01-1311-CD
BOBBIE JO YOUNG -vs- JAMES COLLINS

HANAK, GUIDO and TALADAY
LAW OFFICES
498 Jefferson Street, P.O. Box 487
DuBois, Pennsylvania 15801

FILED
3/10:27 AM
AUG 14 2001
William A. Shaw
Prothonotary

1 cc Sheriff
Atty pd. 80.00

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	:	CIVIL DIVISION No. 2001 -1311-CD Type of Pleading: **COMPLAINT** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

AUG 14 2001

William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 -
JAMES COLLINS, Defendant	:	

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Amended Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641 Ext. 1303

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

BOBBIE JO YOUNG, Plaintiff	:
v.	:
JAMES COLLINS, Defendant	:

AND NOW, comes the Plaintiff, Bobbie Jo Young, who by and through her attorneys Hanak, Guido & Taladay avers the following:

1. The Plaintiff is Bobbie Jo Young an Adult Individual residing at 100 East Washington Avenue, DuBois, Clearfield County, Pennsylvania.

2. The Defendant is James Collins an adult individual residing at 305 South Elk Street, Punxsutawney, Jefferson County, Pennsylvania and is employed as a Pennsylvania State Constable.

3. At approximately 12:30 a.m. on Thursday June 14, 2001, Ms. Young and her friend, Susan Jordan, left Classics Bar and Grill located on Route 255 in Sandy Township.

4. Ms. Young and her friend were getting into her car preparing to leave the premises when the Defendant and a woman approached the vehicle.

5. The Defendant then asked Ms. Young and her friend to give the woman, whom the Defendant represented to be his wife, a ride home. Ms. Young politely refused.

6. The Defendant then asked Ms. Young and her friend their names.

7. Ms. Jordan joking gave the Defendant a nonsensical name for Ms. Ms. Young.

8. The Defendant suddenly grabbed Ms. Young's wrist, told her that he was a Pennsylvania State Constable, and demanded to see her identification.

9. Ms. Young asked that he let go of her wrist and requested the Defendant to produce anything to verify that he was in fact a Constable.

10. The Defendant responded by placing a handcuff on Ms. Young's wrist.

11. Ms. Young began crying and asked the defendant what she had done. The Defendant again demanded to see her identification.

12. She produced a photostatic copy of her operators's license. She explained to the Defendant that she had lost her original license.

13. The Defendant told her that she was not Bobbie Jo Young and that she could be arrested for showing him an invalid license. He then repeatedly called he "Anne"

14. At this point, Ms. Young was shaking and in tears. She again asked to see the Defendant's badge or a warrant. The Defendant again refused.

15. The Defendant continued to ask Ms. Young where she lived and threatened to check with the police to verify that she lived at her address.

16. It was only after Ms. Young produced additional forms of identification, that the Defendant released her.

17. Since the Defendant did not produce his badge or a warrant to verify that he was in fact a constable, Ms. Young did not know if he and the woman with him were constables or stalkers.

18. Since the Defendant knew where she lived and was so intent on knowing her address, Ms. Young continued to fear for her and her daughter's safety until she could verify with the local magistrate that the Defendant was a constable.

19. On information, Plaintiff believes and therefore avers that the person the Defendant was looking for was Anne Serziga who bears little, if any physical resemblance to Plaintiff.

COUNT I - NEGLIGENCE

20. The Plaintiff incorporates paragraphs 1 through 19 as if set forth at length herein.

21. The Defendant failed to exercise reasonable care and acted without probable cause when he acted to arrest and restrain Ms. Young without cause, identification or verification by identity.

22. The Defendant acted with reckless disregard for Ms. Young's bodily and emotional well-being by apprehending and arresting her without probable cause, without verifying her identity, and without producing an arrest warrant and proper identification that would verify that he was a licensed Pennsylvania Constable.

23. The Defendant knew, or should have known, that his actions would cause Ms. Young severe emotional distress.

24. The Defendant's actions directly and proximately caused Ms. Young to experience severe emotional distress.

COUNT II- ASSAULT

25. The Plaintiff incorporates paragraphs 1 through 24 as if set forth at length herein.

26. The Defendant exercised excessive force in apprehending and arresting Ms. Young and did so with reckless disregard for her rights and liberties.

27. The Defendant intended to put Ms. Young in reasonable and immediate fear of a harmful or offensive contact with his body.

28. Ms. Young, as a result of the Defendant's acts, was put in reasonable and immediate fear of such contact.

COUNT III - BATTERY

29. The Plaintiff incorporates paragraphs 1 through 28 as if set forth at length herein.

30. By grabbing Ms. Young's wrist and handcuffing her, the Defendant acted with intent to cause harmful or offensive contact with Ms. Young's body.

