, Pappas & Rozich  
: 709 Franklin Street, Suite 200  
: Johnstown, Pennsylvania 15901  
: (814) 535-6751  
: Pa. I.D. No.: 37494

**FILED**

**JAN 30 2002**

**William A. Shaw**  
**Prothonotary**

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

:  
: CIVIL ACTION - LAW

:  
: NO. 2001 - 1148-CD  
:  
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**PETITION FOR SPECIAL SERVICE**

AND NOW, comes the Plaintiff, Sandra L. Coval, Individually and as Administratrix of the Estate of Robert Lee Keirn, by and through her attorney, Kevin J. Rozich, Esquire, and Abood, Russell, Pappas & Rozich to seek a Special Order of Court for publication to accomplish service for the following reasons:

1. That a Praecipe for Writ of Summons was filed to the above-captioned matter on July 17, 2001, in the Court of Common Pleas of Clearfield County.

2. That Instructions were given to the Sheriff to serve the Defendants at their last known business address of 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania 16619.

3. That a return was made by the Cambria County Sheriff and the Elk County Sheriff dated August 16, 2001, stating that there is no longer a business at 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania 16619.

4. That Instructions were given to the Sheriff to serve the Defendants at their last known business address of R.D. 3, Box 825, Altoona, Blair County, Pennsylvania 16601.

5. That a return was made by the Blair County Sheriff dated October 16, 2001, stating the address of R.D. 3, Box 825, Altoona, Blair County, Pennsylvania 16601 was "Not Found".

6. Inquiries have been made in an attempt to locate the Defendants thereafter as follows:

a. The telephone book as well as the City Directory was searched without success relative to a new address for the Defendants; and

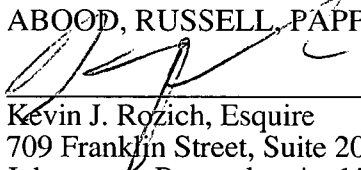
b. The Corporation Bureau was contacted and gave the address of R.D. 3, Box 825, Altoona, Pennsylvania 16601 for Passage Ways, Inc. The Blair County Sheriff's Office attempted to locate this address. They indicated that this address was "Not Found".

7. As a result of the foregoing attempts, the Plaintiff has been unable to locate the Defendants to accomplish effective service.

WHEREFORE, Your Petitioner respectfully prays that a Special Order of Court be entered as authorized under Pa. R.C.P. 430 permitting service to be made upon the Defendants, Terry Lingenfelter, Individually and trading business as Passage Ways, Inc.; Andrew Szebin, Brian Koch and Richard Boyle, by publication.

Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH



---

Kevin J. Rozich, Esquire  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901  
Attorney for Plaintiff



SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

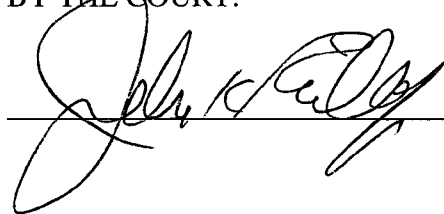
: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

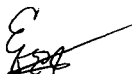
**ORDER**

AND NOW, on this 31<sup>st</sup> day of January, 2002, upon considering the  
foregoing Petition, it is hereby DIRECTED that the Plaintiff be permitted to serve the Defendants,  
Terry Lingenfelter, Individually and trading business as Passage Ways, Inc.; Andrew Szebin, Brian  
Koch and Richard Boyle, by publication one time in The Progress, a newspaper of general  
circulation in Clearfield County, and one time in the Clearfield County Legal Journal, by publishing  
a Legal Notice with Proofs of Publication being filed of record.

BY THE COURT:

  
J.

**FILED**

JAN 31 2002  
01/31/02/2002 atty Regich  
William A. Shaw  
Prothonotary 

VERIFICATION

AKC I, Sandra L. Coval, verify that the statements made in the foregoing  
\_\_\_\_\_ are true and correct to the best of my knowledge, information and belief. I  
understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating  
to unsworn falsification to authorities.

Sandra L. Coval  
Sandra L. Coval

Dated: 1-2-02

FILED

M 11:36 AM  
JAN 30 2002

REC  
Attg  
f

William A. Shaw  
Prothonotary



SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

: IN THE COURT OF COMMON PLEAS OF  
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: CIVIL ACTION - LAW

: NO. 2001 - 1148-CD

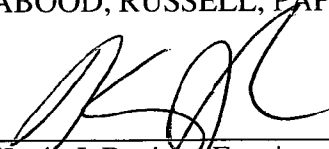
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.

Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded:

  
Kevin J. Rozich, Esquire

RECEIVED  
CLERK OF COURT  
JUL 10 2 14 PM '01  
CLEARFIELD COUNTY

FILED

FEB 06 2002

M.B. Shaw, Rogich PD \$7.00  
William A. Shaw  
Prothonotary

3/10/02  
W.A. Shaw  
Prothonotary

2-6-02 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

Deputy Prothonotary

2-6-02 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

Deputy Prothonotary

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

Sheriff Docket # 11261

COVAL, SANDRA L. /a/a/ admx. Of estate of Robert Lee Keirn

01-1148-CD

VS.

LINGENFELTER, TERRY al

SUMMONS

**SHERIFF RETURNS**

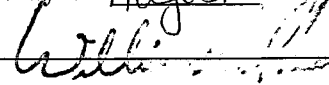
NOW JULY 26, 2001, BOB KOLAR, SHERIFF OF ELK COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON TERRY LINGENFELTER IND. & T/A PASSAGE WAYS, INC.; ANDREW SZEBIN; BRIAN KOCH, AND RICHARD BOYLE, DEFENDANTS.

NOW AUGUST 16, 2001 ATTEMPTED TO SERVE THE WITHIN SUMMONS ON TERRY LINGENFELTER, IND & T/A PASAGE WAYS, INC.,; ANDREW SZEBIN; BRIAN KOCH, AND RICHARD BOYLE, DEFENDANTS BY DEPUTIZING THE SHERIFF OF ELK COUNTY. THE RETURN OF SHERIFF KOLAR IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND" NO LONGER A BUSINESS AT THAT ADDRESS.

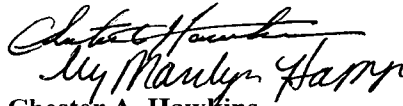
**Return Costs**

Cost	Description
39.02	SHFF. HAWKINS PAID BY: ATTY.
37.70	SHFF. KOLAR PAID BY: ATTY.
40.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

28<sup>th</sup> Day Of August 2001  
  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co. Clearfield, PA.

So Answers,

  
Chester A. Hawkins  
Sheriff

CASE #            PLAINTIFF  
90225-01        SANDRA L. COVAL    2001-1148  
DATE            8/16/01

DEFENDANT  
TERRY LINGENFELTER 2001-1148

NOT FOUND AS TO THE WITHIN NAMED DEFENDANTS TERRY LINGEN-  
FELTER IND. AND T/A PASSAGE WAYS INC., ANDREW SZEBIN, BRIAN  
KOCH, RICHARD BOYLE BY BOB KOLAR, SHERIFF OF CAMBRIA CO. PA.  
NO LONGER A BUSINESS AT THIS ADDRESS. MY COSTS PAID BY  
ATTORNEY FOR PLAINTIFF.

SHERIFF COSTS        34.70

PRO                    3.00

TOTAL COSTS         37.70

SO ANSWERS,

*Bob Kolar*

BOB KOLAR, SHERIFF

SWORN AND SUBSCRIBED TO BEFORE ME THIS 23RD DAY OF AUG. 01.

*Patty Berkebile*  
PROTHONATARY \_\_\_\_\_





# 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

SANDRA L. COVAL, i/a/a admx. of Estate of  
Robert Lee Keirn

VS:

TERRY LINGENFELTER al

SERVE BY: 8/16/01

or

HEARING DATE:

TERM & NO.: 01-1148-CD

DOCUMENT TO BE SERVED:  
SUMMONS

.....

**SERVE:**

1. TERRY LINGENFELTER Ind & t/a PASSAGE WAYS, INC.
2. ANDREW SZEBIN
3. BRIAN KOCH
4. RICHARD BOYLE

**ADDRESS:** ALL DEFENDANTS-1200 Skyline Drive, Blandburg, Pa. 16619  
1200 Skyline Drive, Blandburg, Pa. 16619

.....