31. The Defendant's acts directly resulted in a harmful and offensive contact with Ms. Young's body.

COUNT IV - FALSE IMPRISONMENT

32. The Plaintiff incorporates paragraphs 1 through 31 as if set forth at length herein.

33. The Defendant intentionally caused the confinement of Ms. Young against her will.

34. By grabbing Ms. Young's wrist and handcuffing her under an assertion of legal authority to do so, the Defendant placed Ms. Young under arrest.

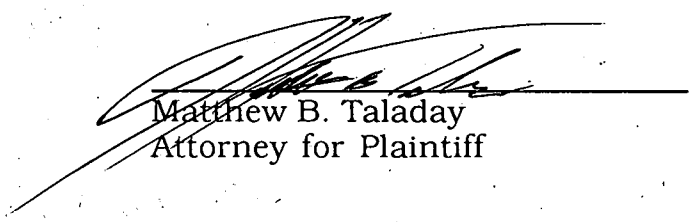
35. The Defendant made said arrest without probable cause.

36. The Defendant's conduct was extreme and outrageous.

37. By his conduct, the Defendant caused severe emotional distress to Ms. Young.

WHEREFORE, the Plaintiff, Ms. Young, respectfully requests this court to grant her a judgment against the defendant in an amount in excess of $25,000 together with the costs incurred in bringing this action and any other relief that this honorable court deems appropriate.

Respectfully Submitted,



Matthew B. Taladay
Attorney for Plaintiff

VERIFICATION

I, **Bobbie Jo Young**, do hereby verify that I have read the foregoing COMPLAINT. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: 8-9-01

Bobbie Jo Young

Bobbie Jo Young

MW

METZGER
WICKERSHAM

SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11373

YOUNG, BOBBIE JO

01-1311-CD

VS.

COLLINS, JAMES

COMPLAINT

SHERIFF RETURNS

NOW AUGUST 15, 2001 THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHINCOMPLAINT ON JAMES COLLINS, DEFENDANT.

NOW AUGUST 21, 2001 SERVED THE WITHIN COMPLAINT ON JAMES COLLINS, DEFENDANT BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN .

Return Costs

Cost	Description
27.89	SHFF. HAWKINS PAID BY: ATTY.
47.28	SHFF. DEMKO PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

10th Day Of Sept 2001

So Answers,

Chester A. Hawkins
by Marilyn Hamr

Chester A. Hawkins
Sheriff

FILED

SEP 10 2001

William A. Shaw
Prothonotary

No. 2001-1311-CD

Personally appeared before me, Carl J. Gotwald, Sr., Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on August 21, 2001 at 8:45 o'clock P.M. served the Notice and Complaint upon JAMES COLLINS, Defendant, at his residence, 305 South Elk Street, Borough of Punxsutawney, County of Jefferson, State of Pennsylvania by handing to him, personally, a true copy of the Notice and Complaint, and by making known to him the contents thereof.

Advance Costs Received:	$125.00
My Costs:	$ 45.28 Paid
Prothy:	$ 2.00
Total Costs:	$ 47.28
Refunded:	$ 77.72

Sworn and subscribed
to before me this 24th
day of August 2001
By Henry Ohman

PROTHONOTARY
CLERK OF COURTS
My Commission Expires
1st Monday of January 2002.
Jefferson County, PA

So Answers,

Carl J. Gotwald Sr.
Deputy

Thomas A. Demko
Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff	: IN THE COURT OF COMMON PLEAS : CLEARFIELD COUNTY, PENNSYLVANIA
v.	: NO. 2001-1311-CD
JAMES COLLINS, Defendant	: CIVIL DIVISION

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Enter the appearance of Metzger, Wickersham, Knauss & Erb, P.C., on behalf of James Collins.

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

BY: _____ /FOR

Jered L. Hock, Esquire
Attorney I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: September 10 2001

FILED

SEP 20 2001
m/11:30/noc
William A. Shaw
Prothonotary

Document #: 216330.1

BOBBIE JO YOUNG,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	NO. 2001-1311-CD
	:	
JAMES COLLINS,	:	CIVIL DIVISION
Defendant	:	

CERTIFICATE OF SERVICE

AND NOW, this 10th day of September, 2001, I, Jered L. Hock, of Metzger, Wickersham, Knauss & Erb, P.C., attorneys for James Collins, hereby certify that I served the foregoing Praecipe for Appearance this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

Matthew B. Taladay, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
PO Box 487
DuBois, PA 15801

BY: [signature] /for
Jered L. Hock, Esquire

Document #: 216330.1

MW

METZGER
WICKERSHAM

SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

NOTICE TO PLEAD

TO: Bobbie Jo Young, Plaintiff

- and -

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
Attorneys for Plaintiff

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

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

FILED
OCT 01 2001
11:57 noCC
William A. Shaw
Prothonotary

By: _____
Jered L. Hock, Esquire
Attorney I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: September 27, 2001

Document #217155

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

ANSWER OF DEFENDANT WITH NEW MATTER

AND NOW, comes the Defendant, James Collins, who by and through his attorneys, Metzger, Wickersham, Knauss & Erb, P.C., makes Answer with New Matter as follows:

1. Adult status admitted. As to remaining allegations, after reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth thereof.

2. Adult status and address admitted. Remainder denied as stated. On the contrary the Defendant is serving as a duly constituted Constable of the State of Pennsylvania.

3. Time, place, and departure from the building housing the Bar admitted. As to remaining allegations, after reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these averments.

4. Admitted only that Defendant and a woman approached the vehicle which Ms. Young was occupying. As to remaining allegations, after reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of these averments.

5. Denied as stated. Admitted, however, that in order to obtain an opportunity to confirm Plaintiff's identity for warrant serving purposes, an inquiry was made regarding obtaining transportation.

6. Admitted.

7. Denied as stated. On the contrary, a false name was given for Ms. Young, and Ms. Young refused to provide identification, although the Defendant provided identification of himself as a Constable.

8. Specifically denied. On the contrary, the Defendant Constable, who had made thorough and appropriate investigation to determine the whereabouts and characteristics of the person for whom he had a warrant, repeatedly requested identification of Plaintiff, whom he reasonably believed to be the person against whom the warrant was directed, but Plaintiff refused, even though the Defendant Constable was displaying indicia of his position as a Constable, including his badge and photo identification, and advised the Plaintiff in clear and appropriate terms of the course of action that would be required if she did not provide an I.D. Plaintiff, however, took evasive action and continued to refuse to cooperate. Defendant did not "grab" Plaintiff's wrist but had only reasonable contact with her when briefly applying a handcuff at an appropriate time and in an appropriate manner.

9. Specifically denied. On the contrary, it was already apparent that Defendant was a Constable, and Plaintiff continued to refuse to produce identification.

10. Admitted only that at an appropriate point after the Defendant Constable had produced identification but while Plaintiff still refused to identify herself, one handcuff was placed on Plaintiff, who was continuing to refuse to show identification, who attempted to close her car door upon the Defendant Constable, whom Defendant reasonably believed to be the person to whom the warrant was directed, and who had attempted to evade the Defendant Constable by trying to close her car door on him and otherwise.

11. Denied as stated. Admitted that Plaintiff became very vocal and engaged in crying. By way of further answer, at the time referred to in the preceding paragraph, Plaintiff immediately produced a photocopy of what appeared to be her drivers' license and the Defendant Constable thereupon removed the one cuff, which had been placed on Plaintiff.

12. Denied as stated. Admitted only that after one handcuff was placed on her Plaintiff immediately produced a photocopy of what appeared to be her drivers' license and made certain comments claiming that her original drivers' license had been lost.

13. Specifically denied.

14. Denied as stated. Admitted, however, that Plaintiff was engaging in crying and at some point flailed her arms. Denied that Plaintiff ever asked to see a badge, although the Defendant Constable had produced the same. Denied that the warrant, and particularly its clear wording "Bench Warrant," was not visible for Plaintiff to see.

15. Specifically denied.

16. Specifically denied. On the contrary, the Defendant Constable ceased focusing upon Plaintiff as the person against whom the warrant was directed upon Plaintiff's producing the photocopy of her drivers' license and did not thereafter direct any efforts toward stopping Plaintiff from leaving the premises.

17. Specifically denied. On the contrary, as set forth earlier in this pleading, Defendant produced sufficient indicia of his office as a Constable, and Plaintiff had no reason to believe that he and the woman who accompanied him were stalkers.

18. As to Plaintiff's alleged fear, Defendant is without knowledge or information sufficient to form a belief as to the truth thereof, but specifically denied that Defendant or his

actions provided any reason for Plaintiff to fear for herself or anyone else. Further, denied that Defendant at any time requested Plaintiff's address.

19. As to Plaintiff's beliefs, after reasonable investigation, Defendant Constable is without knowledge or information sufficient to form a belief as to the truth thereof. Admitted that Defendant was seeking a person at times known by the name alleged. Allegations regarding physical resemblance are impertinent, so that no answer is required. If an answer is required, specifically denied. On the contrary, based upon the totality of appropriate indicators available to the Defendant Constable, including whereabouts, habits, consistent physical appearance, and other factors which the Defendant Constable had appropriately investigated and developed before the incident in question, the Defendant Constable reasonably believed that he should direct himself to Plaintiff in connection with his service of the warrant.

COUNT I – NEGLIGENCE

20. Paragraphs 1-19 above are incorporated by reference.

21. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the Defendant Constable acted with reasonable care and with all required and appropriate cause when he approached and stopped Plaintiff.

22. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the Defendant Constable acted with appropriate regard for Plaintiff's well being in stopping her and requesting her identification and with required and appropriate cause to do the same, during the course of which he specifically and repeatedly requested her identity and produced any and all items that may have been required of him during the time in question, including his badge and photo identification. By way of further answer, denied that

"probable cause" is a factor pertinent to the matters in question; probable cause had already been established at the time a judge had issued the warrant. Further, denied that Plaintiff was arrested at the time the Defendant Constable reasonably requested her to produce identification.

23. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the Defendant Constable's actions did not cause Plaintiff severe emotional distress, and no reasonable person would have so believed or known.

24. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraph 23 above and incorporated herein by reference.

WHEREFORE, Defendant James Collins respectfully requests that Plaintiff's Complaint be dismissed and that judgment be entered in his favor, together with the costs of this action and any and all other relief that this Honorable Court deems appropriate.

COUNT II – ASSAULT

25. Paragraphs 1-24 above are incorporated by reference.

26. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the Defendant Constable's actions were appropriate, required, and without excess force in requesting Plaintiff's identification, all of which was done with appropriate regard for her rights and liberties. Further, denied that Plaintiff was arrested at the time the Defendant Constable reasonably requested her to produce identification.

27. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the Defendant Constable had no such intent and no reasonable person would have so feared.

28. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the Defendant Constable's acts were appropriate and could not and did not place Plaintiff in reasonable and immediate fear as alleged or otherwise.

WHEREFORE, Defendant James Collins respectfully requests that Plaintiff's Complaint be dismissed and that judgment be entered in his favor, together with the costs of this action and any and all other relief that this Honorable Court deems appropriate.

COUNT III – BATTERY

29. Paragraphs 1-28 above are incorporated by reference.

30. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraphs 8-10 above, incorporated by reference. By way of further answer, the Defendant Constable's acts were appropriate and not harmful or offensive as alleged or otherwise.

31. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraphs 8-10 above, incorporated by reference. By way of further answer, the Defendant Constable's acts were appropriate and not harmful or offensive as alleged or otherwise.

WHEREFORE, Defendant James Collins respectfully requests that Plaintiff's Complaint be dismissed and that judgment be entered in his favor, together with the costs of this action and any and all other relief that this Honorable Court deems appropriate.

COUNT IV – FALSE IMPRISONMENT

32. Paragraphs 1-31 above are incorporated by reference.

33. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraphs 8-10, 16-18 above and elsewhere in this pleading, all of which are incorporated by reference. By way of further answer, the Defendant Constable's acts were appropriate and did not harmfully or otherwise confine the Plaintiff.

34. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraphs 8-10, 16-19, and 33 above and elsewhere in this pleading, all of which are incorporated by reference. By way of further answer, the Defendant Constable's acts were appropriate and did not constitute an arrest or an arrest without probable cause, and sufficient, adequate; and appropriate reason for the encounter, the same being less and different in requirement from probable cause, was present.

35. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraphs 8-10, 16-19, and 33-34 above and elsewhere in this pleading, all of which are incorporated by reference.

36. Conclusion of law, no answer required. If an answer is required, specifically denied for reasons set forth in Paragraphs 8-10, 16-19, and 33-34 above and elsewhere in this pleading, all of which are incorporated by reference, so that the happenings in question were reasonable and appropriate and not extreme or outrageous in any respect..

37. Conclusion of law, no answer required. If an answer is required, specifically denied. On the contrary, the actions of the Defendant Constable caused no such distress.

WHEREFORE, Defendant James Collins respectfully requests that Plaintiff's Complaint be dismissed and that judgment be entered in his favor, together with the costs of this action and any and all other relief that this Honorable Court deems appropriate.

NEW MATTER

38. Paragraphs 1-37 above are incorporated by reference.

39. Plaintiff's Complaint fails to state a claim upon which relief can be granted.

40. (a) If the answering Defendant violated any rights of the Plaintiff, which is specifically denied, such violation was not arbitrary, willful, intentional, malicious, wanton or reckless.

(b) For the aforesaid reasons and otherwise, answering Defendant may not be held liable for any damages whatsoever.

41. Any actions taken by the answering Defendant were taken in good faith and in the reasonable belief that his conduct was constitutional and lawful.

42. (a) The answering Defendant is immune from liability to Plaintiff for any and all of the claims asserted.

(b) The answering Defendant is immune from liability to Plaintiff for damages which are precluded by 42 Pa.C.S.A. 8528 and other applicable law.

(c) In the alternative and in addition to (b) immediately above, the answering Defendant is immune from liability to Plaintiff for damages which are precluded by 42 Pa.C.S.A. 8553(d) and other applicable law.

43. If the answering Defendant violated any rights of the Plaintiff, which is specifically denied, the Defendant did not know and reasonably need not have known that his conduct violated Plaintiff's rights.

44. Any actions taken by the answering Defendant were justified, privileged, objectively reasonably, and otherwise reasonable.

45. Any actions taken by answering Defendant were of the type(s) for which he would have had defenses available at common law.

46. Any actions taken by answering Defendant represented conduct which was discretionary and which did not violate clearly established statutory or constitutional rights of which a reasonable person would have known, and further, did not violate any rights of the Plaintiff whatsoever.