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 CAMBRIA County Pennsylvania to execute this writ.

This Deputation being made at the request and risk of the Plaintiff this 26th day of JULY 2001.

**MAKE REFUND PAYABLE TO:** ATTY STATED HE SENT YOUR ADVANCE COST TO YOU DIRECTLY

Respectfully,

  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

RECEIVED  
SHERIFF'S OFFICE

2001 JUL 30 A 10:28

CAMBRIA COUNTY  
EBENSBURG, PA

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

**SUMMONS**

**Sandra L. Coval , Individually and as  
Administratrix of the Estate of  
Robert Lee Keirn**

**Vs.**


**NO.: 2001-01148-CD**

**Terry Lingenfelter , Individually and Trading  
business as Passage Ways, Inc., Andrew Szebin  
Brian Koch and Richard Boyle**

**TO: TERRY LINGENFELTER, Individually and Trading as  
PASSAGE WAYS, INC.,  
ANDREW SZEBIN,  
BRIAN KOCH, and  
RICHARD BOYLE**

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: 07/17/2001

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich, Esquire  
S.St. Station Professional Bldg.  
Johnstown, PA 15901

RECEIVED  
SHERIFF'S OFFICE

2001 JUL 30 A 10:29

CAMBRIA COUNTY  
EBENSBURG, PA

15-7-01

**IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY PENNSYLVANIA  
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Date: 07/17/2001



---

William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich, Esquire  
S.St. Station Professional Bldg.  
Johnstown, PA 15901

RECEIVED  
SHERIFF'S OFFICE

2001 JUL 30 A 10:29

CAMBERIA COUNTY  
EBENSBURG, PA

10-10-01

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

COPY

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ANDREW SZEBIN,  
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Date: 07/17/2001



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William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich, Esquire  
S.St. Station Professional Bldg.  
Johnstown, PA 15901

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

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: Filed on behalf of Plaintiff

: Counsel of Record for Plaintiff:

: Kevin J. Rozich, Esquire  
: Abood, Russell, Pappas & Rozich  
: South Street Station Professional Building  
: 709 Franklin Street, Suite 200  
: Johnstown, Pennsylvania 15901  
: (814) 535-6751

: Pa. ID Number: 37494

**FILED**

MAR 01 2002

09:41 atty Rozich  
William A. Shaw  
Prothonotary

pd 7.00

31.02 Document  
Reinstated/Reassigned to Sheriff/Attorney  
for service.

*William A. Shaw*  
Deputy Prothonotary



**IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY PENNSYLVANIA  
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**Sandra L. Coval  
Robert Lee Keirn Estate**

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ANDREW SZEBIN  
BRIAN KOCH  
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Date: 07/17/2001

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William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich  
S.St. Station Professional Bld  
Johnstown, PA 15901

SANDRA L. COVAL, Individually and  
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-vs-

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: South Street Station Professional Building  
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: Johnstown, Pennsylvania 15901  
: (814) 535-6751

: Pa. ID Number: 37494

**FILED**

MAR 27 2002

William A. Shaw  
Prothonotary

Jury Trial Demanded: Kevin J. Rozich/gjs  
Kevin J. Rozich, Esquire

FILED

MAR 27 2002

William A. Shaw  
Prothonotary

Att'y pd  
7.00

1 cc Att'y



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

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Robert Lee Keirn Estate

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Richard Boyle

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ANDREW SZEBIN  
BRIAN KOCH  
RICHARD BOYLE

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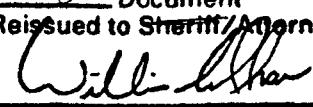
Date: 07/17/2001



William A. Shaw  
Prothonotary

Issuing Attorney:

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S.St. Station Professional Bld  
Johnstown, PA 15901

3-27-02 Document  
~~Reinstated/Reissued to Sheriff/Attorney~~  
for service.  
  
Deputy Prothonotary

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FILED

APR 22 2002

(E)

William A. Shaw  
Prothonotary

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

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

:  
: CIVIL ACTION - LAW

:  
: NO. 2001 - 1148-CD  
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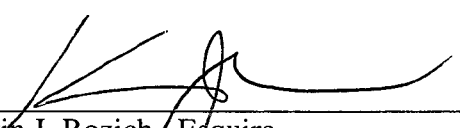
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.

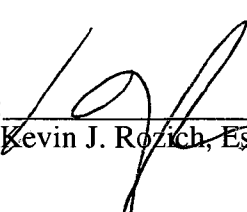
Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

  
\_\_\_\_\_  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded:

  
\_\_\_\_\_  
Kevin J. Rozich, Esquire

FILED

APR 22 2002

No cc

Atty pd  
7.00

William A. Shaw  
Prothonotary

1 unit issued  
to Atty



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

SUMMONS

COPY

Sandra L. Coval  
Robert Lee Keirn Estate

Vs.

NO.: 2001-01148-CD

Terry Lingenfelter  
Passage Ways, Inc.  
Andrew Szebin  
Brian Koch  
Richard Boyle

TO: TERRY LINGENFELTER  
PASSAGE WAYS, INC.  
ANDREW SZEBIN  
BRIAN KOCH  
RICHARD BOYLE

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: 07/17/2001



William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich  
S.St. Station Professional Bld  
Johnstown, PA 15901

Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SANDRA L. COVAL, Individually and as  
Administratrix of the ESTATE OF ROBERT  
LEE KEIRN,

Plaintiff

v.

TERRY LINGENFELTER, Individually and  
trading business as PASSAGEWAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants

**JURY TRIAL DEMANDED**

CIVIL DIVISION

No. 2001 - 1148 C.D.

**PRAECIPE FOR APPEARANCE**

Filed on behalf of:

Terry Lingenfelter, individually and trading  
business as Passageways, Inc.

Counsel of Record for this party:

**Mark R. Hamilton, Esquire**

Pa. I.D. #29919

**George R. Farneth, II, Esquire**

Pa. I.D. #53914

**ZIMMER KUNZ**

**PROFESSIONAL LIMITED LIABILITY  
COMPANY**

Firm #920

3300 USX Tower

Pittsburgh, PA 15219

(412) 281-8000

**FILED**

MAY 10 2002

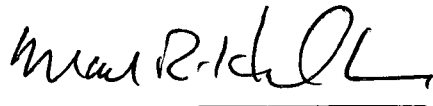
M/10:35/NOCC

William A. Shaw  
Prothonotary

**PRAECIPE FOR APPEARANCE**

Kindly enter my appearance on behalf of Terry Lingenfelter, individually and trading business as Passageways, Inc., defendants in the above-captioned matter.

ZIMMER KUNZ

By:   
Mark R. Hamilton, Esquire

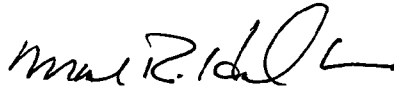
CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within document was forwarded to counsel below named by United States Mail on the 14<sup>th</sup> day of May, 2002.

Kevin J. Rozich, Esquire  
Abood, Russell, Pappas & Rozich  
709 Franklin Street, Suite 200  
Johnstown, PA 15901

ZIMMER KUNZ  
PROFESSIONAL LIMITED LIABILITY COMPANY

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



**William A. Shaw**  
**Prothonotary**

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-VS-

TERRY LINGENFELTER, Individually and  
trading business as PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

Defendants.

: IN THE COURT OF COMMON PLEAS OF  
: CLEARFIELD COUNTY, PENNSYLVANIA  
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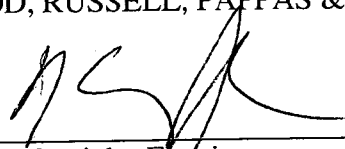
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Please reissue a Writ of Summons per the above-captioned matter.

Respectfully submitted,

ABOOD, RUSSELL, PAPPAS & ROZICH

  
\_\_\_\_\_  
Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, Pennsylvania 15901

Attorney for Plaintiff

Jury Trial Demanded: 

Kevin J. Rozich, Esquire

**FILED**

MAY 16 2002

M1330 / Kewsted. guns. to

William A. Shaw  
Prothonotary

Atty.

Atty pd 27.00

Ed

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

SUMMONS

Sandra L. Coval  
Robert Lee Keirn Estate

Vs.