47. Answering Defendant is advised to aver and therefore avers that Plaintiff's action is or may be precluded by principles of *res judicata*, collateral estoppel, or otherwise.

48. If Plaintiff suffered any injury, which is denied and of which strict proof is demanded, the same was caused by the actions of Plaintiff herself or by persons or parties for whom answering Defendant is not responsible.

49. (a) Plaintiff was properly detained on the matters complained of.

(b) Appropriate and reasonable cause existed for the Defendant's actions on the matters complained of.

(c) If the matters complained of constituted an arrest, of which strict proof is demanded and which is denied, Plaintiff was properly arrested on the matters complaint of.

(d) If the matters complained of constituted an arrest, of which strict proof is demanded and which is denied, any and all appropriate reason and cause existed therefor.

50. The Defendant Constable approached Plaintiff and engaged in the events in question pursuant to his duty to serve a validly issued warrant.

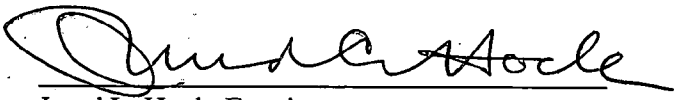
51. (a) Probable cause is not a principle pertinent to the matters in question.

(b) Probable cause had already been established at the time a judge had issued the warrant.

WHEREFORE, Defendant James Collins respectfully requests that Plaintiff's Complaint be dismissed and that judgment be entered in his favor, together with the costs of this action and any and all other relief that this Honorable Court deems appropriate.

Respectfully submitted,

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

By: 

Jered L. Hock, Esquire
I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: September 27, 2001

VERIFICATION

The undersigned hereby certifies that the facts set forth in the foregoing Answer with New Matter are true and correct to the best of his knowledge, information, and belief, and further states that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

James E Collins
James Collins

Date: 27 Sept, 2001

CERTIFICATE OF SERVICE

AND NOW, this 27th day of September, 2001, I, Jered L. Hock, of Metzger, Wickersham, Knauss & Erb, P.C., attorneys for Defendant, hereby certify that I served the foregoing Answer with New Matter this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

By: _____
Jered L. Hock, Esquire

Document #217155

METZGER
WICKERSHAM
SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

PRAECIPE

TO THE PROTHONOTARY:

Kindly append the attached Verification to the Defendant's Answer with New Matter.

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

By: _____

Jered L. Hock, Esquire
I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: October 8, 2001

FILED
OCT 11 2001
M 13:05pm/noce
William A. Shaw
Prothonotary
E

VERIFICATION

The undersigned hereby certifies that the facts set forth in the foregoing Answer with New Matter are true and correct to the best of his knowledge, information, and belief, and further states that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

James Collins

Date: 10-1-01, 2001

CERTIFICATE OF SERVICE

AND NOW, this 8 day of October, 2001, I, Jered L. Hock, of Metzger, Wickersham, Knauss & Erb, P.C., attorneys for Defendant, hereby certify that I served the foregoing Praecipe this day by depositing the same in the United States mail, postage prepaid, in Harrisburg, Pennsylvania, addressed to:

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

By: _____
Jered L. Hock, Esquire

METZGER
WICKERSHAM

SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	:	CIVIL DIVISION No. 2001 -1311-CD Type of Pleading: **REPLY TO NEW MATTER** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

OCT 12 2001
m/11:15/no cc
William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

REPLY TO NEW MATTER

AND NOW, comes the Plaintiff, Bobbie Jo Young, who by and through her attorneys Hanak, Guido & Taladay replies to the New Matter filed by the Defendant, as follows:

38. Paragraphs 1 through 37 of Plaintiff's Complaint are incorporated by reference.

39. Denied.

40. (a) Paragraph 40 of Defendant's New Matter states a conclusion of law to which no response is required.

(b) Denied as set forth in Plaintiff's Complaint.

41. Denied.

42. (a)-(c) Paragraph 42(a), (b) and (c) of Defendant's New Matter states a conclusion of law to which no response is required.

43. Denied.

44. Denied.

45. Paragraph 45 of Defendant's New Matter states a conclusion of law to which no response is required. To the extent that a response may be required, these allegations are denied.

46. Paragraph 46 of Defendant's New Matter states a conclusion of law to which no response is required. To the extent that a response may be required, these allegations are denied.

47. Paragraph 47 of Defendant's New Matter states a conclusion of law to which no response is required. To the extent that a response may be required, these allegations are denied.

48. Denied.

49. (a) Denied.

(b) Denied.

(c) Denied.

(d) Denied.

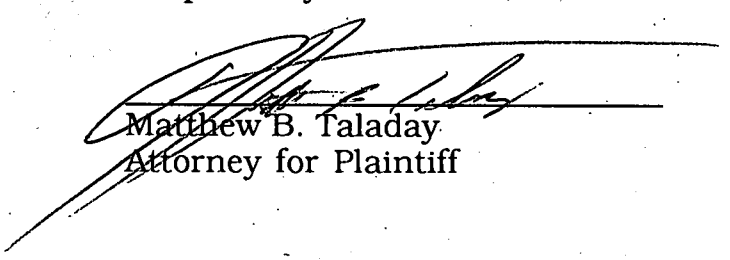
50. Denied as set forth more fully in the Complaint.

51. (a), (b) Paragraph 51(a) and (b) of Defendant's New Matter states a conclusion of law to which no response is required.

WHEREFORE, Plaintiff demands judgment in her favor.

A JURY TRIAL IS DEMANDED.

Respectfully Submitted,



Matthew B. Taladay
Attorney for Plaintiff

VERIFICATION

I, **Bobbie Jo Young**, do hereby verify that I have read the foregoing REPLY TO NEW MATTER. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: 10-6-01

Bobbie Jo Young

Bobbie Jo Young

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 11th day of October, 2001 a true and correct copy of the attached REPLY TO NEW MATTER was sent via first class mail, postage prepaid, to the following:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300

Matthew B. Taladay,
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	:	CIVIL DIVISION No. 2001 -1311-CD Type of Pleading: **CERTIFICATE OF SERVICE** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

OCT 16 2001
m/10:54/nocc
William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 15th day of October, 2001 two true and correct copies of the Plaintiff's Interrogatories and Request for Production of Documents - First Set were sent via first class mail, postage prepaid, to the following:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300

Matthew B. Taladay,
Attorney for Plaintiff

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	NO. 2001-1311-CD
JAMES COLLINS, Defendant	:	Type of Document: **CERTIFICATE OF DISCOVERY**
	:	Filed on Behalf of: DEFENDANT
	:	Counsel of Record for This Party: Jered L. Hock, Esquire Supreme Court No. 19211 Metzger, Wickersham, Knauss & Erb, P.C. 3211 North Front Street P.O. Box 5300 Harrisburg, PA 17110-0300 (717) 238-8187

FILED

OCT 2 6 2001

m 11:04 noCC

William A. Shaw

Prothonotary

Document #: 218789.2

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

CERTIFICATE OF SERVICE OF DISCOVERY

AND NOW, this 9th day of October, 2001, I, Jered L. Hock, Esquire, of Metzger, Wickersham, Knauss & Erb, P.C., hereby certify that I did this day serve the requisite number of counterpart copies of Interrogatories and Requests for Production of Defendant Addressed to Plaintiff, by depositing same in the United States mail, postage pre-paid in Harrisburg, Pennsylvania, addressed as follows:

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

By: _____
Jered L. Hock, Esquire
Attorney I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: October 24, 2001

Document #: 218789.2

SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	CIVIL DIVISION No. 2001-1311-CD Type of Pleading: **CERTIFICATE OF SERVICE** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

JAN 04 2002

William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 3rd day of January, 2002 two true and correct copies of Plaintiff's Answers to Interrogatories and two true and correct copies of Plaintiff's Response to Request for Production of Documents were sent via first class mail, postage prepaid, to the following:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300

Matthew B. Taladay,
Attorney for Plaintiff

FILED

JAN 04 2002

10:56 am

William A. Shaw
Prothonotary

no CC

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	NO. 2001-1311-CD
JAMES COLLINS, Defendant	:	Type of Document: **CERTIFICATE OF SERVICE OF RESPONSES OF DEFENDANT TO PLAINTIFF'S DISCOVERY**
	:	Filed on Behalf of: DEFENDANT
	:	Counsel of Record for This Party: Jered L. Hock, Esquire Supreme Court No. 19211 Metzger, Wickersham, Knauss & Erb, P.C. 3211 North Front Street P.O. Box 5300 Harrisburg, PA 17110-0300 (717) 238-8187

FILED

JAN 14 2002

m12:24/noCC

William A. Shaw
Prothonotary

Document #: 224529.1

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

CERTIFICATE OF SERVICE OF RESPONSES
OF DEFENDANT TO PLAINTIFF'S DISCOVERY

AND NOW, this 10 day of January, 2002, I, Jered L. Hock, Esquire, of Metzger, Wickersham, Knauss & Erb, P.C., hereby certify that I served Defendant's Responses to Plaintiff's Discovery on November 14, 2001, by depositing the same in the United States mail, postage pre-paid in Harrisburg, Pennsylvania, addressed as follows:

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

By: _____

Jered L. Hock, Esquire
Attorney I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: January 10, 2002

Document #: 224529.1

FILED
01/8:35 BL
APR 14 2003
William A. Shaw
Prothonotary

MW
METZGER
WICKERSHAM
SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	CIVIL DIVISION No. 2001-1311-CD Type of Pleading: **CERTIFICATE OF SERVICE** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

FEB 11 2003

William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 10th day of February, 2003 an original Notice of Deposition, copy of which is attached hereto, was sent via first class mail, postage prepaid, to the following:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300