NO.: 2001-01148-CD

Terry Lingenfelter  
Passage Ways, Inc.  
Andrew Szebin  
Brian Koch  
Richard Boyle

TO: TERRY LINGENFELTER  
PASSAGE WAYS, INC.  
ANDREW SZEBIN  
BRIAN KOCH  
RICHARD BOYLE

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: 07/17/2001

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary

Issuing Attorney:

Kevin J. Rozich  
S.St. Station Professional Bld  
Johnstown, PA 15901

\_\_\_\_\_  
Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

\_\_\_\_\_  
Deputy Prothonotary



Defendants.

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL ACTION - LAW

NO. 2001 - 1148 - CD

## COMPLAINT

## JURY TRIAL DEMANDED

Counsel of Record for Plaintiff:

Kevin J. Rozich, Esquire  
Abood, Russell, Pappas & Rozich  
709 Franklin Street, Suite 200  
Johnstown, PA 15901  
PA ID No. 37494  
(814) 535-6751

**FILED**

MAY 30 2002

0/24/11 cc atty. Keith  
William A. Shaw  
Prothonotary  
EK

SANDRA L. COVAL, Individually, and  
as Administratrix of the ESTATE OF,  
ROBERT LEE KEIRN,

Plaintiffs,

v.

TERRY LINGENFELTER, Individually, and  
t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

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

) CIVIL ACTION - LAW  
)

) NO. 2001 -1148 - CD  
)

) JURY TRIAL DEMANDED  
)  
)  
)  
)  
)

**NOTICE TO DEFEND AND CLAIM RIGHTS**

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.

Clearfield County Court Administrator  
Clearfield County Courthouse  
One N. 2nd Street  
Clearfield, PA 16830

By: 

Kevin J. Rozich, Esquire  
Abood, Russell, Pappas & Rozich  
709 Franklin Street, Suite 200  
Johnstown, PA 15901  
(814) 535-6751

SANDRA L. COVAL, Individually, and  
as Administratrix of the ESTATE OF,  
ROBERT LEE KEIRN,

Plaintiffs,

v.

TERRY LINGENFELTER, Individually, and  
t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

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

) CIVIL ACTION - LAW

) NO. 2001 - 1148 - CD

) JURY TRIAL DEMANDED

### COMPLAINT

AND NOW comes the Plaintiff, SANDRA L. COVAL, Individually and as Administratrix of the ESTATE OF ROBERT LEE KEIRN, by and through her attorneys, Abood, Russell, Pappas & Rozich, and avers the following:

1. Plaintiff, SANDRA L. COVAL, is an adult individual residing at 435 Devon Drive, Johnstown, Cambria County, Pennsylvania 15904.

2. Defendant TERRY LINGENFELTER is an adult individual residing at 205 Sixth Avenue, Altoona, Blair County, Pennsylvania 16602.

3. Defendant PASSAGE WAYS, INC. is a non-profit Pennsylvania corporation with its principal place of business located at 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania 16619 and a last known business address of R.D. 3 Box 825, Altoona, Blair County Pennsylvania 16601.

4. Defendant ANDREW SZEBIN is an adult individual with a last known business address of 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania 16619.

5. Defendant BRIAN KOCH is an adult individual with a last known business address of 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania 16619.

6. Defendant RICHARD BOYLE is an adult individual with a last known business address of 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania 16619.

7. Plaintiff, Sandra L. Coval is the Administratrix of the Estate of Robert Lee Keirn. She was granted Letter of Administration for the estate on December 10, 1999 by the Register for the Probate of Wills of Cambria County, Pennsylvania. The heirs of the estate are Shawn Nicholas Keirn, d.o.b. November 16, 1984 and Kerri M. Keirn, d.o.b. January 6, 1987.

8. Robert Lee Keirn's date of birth is August 3, 1983 and his date of death is July 18, 1999.

9. At all times herein mentioned, Defendant Terry Lingenfelter, directed, operated and maintained the business and premises known as Passage Ways Inc. or "Passage Ways Home for Boys".

10. At all times material hereto, Passage Ways Inc. was operating as a group home for male juveniles, licensed by the Commonwealth of Pennsylvania, at 1200 Skyline Drive, Blandburg, Cambria County, Pennsylvania.

11. At all times material hereto, Defendant, Terry Lingenfelter, was the owner and operator of Passageways, Inc., or in the alternative, was an employee, agent and servant of Passageways, Inc.

12. At all times material hereto, Defendants, Andrew Szebin, Brian Koch and Richard Boyle were employees, agents and servants of Defendant, Passage Ways, Inc.

13. At all times material hereto, Robert Keirn was in the custody of the Court of Common Pleas of Cambria County and Cambria County Children and Youth Services.

14. Cambria County Children and Youth Services placed Robert Keirn as a resident at Passage Ways group home in June or July of 1999 thereby placing the juvenile in their custody.

15. On or about July 18, 1999, two Passage Ways employees, counselors, Defendants, Brian Koch and Richard Boyle, took six juvenile residents, including Robert Keirn, off the premises for the purpose of recreational activities.

16. Defendant Andrew Szebin was a facility director for Passage Ways and gave permission for the outing.

17. Defendants, Brian Koch and Richard Boyle took the juveniles, including Robert Keirn to a private dam known as Janesville Dam in Mountz Park, Gulich Township, Clearfield County, Pennsylvania.

18. At Janesville Dam, Defendants Brian Koch and Richard Boyle allowed the juveniles including Robert Keirn to go swimming.

19. The area in which the Defendants allowed the juveniles to swim was posted with "No Swimming" signs.

20. While swimming in the above described area, at approximately 1:30 p.m. on July 18, 1999, Robert Keirn drowned.

21. Robert Keirn suffered fatal injuries as a direct, actual, and proximate result of the negligent careless, reckless and wrongful actions of the Defendants as hereinafter set forth.

#### **COUNT ONE**

**SANDRA L. COVAL, Individually, and as Administratrix  
of the ESTATE OF ROBERT LEE KEIRN, Plaintiffs  
v. TERRY LINGENFELTER, Individually and t/d/b/a PASSAGEWAYS, Inc.**

22. Paragraphs 1 through 21 are incorporated herein as though set forth in their entirety.

23. Robert Keirn suffered fatal injuries as a direct, actual, and proximate result of the negligent careless, reckless and wrongful actions of the Defendants their agents, employees and servants, jointly and severally in any or all of the following respects:

- A. In failing to hire properly trained employees;
  - B. In failing to properly check the background potentials of employees before hiring them to determine whether they met the proper certifications as required by the Commonwealth of Pennsylvania for group homes;
  - C. In failing to train and/or supervise their employees;
  - D. In failing to supervise, train and/or instruct their employees which resulted in the following negligent, careless and reckless conduct:
    - a. Employees failing to have a certified life guard on staff or present when taking minors under their care, swimming;
    - b. Employees failing to stay close to the swimming children;
    - c. Employees being inattentive and in not staying in close proximity of the juveniles;
    - d. Employees allowing the children to swim in deep water;
    - e. Employees violating state regulations regarding supervision of juveniles;
    - f. Employees failing to have a staff member present certified in CPR or in advanced life support systems;
    - g. Employees allowing juveniles to swim in an unfamiliar area without testing or knowing the juveniles' swimming ability;
    - h. Employees failing to supervise Robert Keirn and the other juveniles that were swimming;
    - i. Employees allowing Robert Keirn to swim in an area posted "No Swimming";
    - j. Employees allowing Robert Keirn to swim in an area not supervised by life guards;
    - k. Employees taking Robert Keirn swimming in an unsupervised, non-life-guarded area when other supervised areas, designated for swimming were available for use;
    - l. Employees failing to take the children four miles to Prince Gallitzan State Park where proper swimming facilities were available;
    - m. Employees failing to attempt to save Robert Keirn from drowning; and
    - n. Employees allowing Robert Keirn to drown.
24. As a result of Robert Keirn's injuries and death monies were expended for medical and ambulance costs.

25. Robert Keirn and his estate has lost future earnings he ought to have had as a result of the injuries and death.

26. Robert Keirn underwent pain and suffering from his injuries and during the time of his drowning leading to his ultimate death.

WHEREFORE, Plaintiffs bring this survival action against Defendant, Terry Lingenfelter, to recover damages in an amount in excess of the arbitration limits set by this Honorable Court.