Matthew B. Taladay,
Attorney for Plaintiff

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

NOTICE OF DEPOSITION

TO: JAMES COLLINS
c/o Jered L. Hock, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Thursday, March 6, 2003 at 1:00 p.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

Matthew B. Taladay,
Attorney for Plaintiff

cc: Schreiber Reporting Service

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	:	CIVIL DIVISION No. 2001-1311-CD Type of Pleading: **CERTIFICATE OF SERVICE** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

MAR 20 2003

William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 18th day of March, 2003 an original Amended Notice of Deposition, copy of which is attached hereto, was sent via first class mail, postage prepaid, to the following:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300

Matthew B. Taladay,
Attorney for Plaintiff

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

AMENDED NOTICE OF DEPOSITION

TO: JAMES COLLINS
c/o Jered L. Hock, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Thursday, April 17, 2003 at 1:00 p.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

Matthew B. Taladay,
Attorney for Plaintiff

cc: Schreiber Reporting Service

FILED NO CC

m/11:12 BK

MAR 20 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	:	CIVIL DIVISION No. 2001-1311-CD Type of Pleading: **CERTIFICATE OF SERVICE** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

MAR 28 2003

William A. Shaw
Prothonotary

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 27th day of March, 2003 an original Notice of Deposition, copy of which is attached hereto, was sent via First Class Certified Mail No. 7099 3220 0011 0187 8297, Return Receipt Requested, postage prepaid, to the following:

Beverly Voris
305 Elk Street
Punxsutawney, PA 15767

With a copy to:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300

Matthew B. Taladay,
Attorney for Plaintiff

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

NOTICE OF DEPOSITION

TO: BEVERLY VORIS
305 Elk Street
Punxsutawney, PA 15767

TAKE NOTICE that your deposition by oral examination will be taken on **Thursday, April 24, 2003 at 2:00 p.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

Matthew B. Taladay,
Attorney for Plaintiff

cc: Schreiber Reporting Service

COMMONWEALTH OF PENNSYLVANIA
CLEARFIELD COUNTY

Bobbie Jo Young
Plaintiff(s)
Vs. No. 2001-01311-CD
James Collins
Defendant(s)

SUBPOENA TO ATTEND AND TESTIFY

TO: Beverly Voris
305 Elk Street
Punxsutawney, PA 15767

1. You are ordered by the Court to come to the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, PA
(Specify Courtroom or other place)
at Clearfield County, Pennsylvania, on April 24, 2003 at 2:00 o'clock, P M., to testify on behalf of Plaintiff, Bobbie Jo Young in the above case, and to remain until excused.

2. And bring with you the following: _____

If you fail to attend or to produce the documents or things required by this subpoena, you may be subject to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to costs, attorney fees and imprisonment.

ISSUED BY A PARTY/COUNSEL IN COMPLIANCE WITH PA.R.C.P. No. 234.2(a)

NAME: Matthew B. Taladay, Esq.
ADDRESS: 498 Jeffers St. PO Box 487
DuBois PA 15801
TELEPHONE: (814) 371-7768
SUPREME COURT ID # 49663

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

Deputy

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

DATE: Thursday, March 20, 2003
Seal of the Court

OFFICIAL NOTE: This form of subpoena shall be used whenever a subpoena is issuable, including hearings in connection with depositions and before arbitrators, masters, commissioners, etc. in compliance with PA.R.C.P. No. 234.1 . If a subpoena for production of documents, records or things is desired, complete Paragraph 2.

FILED
10:37 am
MAR 28 2003
William A. Shaw
Prothonotary

NO CC

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BOBBIE JO YOUNG, Plaintiff vs. JAMES COLLINS, Defendant	CIVIL DIVISION No. 2001-1311-CD Type of Pleading: **CERTIFICATE OF SERVICE** Filed on Behalf of: PLAINTIFF Counsel of Record for This Party: Matthew B. Taladay, Esq. Supreme Court No. 49663 Hanak, Guido & Taladay 498 Jeffers Street P.O. Box 487 DuBois, PA 15801 (814) 371-7768

FILED

MAR 28 2003

William A. Shaw
Prothonotary

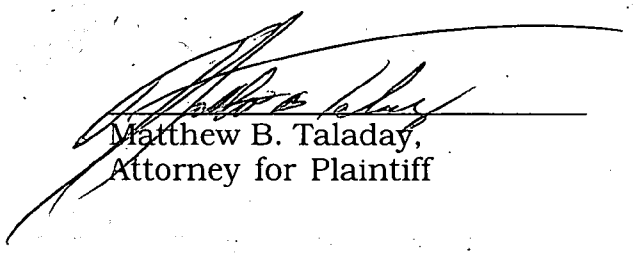
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

CERTIFICATE OF SERVICE

I certify that on the 27th day of March, 2003 an original Second Amended Notice of Deposition, copy of which is attached hereto, was sent via First Class Mail, postage prepaid, to the following:

Jered L. Hock, Esq.
Attorney for Defendant
P.O. Box 5300
Harrisburg, PA 17110-0300



Matthew B. Taladay,
Attorney for Plaintiff

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

BOBBIE JO YOUNG, Plaintiff	:	
vs.	:	No. 2001 - 1311 - CD
JAMES COLLINS, Defendant	:	

SECOND AMENDED NOTICE OF DEPOSITION

TO: JAMES COLLINS
c/o Jered L. Hock, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Thursday, April 24, 2003 at 1:00 p.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

Matthew B. Taladay,
Attorney for Plaintiff

cc: Schreiber Reporting Service

FILED NO CC

m/10:37 AM

MAR 28 2003

William A. Shaw
Prothonotary

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

CERTIFICATE OF SERVICE

I certify that on the 10th day of April, 2003, an original Notice of Deposition, copy of which is attached hereto, was sent via First Class Mail, postage prepaid, to the following:

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
Attorney for Plaintiff

By: _____
Jered L. Hock, Esquire
Attorney for Defendant

FILED

APR 14 2003

William A. Shaw
Prothonotary

Document #: 266675.1

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

NOTICE OF DEPOSITION

TO: Bobbie Jo Young, Plaintiff
-and-
Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
Attorneys for Plaintiff

YOU ARE HEREBY NOTIFIED that the undersigned attorneys will take the deposition of Susan Jordan upon oral examination for the purpose of discovery or for use as evidence in the above action or for both purposes before Joyce Filius, Official Court Reporter, or before some other officer authorized to take depositions, at the law offices of Hanak, Guido & Taladay, 498 Jeffers Street, DuBois, Pennsylvania, at 2 p.m., on Thursday, April 24, 2003, on all discoverable matters or matters which may lead to the discovery of admissible evidence in this action.

You are invited to attend to participate.

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

By: _____
Jered L. Hock, Esquire
PA Court I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187
Attorneys for Defendant

Date: April 10, 2003

Document #: 266576.1

FILED NO CC
08:35 pm
APR 14 2003

William A. Shaw
Prothonotary

METZGER WICKERSHAM
SINCE 1888

3211 North Front Street
P.O. Box 5300
Harrisburg, Pennsylvania 17110-0300

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

CERTIFICATE OF SERVICE

I certify that on the 10th day of April, 2003, an original Notice of Deposition, copy of which is attached hereto, was sent via First Class Mail, postage prepaid, to the following:

Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
Attorney for Plaintiff

By: _____
Jered L. Hock, Esquire
Attorney for Defendant

FILED

APR 14 2003

William A. Shaw
Prothonotary

Document #: 266676.1

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

NOTICE OF DEPOSITION UPON ORAL EXAMINATION

TO: Bobbie Jo Young, Plaintiff
-and-
Matthew B. Taladay, Esquire
HANAK, GUIDO & TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
Attorneys for Plaintiff

YOU ARE HEREBY NOTIFIED that the undersigned attorneys will take the deposition(s) of Plaintiff Bobbie Jo Young upon oral examination for the purpose of discovery or for use as evidence in the above action or for both purposes before Joyce Filius, Official Court Reporter, or before some other officer authorized to take depositions, at 2:30 p.m., on Thursday, April 24, 2003, at the law offices of Hanak, Guido & Taladay, 498 Jeffers Street, DuBois, Pennsylvania, on all discoverable matters or matters which may lead to the discovery of admissible evidence in this action.

Notice is hereby given that you are directed to bring to the depositions the following writings, documents, and records:

1. All documents requested in prior Requests for Production and Request for Statements under date of October 9, 2001.

Notice is hereby given that you are required to personally appear at the time and place set forth above. If you fail to appear at the aforesaid time and place, sanctions may be entered against you and judgment may be entered against you.

METZGER, WICKERSHAM, KNAUSS & ERB, P.C.

By: _____

Jered L. Hock, Esquire
PA Court I.D. No. 19211
3211 North Front Street
P.O. Box 5300
Harrisburg, PA 17110-0300
(717) 238-8187

Attorneys for Defendant

Date: April 9, 2003

BOBBIE JO YOUNG, Plaintiff	:	IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	CIVIL DIVISION
JAMES COLLINS, Defendant	:	NO. 2001-1311-CD

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Please mark the above-captioned action settled, discontinued, and ended with prejudice.

Respectfully submitted,

HANAK, GUIDO & TALADAY

By: _____

Matthew B. Taladay, Esquire
Attorney I.D. No.
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

Date: May 30, 2003

FILED
m. 9:01 BA 1 cc + Cert to Atty
copy to CA
JUN 09 2003

William A. Shaw
Prothonotary

281544-1

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Bobbie Jo Young

Vs. **No. 2001-01311-CD**

James Collins

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 9, 2003, marked:

Settled, Discontinued, and Ended

Record costs in the sum of $168.17 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 9th day of June A.D. 2003.

William A. Shaw, Prothonotary