### **COUNT TWO**

**SANDRA L. COVAL, Individually, and as Administratrix  
of the ESTATE OF ROBERT LEE KEIRN, Plaintiffs  
v. PASSAGE WAYS, INC., Defendant**

27. Paragraphs 1 through 26 are incorporated herein as though set forth in their entirety.

28. Robert Keirn suffered fatal injuries as a direct, actual, and proximate result of the negligent careless, reckless and wrongful actions of the Defendants their agents, employees and servants, jointly and severally in any or all of the following respects:

A. In failing to hire properly trained employees;

B. In failing to properly check the background potentials of employees before hiring them to determine whether they met the proper certifications as required by the Commonwealth of Pennsylvania for group homes;

C. In failing to train and/or supervise their employees;

D. In failing to supervise, train and/or instruct their employees to not engage in the following dangerous activities:

a. Employees failing to have a certified life guard on staff or present when taking minors under their care, swimming;

b. Employees failing to stay close to the swimming children;

c. Employees being inattentive and in not staying in close proximity of the juveniles;

d. Employees allowing the children to swim in deep water;

e. Employees violating state regulations regarding supervision of juveniles;

- f. Employees failing to have a staff member present certified in CPR or in advanced life support systems;
- g. Employees allowing juveniles to swim in an unfamiliar area without testing or knowing the juveniles' swimming ability;
- h. Employees failing to supervise Robert Keirn and the other juveniles that were swimming;
- i. Employees allowing Robert Keirn to swim in an area posted "No Swimming";
- j. Employees allowing Robert Keirn to swim in an area not supervised by life guards;
- k. Employees taking Robert Keirn swimming in an unsupervised, non-life-guarded area when other supervised areas, designated for swimming were available for use;
- l. Employees failing to take the children four miles to Prince Gallitzan State Park where proper swimming facilities were available;
- m. Employees failing to attempt to save Robert Keirn from drowning; and
- n. Employees allowing Robert Keirn to drown.

29. As a result of Robert Keirn's injuries and death monies were expended for medical and ambulance costs.

30. Robert Keirn and his estate has lost future earnings he ought to have had as a result of the injuries and death.

31. Robert Keirn underwent pain and suffering from his injuries and during the time of his drowning leading to his ultimate death.

WHEREFORE, Plaintiffs bring this survival action against Defendant, Passage Ways, Inc., to recover damages in an amount in excess of the arbitration limits set by this Honorable Court.

### **COUNT THREE**

**SANDRA L. COVAL, Individually, and as Administratrix**  
**of the ESTATE OF ROBERT LEE KEIRN, Plaintiffs**  
**v. ANDREW SZEBIN, Defendant**

32. Paragraphs 1 through 31 are incorporated herein as though set forth in their entirety.



33. Robert Keirn suffered fatal injuries as a direct, actual, and proximate result of the negligent careless, reckless and wrongful actions of the Defendants their agents, employees and servants, jointly and severally in any or all of the following respects:

- A. In failing to have a certified life guard on staff or present when taking minors under their care, swimming;
- B. In failing to stay close to the swimming children;
- C. In being inattentive and in not staying in close proximity of the juveniles;
- D. In allowing the children to swim in deep water;
- E. In violating state regulations regarding supervision of juveniles;
- F. In failing to have a staff member present certified in CPR or in advanced life support systems;
- G. In allowing juveniles to swim in an unfamiliar area without testing or knowing the juveniles' swimming ability;
- H. In failing to supervise Robert Keirn and the other juveniles that were swimming;
- I. In allowing Robert Keirn to swim in an area posted "No Swimming";
- J. In allowing Robert Keirn to swim in an area not supervised by life guards;
- K. In taking Robert Keirn swimming in an unsupervised, non-life-guarded area when other supervised areas, designated for swimming were available for use;
- L. Employees failing to take the children four miles to Prince Gallitzan State Park where proper swimming facilities were available;
- M. In failing to attempt to save Robert Keirn from drowning; and
- N. In allowing Robert Keirn to drown.

34. As a result of Robert Keirn's injuries and death monies were expended for medical and ambulance costs.

35. Robert Keirn and his estate has lost future earnings he ought to have had as a result of the injuries and death.

36. Robert Keirn underwent pain and suffering from his injuries and during the time of his drowning leading to his ultimate death.

WHEREFORE, Plaintiffs bring this survival action against Defendant, Andrew Szebin, to recover damages in an amount in excess of the arbitration limits set by this Honorable Court.

#### **COUNT FOUR**

**SANDRA L. COVAL, Individually, and as Administratrix  
of the ESTATE OF ROBERT LEE KEIRN, Plaintiffs  
v. BRIAN KOCH, Defendant**

37. Paragraphs 1 through 36 are incorporated herein as though set forth in their entirety.

38. Robert Keirn suffered fatal injuries as a direct, actual, and proximate result of the negligent careless, reckless and wrongful actions of the Defendants their agents, employees and servants, jointly and severally in any or all of the following respects:

- A. In failing to have a certified life guard on staff or present when taking minors under their care, swimming;
- B. In failing to stay close to the swimming children;
- C. In being inattentive and in not staying in close proximity of the juveniles;
- D. In allowing the children to swim in deep water;
- E. In violating state regulations regarding supervision of juveniles;
- F. In failing to have a staff member present certified in CPR or in advanced life support systems;
- G. In allowing juveniles to swim in an unfamiliar area without testing or knowing the juveniles' swimming ability;
- H. In failing to supervise Robert Keirn and the other juveniles that were swimming;
- I. In allowing Robert Keirn to swim in an area posted "No Swimming";
- J. In allowing Robert Keirn to swim in an area not supervised by life guards;

K. In taking Robert Keirn swimming in an unsupervised, non-life-guarded area when other supervised areas, designated for swimming were available for use;

L. Employees failing to take the children four miles to Prince Gallitzan State Park where proper swimming facilities were available;

M. In failing to attempt to save Robert Keirn from drowning; and

N. In allowing Robert Keirn to drown.

39. As a result of Robert Keirn's injuries and death monies were expended for medical and ambulance costs.

40. Robert Keirn and his estate has lost future earnings he ought to have had as a result of the injuries and death.

41. Robert Keirn underwent pain and suffering from his injuries and during the time of his drowning leading to his ultimate death.

WHEREFORE, Plaintiffs bring this survival action against Defendant, Brian Koch, to recover damages in an amount in excess of the arbitration limits set by this Honorable Court.

#### **COUNT FIVE**

**SANDRA L. COVAL, Individually, and as Administratrix**  
**of the ESTATE OF ROBERT LEE KEIRN, Plaintiffs**  
**v. RICHARD BOYLE, Defendant**

42. Paragraph 1 through 41 are incorporated herein as though set forth in their entirety.

43. Robert Keirn suffered fatal injuries as a direct, actual, and proximate result of the negligent careless, reckless and wrongful actions of the Defendants their agents, employees and servants, jointly and severally in any or all of the following respects:

A. In failing to have a certified life guard on staff or present when taking minors under their care, swimming;

- B. In failing to stay close to the swimming children;
- C. In being inattentive and in not staying in close proximity of the juveniles;
- D. In allowing the children to swim in deep water;
- E. In violating state regulations regarding supervision of juveniles;
- F. In failing to have a staff member present certified in CPR or in advanced life support systems;
- G. In allowing juveniles to swim in an unfamiliar area without testing or knowing the juveniles' swimming ability;
- H. In failing to supervise Robert Keirn and the other juveniles that were swimming;
- I. In allowing Robert Keirn to swim in an area posted "No Swimming";
- J. In allowing Robert Keirn to swim in an area not supervised by life guards;
- K. In taking Robert Keirn swimming in an unsupervised, non-life-guarded area when other supervised areas, designated for swimming were available for use;
- L. Employees failing to take the children four miles to Prince Gallitzan State Park where proper swimming facilities were available;
- M. In failing to attempt to save Robert Keirn from drowning; and
- N. In allowing Robert Keirn to drown.

44. As a result of Robert Keirn's injuries and death monies were expended for medical and ambulance costs.

45. Robert Keirn and his estate has lost future earnings he ought to have had as a result of the injuries and death.

46. Robert Keirn underwent pain and suffering from his injuries and during the time of his drowning leading to his ultimate death.

WHEREFORE, Plaintiffs bring this survival action against Defendant, Richard Boyle, to recover damages in an amount in excess of the arbitration limits set by this Honorable Court.

JURY TRIAL DEMANDED

Respectfully submitted,


ABOOD, RUSSELL, PAPPAS, & ROZICH

By: 

Kevin J. Rozich, Esquire  
South Street Station Professional Building  
709 Franklin Street, Suite 200  
Johnstown, PA 15901  
Attorney for Plaintiffs

**VERIFICATION**

I 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. Section 4904 relating to unsworn falsification to authorities.

  
Sandra L. Coval

Date: 5/15/02

SANDRA L. COVAL, Individually, and  
as Administratrix of the ESTATE OF ,  
ROBERT LEE KEIRN,

Plaintiffs,

v.

TERRY LINGENFELTER, Individually, and  
t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

) IN THE COURT OF COMMON PLEAS OF  
) CLEARFIELD COUNTY, PENNSYLVANIA  
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) NO. 2001 - 1148 - CD  
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) JURY TRIAL DEMANDED  
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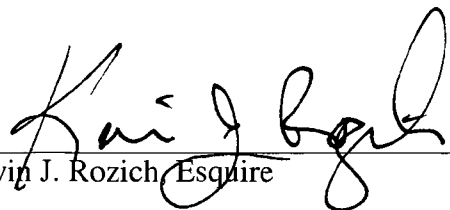
**CERTIFICATE OF SERVICE**

I, KEVIN J. ROZICH, ESQUIRE hereby certify that on the 29<sup>th</sup> day of  
May, 2002, a true and correct copy of the Complaint with Notice to Defend was  
sent to the following individual via Certified Mail, Return Receipt Requested:

Mark R. Hamilton, Esquire  
Zimmer Kunz  
3300 USX Tower  
Pittsburgh, PA 15219  
(Attorney for Terry Lingenfelter, Individually  
and t/d/b/a Passageways, Inc.)

ABOOD, RUSSELL, PAPPAS & ROZICH

By:

  
Kevin J. Rozich Esquire

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

Sheriff Docket # 11261

COVAL, SANDRA L. l/a/a/ admx. Of estate of Robert Lee Keirn

01-1148-CD

VS.

LINGENFELTER, TERRY al

SUMMONS

**SHERIFF RETURNS**

NOW MAY 1, 2002, LARRY FIELD, SHERIFF OF BLAIR COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON TERRY LINGENFELTER Ind & t/a Passage Ways Inc., DEFENDANT .

NOW MAY 7, 2002 SERVED THE WITHIN SUMMONS ON TERRY LINGENFELTER Ind & t/a Passage Ways Inc., DEFENDANT BY DEPUTIZING THE SHERIFF OF BLAIR COUNTY. THE RETURN OF SHERIFF FIELD IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

**Return Costs**

Cost	Description
23.68	SHFF. HAWKINS PAID BY: ATTY.
29.50	SHFF. FIELD PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

**FILED**

MAY 20 2002

337  
William A. Shaw  
Prothonotary

Sworn to Before Me This

20th Day of May 2002

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

*Chester A. Hawkins*  
Chester A. Hawkins  
Sheriff



DATE RECEIVED

11261  
DATE PROCESSED

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies. BCSO ENV. #

1. PLAINTIFF / S / <i>Sandra L. Coval et al</i>		2. COURT NUMBER <i>2001-01148-CO / 60386T</i>
3. DEFENDANT / S / <i>Terry Lingenfelter et al</i>		4. TYPE OF WRIT OR COMPLAINT <i>Writ of Summons</i>
SERVE AT	5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD. <i>Terry Lingenfelter</i>	
	6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>205 Sixth Avenue Altoona</i>	
7. INDICATE UNUSUAL SERVICE: <input checked="" type="checkbox"/> PERSONAL <input checked="" type="checkbox"/> PERSON IN CHARGE <input type="checkbox"/> DEPUTIZE <input type="checkbox"/> CERT. MAIL <input type="checkbox"/> REGISTERED MAIL <input type="checkbox"/> POSTED <input type="checkbox"/> OTHER		

NOW, \_\_\_\_\_, I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of: <i>Aboud Russell Pappas &amp; Rozich</i>	10. TELEPHONE NUMBER	11. DATE
---	----------------------	----------

☐ PLAINTIFF  
☐ DEFENDANT

## SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized BCSO Deputy or Clerk and Title <i>B. Scherben</i>	13. Date Received <i>5-3-02</i>	14. Expiration/Hearing date <i>5-22-02</i>
--	--	------------------------------------	---

15. I hereby CERTIFY and RETURN that I ☒ have personally served, ☐ have served person in charge, ☐ have legal evidence of service as shown in "Remarks" (on reverse)  
☐ have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.

15. <input type="checkbox"/> I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)	17. Name and title of individual served <i>Same</i>	18. A person of suitable age and discretion then residing in the defendant's usual place of abode. <input type="checkbox"/>	Read Order <input type="checkbox"/>
---	--	---	-------------------------------------

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code) <i>1645 E. P. Valley Blvd Barbara Jean's Floral</i>	20. Date of Service <i>1430</i>	21. Time <i>05/07/02</i>
---	------------------------------------	-----------------------------

22. ATTEMPTS	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.	Date	Miles	Dep. Int.
1	5/1	4c													
23. Advance Costs <i>150.00 Per #103714</i>		24. <i>27.50</i>		25. <i>2.00</i>		27. Total Costs <i>29.50</i>		28. COST DUE OR REFUND <i>120.50</i>							

30. REMARKS

SO ANSWER.

AFFIRMED and subscribed to before me this

*8th*

day of

*May 2002**Carol Grieco*

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Signature of Sheriff

Date

*5/7/02*

Date

MY COMMISSION EXPIRES

NOTARY PUBLIC  
Notarial Seal  
Carol Grieco, Notary Public  
Freedom Twp., Blair County

SHERIFF OF BLAIR COUNTY

39. Date Received

I ACKNOWLEDGE RECEIPT OF THIS WRIT OF EXECUTION AND RETURN THEREOF TO THE SHERIFF OF BLAIR COUNTY  
OF AUTHORIZED ISSUING AUTHORITY AND TITLE  
Member, Pennsylvania Association of Notaries

## SHERIFF'S RETURN OF SERVICE

- ( ) (1) The within \_\_\_\_\_, the within named  
upon \_\_\_\_\_  
defendant by mailing to \_\_\_\_\_ mail, return receipt requested, postage  
by \_\_\_\_\_ on the \_\_\_\_\_  
prepaid \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The return receipt signed by \_\_\_\_\_ is hereto attached and  
defendant on the \_\_\_\_\_ made part of this return.

- ( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and  
attested copy thereof at \_\_\_\_\_

in the following manner.

- ( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested,  
postage prepaid, addressee only on the \_\_\_\_\_,  
said receipt being returned NOT signed by defendant, but with a notation by the Postal  
Authorities that defendant refused to accept the same. The returned receipt and envelope  
is attached hereto and made part of this return.

And thereafter:

- ( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the  
return address of the Sheriff appearing thereon, on the \_\_\_\_\_

I further certify that after fifteen (15) days from the mailing date, I have not received said  
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a  
proof of mailing.

- ( ) (3) By publication in a daily publication of general circulation in the County of **Blair**,  
Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing

The affidavit from said publication is hereto attached.

- ( ) (4) By mailing to \_\_\_\_\_ mail, return receipt requested, postage prepaid,  
by \_\_\_\_\_ on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_

The \_\_\_\_\_ returned by the Postal  
Authorities marked \_\_\_\_\_  
is hereto attached.

- ( ) (5) Other \_\_\_\_\_

DATE RECEIVED

11261  
DATE PROCESSED

# SHERIFF'S DEPARTMENT

BLAIR COUNTY, PENNSYLVANIA  
COURTHOUSE, HOLLIDAYSBURG, PA. 16648

## SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

## INSTRUCTIONS:

Print legibly, insuring readability of all copies.

Do not detach any copies.

BCSD-ENV. 11/26/02

1. PLAINTIFF / S /

Sandra L. Cival et al

2. COURT NUMBER

66-0148-CN/66326T

3. DEFENDANT / S /

Terry Lingenfelter et al

4. TYPE OF WRIT OR COMPLAINT

Writ of Summons

SERVE

5. NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVICE OR DESCRIPTION OF PROPERTY TO BE LEVIED, ATTACHED OR SOLD.

Terry Lingenfelter

6. ADDRESS (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

205 South Avenue Altoona

AT

7. INDICATE UNUSUAL SERVICE:

☒ PERSONAL☒ PERSON IN CHARGE☐ DEPUTIZE☐ CERT. MAIL☐ REGISTERED MAIL☐ POSTED☐ OTHER

NOW, \_\_\_\_\_, I, SHERIFF OF BLAIR COUNTY, PA., do hereby deputize the Sheriff of  
County to execute this Writ and make return thereof according  
to law. This deputation being made at the request and risk of the plaintiff.

SHERIFF OF BLAIR COUNTY

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE:

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN — Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriffs' sale thereof.

9. SIGNATURE of ATTORNEY or other ORIGINATOR requesting service on behalf of:

☐ PLAINTIFF☐ DEFENDANT

10. TELEPHONE NUMBER

11. DATE

Abdool R. Pappas - Pizick

SPACE BELOW FOR USE OF SHERIFF ONLY — DO NOT WRITE BELOW THIS LINE

12. I acknowledge receipt of the writ or complaint as indicated above.

SIGNATURE of Authorized BCSD Deputy or Clerk and Title

13. Date Received

14. Expiration/Hearing date

B. Schenck

5-3-02

5-22-02

15. I hereby CERTIFY and RETURN that I ☒ have personally served, ☐ have served person in charge, ☐ have legal evidence of service as shown in "Remarks" (on reverse)  
☐ have posted the above described property with the writ or complaint described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below by hand ing/or Posting a TRUE and ATTESTED COPY thereof.

16. ☐ I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corporation, etc., named above. (See remarks below)

17. Name and title of individual served

18. A person of suitable age and discretion then residing in the defendant's usual place of abode. ☐Read Order ☐

19. Address of where served (complete only if different than shown above) (Street or RFD, Apartment No., City, Boro, Twp., State and ZIP Code)

16th ST. & P. Valley Blvd  
Berthiaume Jean's - Torrey

20. Date of Service

21. Time

1430

05/07/02

22. ATTEMPTS

Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int. Date Miles Dep. Int.

1 5/11/02 40 AM

23. Advance Costs 24. 25. 26. 27. Total Costs 28. COST DUE OR REFUND

15.00 Rec #105714 27.50 2.00 29.50 120.50

30. REMARKS

SO ANSWER.

AFFIRMED and subscribed to before me this

8th

By (Sheriff/Dep. Sheriff) (Please Print or Type)

Date

day of

May 2002

Signature of Sheriff

Date

5/7/02

NOTARY PUBLIC

SHERIFF OF BLAIR COUNTY

MY COMMISSION EXPIRES

I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED ISSUING AUTHORITY AND TITLE.

39. Date Received

## **SHERIFF'S RETURN OF SERVICE**

- ( ) (1) The within \_\_\_\_\_  
upon \_\_\_\_\_, the within named  
defendant by mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage  
prepaid \_\_\_\_\_ on the \_\_\_\_\_,  
a true and attested copy thereof at \_\_\_\_\_  
\_\_\_\_\_

The return receipt signed by \_\_\_\_\_  
defendant on the \_\_\_\_\_ is hereto attached and  
made part of this return.

- ( ) (2) Outside the Commonwealth, pursuant to Pa. R.C.P. 405 (c) (1) (2), by mailing a true and  
attested copy thereof at \_\_\_\_\_  
\_\_\_\_\_

in the following manner.

- ( ) (a) To the defendant by ( ) registered ( ) certified mail, return receipt requested,  
postage prepaid, addressee only on the \_\_\_\_\_,  
said receipt being returned NOT signed by defendant, but with a notation by the Postal  
Authorities that defendant refused to accept the same. The returned receipt and envelope  
is attached hereto and made part of this return.

And thereafter:

- ( ) (b) To the defendant by ordinary mail addressed to defendant at same address, with the  
return address of the Sheriff appearing thereon, on the \_\_\_\_\_  
\_\_\_\_\_

I further certify that after fifteen ( 15 ) days from the mailing date, I have not received said  
envelope back from the Postal Authorities. A certificate of mailing is hereto attached as a  
proof of mailing.

- ( ) (3) By publication in a daily publication of general circulation in the County of **Blair**,  
Commonwealth of Pennsylvania, \_\_\_\_\_ time (s) with publication appearing  
\_\_\_\_\_

The affidavit from said publication is hereto attached.

- ( ) (4) By mailing to \_\_\_\_\_  
by \_\_\_\_\_ mail, return receipt requested, postage prepaid,  
\_\_\_\_\_ on the \_\_\_\_\_  
a true and attested copy thereof at \_\_\_\_\_  
\_\_\_\_\_

The \_\_\_\_\_ returned by the Postal  
Authorities marked \_\_\_\_\_  
is hereto attached.

- ( ) (5) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# RECEIPT FOR PAYMENT

Blair County Pennsylvania  
Blair County Courthouse  
423 Allegheny Street

Receipt Date 05/03/2002  
Receipt Time 13:28:45  
Receipt No. 103714

SANDRA COVAL (VS) TERRY LINGENFELTER  
Case Number 2002-60386 T  
Service Info 001  
Remarks DEPUTIZED BY CLEARFIELD COUNTY

Total Check...	+	150.00
Total Cash....	+	.00
Cash Out.....	-	<u>.00</u>
Receipt total.	=	150.00

Check No. 7802

### Distribution Of Payment

Transaction Description	Payment Amount
-------------------------	----------------

**ADVANCE PAYMENT**

150.00

ABOOD RUSSELL PAPPAS &amp; ROZI

150.00

SANDRA L. COVAL, Individually and  
as Administratrix of the ESTATE OF  
ROBERT LEE KEIRN,

Plaintiff,

-vs-

TERRY LINGENFELTER, Individually and  
t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN, BRIAN KOCH and  
RICHARD BOYLE,

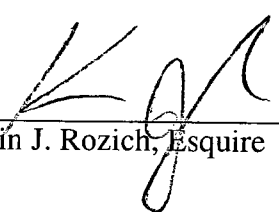
Defendants.

: IN THE COURT OF COMMON PLEAS OF  
: CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: CIVIL ACTION - LAW  
:  
: NO. 2001 - 1148-CD  
:  
:  
:  
:  
:

**AFFIDAVIT OF SERVICE**

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CAMBRIA : SS  
:

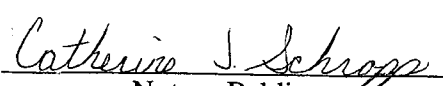
Kevin J. Rozich, Esquire, having personally appeared before me and being duly sworn, deposes and says that he served the Defendants, Terry Lingenfelter, Individually and t/d/b/a Passage Ways, Inc., Andrew Szebin, Brian Koch and Richard Boyle, a Legal Notice one time in the Clearfield County Legal Journal and one time in The Progress. Said Proofs of Publication are attached hereto indicating service was made on April 19, 2002 and April 26, 2002.

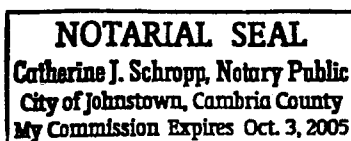
  
\_\_\_\_\_  
Kevin J. Rozich, Esquire

Sworn to and subscribed

before me on this 30<sup>th</sup>

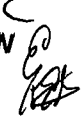
day of May, 2002.

  
\_\_\_\_\_  
Notary Public



**FILED**

MAY 31 2002

M11.25/NOCC  
William A. Shaw  
Prothonotary 

IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION-LAW  
NO. 2001-1148 CD

SANDRA L. COVAL, Individually  
and as Administratrix of the ES-  
TATE OF ROBERT LEE KEIRN,  
Plaintiff,

vs.

TERRY LINGENFELTER, Individ-  
ually and trading business as PAS-  
SAGEWAYS, INC.; ANDREW SZE-  
BIN, BRIAN KOCH and RICHARD  
BOYLE, Defendants.

ACTION TO RECOVER  
DAMAGES AS A  
RESULT OF AN  
INCIDENT ON  
JULY 18, 1999  
NOTICE

TO: TERRY LINGENFELTER, In-  
dividually and trading business as  
PASSAGE WAYS, INC.; ANDREW  
SZE BIN, BRIAN KOCH and RICHARD  
BOYLE

If you wish to defend, you must  
enter a written appearance person-  
ally or by attorney and file your de-  
fenses or objections in writing with  
the Court. You are warned that if  
you fail to do so the case may pro-  
ceed without you and a judgment  
may be entered against you without  
further notice for the relief re-  
quested by the plaintiff. You may  
lose money or property or other  
rights important to you.

YOU SHOULD TAKE THIS NO-  
TICE 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.

David S. Meholick, Court Adminis-  
trator

Clearfield County Courthouse  
Clearfield, Pennsylvania 16830  
(814) 765-2641, Ext. 5982  
Kevin J. Rozich, Esquire  
Abood, Russell, Pappas & Rozich  
South Street Station  
Professional Building  
709 Franklin Street,  
Suite 200  
Johnstown, PA 15901  
(814) 535-6751

4:19-1d-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 28th day of May, A.D. 2002,  
before me, the subscriber, a Notary Public in and for said County and  
State, personally appeared Margaret E. Krebs, who being duly sworn  
according to law, deposes and says that she is the President of The  
Progressive Publishing Company, Inc., and Associate Publisher of The  
Progress, a daily newspaper published at Clearfield, in the County of  
Clearfield and State of Pennsylvania, and established April 5, 1913, and  
that the annexed is a true copy of a notice or advertisement published in  
said publication in

the regular issues of April 19, 2002

And that the affiant is not interested in the subject matter of the notice or  
advertising, and that all of the allegations of this statement as to the time,  
place, and character of publication are true.

*Margaret E. Krebs*

Sworn and subscribed to before me the day and year aforesaid.

*Ann K. Law*

Notary Public Clearfield, Pa.

My Commission Expires  
September 16, 2004

Notarial Seal  
Ann K. Law, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Sept. 16, 2004

Member, Pennsylvania Association of Notaries

*With each passing  
day.  
You are in my  
thoughts always.  
I just want to say,  
I love you my  
friend,  
in my heart you  
will stay.*



**IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW  
NO. 2001-1148-CD**

SANDRA L. COVAL, Individually and as Administratrix of the ESTATE OF ROBERT LEE KEIRN, Plaintiff vs. TERRY LINGENFELTER, Individually and trading business as PASSAGE WAYS INC., ANDREW SZEBIN, BRIAN KOCH and RICHARD BOYLE, Defendants.

**ACTION TO RECOVER DAMAGES  
AS A RESULT OF AN INCIDENT ON  
JULY 18, 1999.**

**NOTICE**

**TO: TERRY LINGENFELTER, Individually and trading business as PASSAGE WAYS INC., ANDREW SZEBIN, BRIAN KOCH and RICHARD BOYLE**

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. 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 relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS NOTICE 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.**

David S. Meholick, Court Administrator,  
Clearfield County Courthouse, Clearfield,  
PA 16830. (814) 765-2541, Ext. 5982.

Kevin J. Rozich, Esquire, South Street  
Station Professional Bldg., 709 Franklin  
Street, Suite 200, Johnstown, PA 15901.  
(814) 535-6751.

the name of HILL TOP GUN SHOP with its principal place of business at 940 Sue Street, Houtzdale, PA 16651.

The name of the party owning and interested in the business is: Shirley J. Gulish, of 940 Sue Street, Houtzdale, PA 16651.

LEHMAN & KASUBICK, 611 Brisbin Street, Houtzdale, PA 16651.

---

**NOTICE**

Notice is given that Samuel D. Confer and Stephen D. Confer have registered the following name under the Fictitious Name Act to operate a fitness center. The registered name is "Body Matrix Gym" with business address of 15 Mt. Joy Road, Clearfield, PA 16830.

Peter F. Smith, Attorney, P.O. Box 130, Clearfield, PA 16830.

---

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

**ORPHANS' COURT DIVISION**

IN RE: THE ADOPTION OF: Melissa Padgett (DOB 11-11-85) & Brandon Padgett (DOB 10-17-88)

NO. 2797 & 2798

NOTICE OF HEARING TO CONFIRM  
A VOLUNTARY CONSENT TO TERMINATE PARENTAL RIGHTS

TO WILLIAM PADGETT:

The Court of Common Pleas of Clearfield County, Orphans' Court Division, has scheduled a hearing to confirm your consent to voluntarily terminate your parental rights to the above juveniles. That hearing has been scheduled for May 13, 2002, at 9:00 a.m. in Courtroom 2 of the

MAY 09 2002

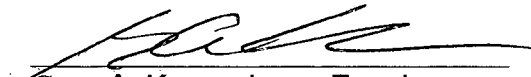
## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

:

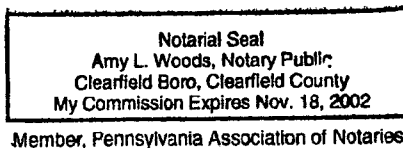
COUNTY OF CLEARFIELD :

On this 1st day of May AD 2002, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of April 26, 2002, Vol. 14 No. 17. And that all of the allegations of this statement as to the time, place, and character of the publication are true.

  
Gary A. Knaresboro, Esquire  
Editor

Sworn and subscribed to before me the day and year aforesaid.

  
Notary Public  
My Commission Expires



Kevin J Rozich  
709 Franklin Street  
Suite 200  
Johnstown PA 15901

SANDRA L. COVAL, Individually and as  
Administratrix of the ESTATE OF ROBERT  
LEE KEIRN,

Plaintiffs,

-VS-

TERRY LINGENFELTER, Individually  
and t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

NO.: 2001 - 1148 CD

FILED

APR 10 2003

William A. Shaw  
Prothonotary

**PETITION FOR LEAVE TO COMPROMISE A MINOR'S CLAIM**

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The Petition of SANDRA L. COVAL, Individually and as Administratrix of the ESTATE OF ROBERT LEE KEIRN, a minor, respectfully represents:

1. That Sandra L. Coval is the Administratrix of the Estate of Robert Lee Keirn, who drowned on July 18, 1999, while in the supervision of Passage Ways employees.

2. The Estate of Robert Lee Keirn was opened on or about December 10, 1999, in the Court of Common Pleas of Cambria County, Pennsylvania, listing his brother, Shawn Nicholas Keirn and his sister, Kerri M. Keirn, as his heirs.

2. That counsel for the Plaintiffs were retained by the Estate of Robert Lee Keirn at a retainer of forty (40%) percent. However, since Robert Lee Keirn was a minor, Counsel reduced the retainer to thirty-three and one-third (33 1/3%) percent contingent fee basis.

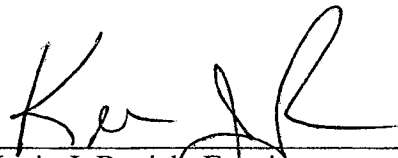
3. In the investigation of and filing of the suit, Plaintiffs have engaged in investigation of the underlying parties, the retaining of experts and preparation of suit. Moreover, the Plaintiffs had originally been involved in negotiations and suit with Reliance Insurance Carrier. Said carrier then went bankrupt and Plaintiffs' Counsel engaged in litigation and negotiations with the Pennsylvania Guarantee Trust Fund.

4. The total amount possible to recover under the Pennsylvania Guarantee Trust Fund is Three Hundred Thousand (\$300,000.00) Dollars. Based on the costs incurred to date and the proposed costs of continuing with the suit, it was determined that it was in the best interest of the

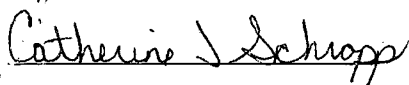
**AFFIDAVIT OF COUNSEL**

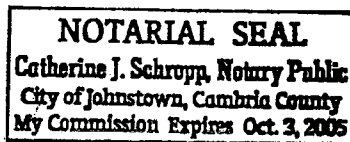
COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF CAMBRIA :

Before me, the undersigned officer, a notary public in and for said Commonwealth and County, personally appeared KEVIN J. ROZICH, ESQUIRE, who being duly sworn according to law, depose and say that the facts set forth in the foregoing Petition are true and correct, that the proposed settlement offer is, in the opinion of counsel, fair and reasonable under all the circumstances, and is the best offer of settlement which can be obtained in view of the applicable circumstances.

  
\_\_\_\_\_  
Kevin J. Rozich, Esquire

Sworn to and subscribed  
before me this 7<sup>th</sup> day  
of April, 2003.



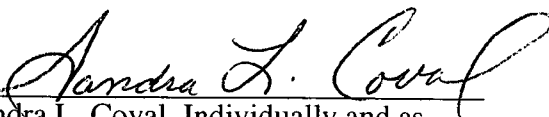


COMMONWEALTH OF PENNSYLVANIA

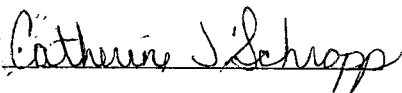
COUNTY OF CAMBRIA

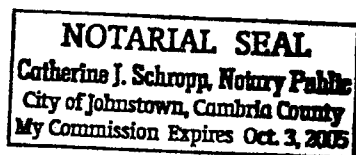
SS:

Before me, the undersigned officer, a notary public in and for said Commonwealth and County, personally appeared Sandra L. Coval, Individually and as Administratrix of the Estate of Robert Lee Keirn, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of her knowledge, information and belief.

  
Sandra L. Coval, Individually and as  
Administratrix of the Estate of Robert Lee  
Keirn

Sworn to and subscribed to  
before me on this 7<sup>th</sup> day  
of April, 2003.





FILED

APR 10 2003

William A. Shaw  
Prothonetary

ACC  
Amy Kozick

*[Handwritten signature]*

SANDRA L. COVAL, Individually and as  
Administratrix of the ESTATE OF ROBERT  
LEE KEIRN,

Plaintiffs,

-vs-

TERRY LINGENFELTER, Individually  
and t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

NO.: 2001 - 1148 CD

FILED

APR 10 2003

William A. Shaw  
Prothonotary

ORDER

AND NOW, this 10 day of April, 2003, upon consideration of the  
foregoing Petition, it is hereby ORDERED AND DECREED that the settlement of the within  
action for the gross sum of Two Hundred Twenty Thousand (\$220,000.00) Dollars is hereby  
approved. Counsel fees are allowed and distribution is directed as follows:

Abood, Russell, Pappas & Rozich - (33 1/3%-counsel fees) \$73,333.33

Abood, Russell, Pappas & Rozich - (costs advanced) \$2,483.36

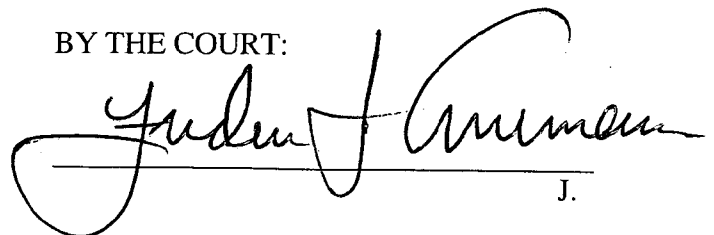
Estate of Robert Lee Keirn \$144,183.31

(Beneficiary: Shawn Nicholas Keirn, a minor, less lien amount  
to Office of Inspector General for \$1,249.51)

(Beneficiary: Kerri M. Keirn, a minor)

The proceeds payable to the minor child to be placed in a restrictive account pursuant to  
Pa.R.C.P. 2206 from which withdrawals may only be made with approval of the Court.

BY THE COURT:

  
J.



FILED

APR 10 2003

William A. Shaw  
Prothonotary

2cc  
Atty Lozich  
EJL

SANDRA L. COVAL, Individually and as  
Administratrix of the ESTATE OF ROBERT  
LEE KEIRN,

Plaintiffs,

v.

TERRY LINGENFELTER, Individually  
and t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

IN THE COURT OF COMMON  
PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CIVIL ACTION - LAW

No.: 2001-1148 CD

**FILED** 300  
M 11:46 AM  
OCT 24 2006  
CR

William A. Shaw  
Prothonotary/Clerk of Courts

### PETITION TO RELEASE FUNDS

NOW COMES, Petitioner, Kerri M. Merrymon (Keirn), by and through her counsel, Kevin J. Rozich, Esquire, *ABOOD, RUSSELL, PAPPAS & ROZICH*, and sets forth the following in support of her Petition.

1. By Order dated April 10, 2003, the Honorable Frederic J. Ammerman approved the Petition to Compromise a Minor's Claim in the above-captioned matter in the gross amount of \$ 144,183.31.

2. The proceeds were made payable to the decedent's minor siblings, including Shawn N. Keirn and Kerri M. Keirn, minors, in the amount of \$ 71,466.90 each, as their 1/2 share of the Wrongful Death Claim, to be placed in restrictive accounts pursuant to Pa. R.C.P. 2206 from which withdrawals may only be made with approval of the Court.

3. Kerri M. Merrymon (Keirn), one of the minor beneficiaries to the original Petition to Compromise a Minor's Claim, was born on January 6, 1987. She reached the age of eighteen (18) on January 6, 2005.

4. The Petitioner requests funds to cover the costs of necessary dental work in the amount of \$6,000.00.

5. In addition, subsequent to her eighteenth birthday, Ms. Merrymon provided First Commonwealth Bank with a copy of her birth certificate and a copy of her driver's license in order to obtain the remaining funds in her account. First Commonwealth Bank has refused to release the money to her attention without our providing them with an order of court.

6. The proceeds which were made payable to the original decedent's minor siblings were placed in a restrictive account pursuant to Pa. R.C.P. 2206 which defines a minor as being one under the age of eighteen, at 20 Pa. C.S.A. § 102.

7. The Petitioner respectfully requests that this Honorable Court order First Commonwealth Bank to immediately release the funds to Kerri M. Merrymon, she having reached the age of eighteen years on January 6, 2005, thereby no longer being a minor under the Act.

WHEREFORE, Petitioner, Kerri M. Merrymon (Keirn) respectfully requests this Honorable Court to direct First Commonwealth Bank to turn over the proceeds of her account to her.

Respectfully submitted,

*ABOOD, RUSSELL, PAPPAS & ROZICH*

By *Kevin J. Rozich*  
Kevin J. Rozich, Esquire  
Attorneys for Petitioner

SANDRA L. COVAL, Individually and as  
Administratrix of the ESTATE OF ROBERT  
LEE KEIRN,

Plaintiffs,

v.

TERRY LINGENFELTER, Individually  
and t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

IN THE COURT OF COMMON  
PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

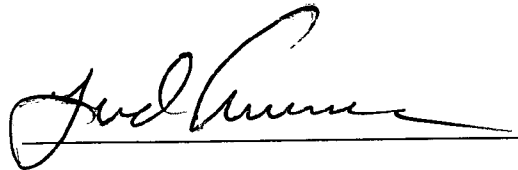
CIVIL ACTION - LAW

No.: 2001-1148 CD

**ORDER**

AND NOW, this 25<sup>th</sup> day of October, 2006, upon consideration of the  
foregoing Petition, it is ordered and decreed that First Commonwealth Bank is hereby directed to  
permit Kerri M. Merrymon (Keirn) to withdraw \$6,000.00 from the restrictive account to cover the  
costs of her dental work. Funds are to be made payable to Kerri M. Merrymon.

BY THE COURT:

  
J.

**FILED** 3cc Atty Rozich  
09:50 am  
OCT 27 2006

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 10-27-2006

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special

**FILED**

**OCT 27 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

SANDRA L. COVAL, Individually and as  
Administratrix of the ESTATE OF ROBERT  
LEE KEIRN,

Plaintiffs,

v.

TERRY LINGENFELTER, Individually  
and t/d/b/a PASSAGE WAYS, INC.;  
ANDREW SZEBIN; BRIAN KOCH; and  
RICHARD BOYLE,

Defendants.

IN THE COURT OF COMMON  
PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CIVIL ACTION - LAW

No.: 2001-1148 CD

**ORDER**

AND NOW, this \_\_\_\_\_ day of October, 2006, upon consideration of the foregoing Petition, it is ordered and decreed that First Commonwealth Bank is hereby directed to permit Kerri M. Merrymon (Keirn) to withdraw all of the money in the restrictive account since she has now reached the age of eighteen. Funds are to be made payable to Kerri M. Merrymon.

BY THE COURT:

\_\_\_\_\_  
J.