

U.-1610-CJ  
JOSEPH CASHER etux -vs- WILLIAM FRANKLIN TEST

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

JOSEPH CASHER and  
PATRICIA M. CASHER

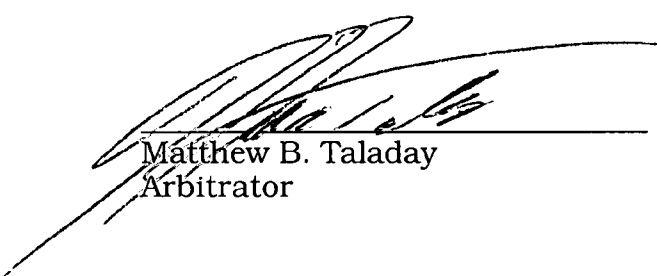
vs.

WILLIAM FRANKLIN TEST

No. 01-1610-CD

**MEMORANDUM OF STIPULATION**

Following telephone conference call of April 15, 2005, it is agreed by the parties that all depositions for purpose of hearing shall be completed no later than 90 days from this date. An Evidentiary Hearing will be scheduled for the 26th day of July, 2005 at 1:00 p.m. at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. One-half day has been allotted for testimony in this matter.



Matthew B. Taladay  
Arbitrator

**FILED**

m/10/30/04  
APR 22 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

JOSEPH CASHER and  
PATRICIA M. CASHER

vs.

WILLIAM FRANKLIN TEST

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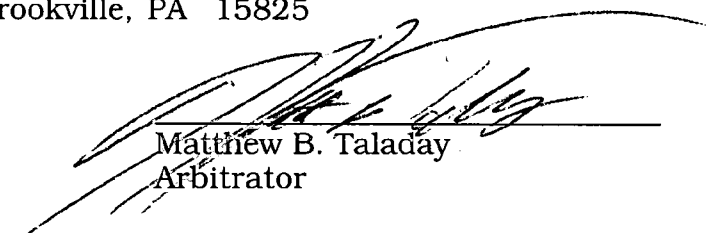
No. 01-1610-CD

**CERTIFICATE OF SERVICE**

I certify that on the 21st day of April, 2005, a true and correct copy of the foregoing Memorandum of Stipulation was sent via first class mail, postage prepaid, to the following:

James A. Naddeo, Esq.  
Attorney for Plaintiffs  
P.O. Box 552  
Clearfield, PA 16830

Troy J. Harper, Esq.  
Attorney for Defendant  
Dennison, Dennison & Harper  
293 Main Street  
Brookville, PA 15825



Matthew B. Taladay  
Arbitrator

**FILED**

**APR 22 2005**

William A. Shew  
Prothonotary/Clerk of Courts

Date: 12/29/2004

## Clearfield County Court of Common Pleas

User: BANDERSON

Time: 10:52 AM

ROA Report

Page 1 of 3

Case: 2001-01610-CD

Current Judge: Paul E. Cherry

Joseph Casher, Patricia M. Casher vs. William Franklin Test

## Civil Other

Date		Judge
09/27/2001	Filing: Civil Complaint Paid by: Naddeo, James A. Receipt number: 1831829 Dated: 09/27/2001 Amount: \$80.00 (Check) One CC Attorney	No Judge ✓
10/15/2001	Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge ✓
10/25/2001	Appearance on behalf of Defendant, WILLIAM FRANKLIN TEST. filed by s/Troy J. Harper, Esq. Cert of Svc no cc	No Judge ✓
11/16/2001	Certificate of Service, Interrogatories Addressed to Defendant upon John C. Dennison, II, Esq. Filed by s/Linda C. Lewis, Esq. 1 cc Atty Naddeo	No Judge ✓
11/26/2001	Answer and New Matter. Filed by s/Troy J. Harper, Esq. Verification. s/William Franklin Test Cert of Svc no cc	No Judge ✓
12/07/2001	Answer to New Matter. Filed by s/Linda C. Lewis, Esq. Verification s/Patricia M. Casher Certificate of Service 1 cc to Atty	No Judge ✓
01/23/2002	Certificate of Service, Answers to Interrogatories Addressed to Defendant, upon Linda C. Lewis, Esq., filed by s/Troy J. Harper No CC	John K. Reilly Jr. ✓
01/24/2002	Certificate of Service, First Set of Interrogatories Directed to Plaintiffs and First Set of Request for Production of Documents Directed to the Plaintiffs upon Linda C. Lewis, Esq no cc	No Judge ✓
05/16/2002	Certificate of Service, Plaintiffs' Answers to Interrogatories and Answer to Request for Production of Documents upon John C. Dennison, II, Esq. Filed by s/James A. Naddeo, Esq. no cc	No Judge ✓
06/12/2002	Certificate of Service, Notice of Deposition of William Franklin Test upon John C. Dennison, II, Esq. and ASAP Court Reporting. Filed by, s/James A. Naddeo, Esq. 1 cc Atty Naddeo	No Judge ✓
07/24/2002	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Dr. James P. Davidson by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Dr. Martin Schaeffer by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Records Custodian, Blair Medical Assoc. by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Records Custodian, Travelers Property Casualty by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Personnel Director, Kurtz Bros. by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Records Custodian, Clearfield Hospital by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Records Custodian, Penn Central Physical Therapy. Filed by Atty. Harper. No cc.	John K. Reilly Jr. ✓
	Notice of Intent to Serve Subpoena to Produce Documents and Things for Discovery, To Records Custodian, Clearfield County EMS. Filed by Atty. Harper. No cc.	John K. Reilly Jr. ✓
08/02/2002	Notice of Deposition of Joseph Casher. Filed by s/Troy J. Harper, Esq. Cert. of Svc. no cc	John K. Reilly Jr. ✓

Date: 12/29/2004

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 10:52 AM

ROA Report

Page 2 of 3

Case: 2001-01610-CD

Current Judge: Paul E. Cherry

Joseph Casher, Patricia M. Casher vs. William Franklin Test

Civil Other

Date		Judge
08/02/2002	Notice of Deposition of Patricia M. Casher. Filed by s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
08/13/2002	Notice of Deposition for the Purposes of Copying Records Only, upon Records Custodian, Penn Central Physical Therapy. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Records Custodian, Travelers Property Casualty. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Records Custodian, Blair Medical Associates. s/Troy J. Harper, Esq. Cert of Svc No cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Dr. Martin Schaeffer. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Dr. James P. Davidson. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Records Custodian, Clearfield County EMS. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Personnel Director, Kurtz Bros. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Notice of Deposition for the Purposes of Copying Records Only, upon Records Custodian, Clearfield Hospital. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22 upon Records Custodian, Clearfield County EMS. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22 upon Records Custodian, Penn Central Physical Therapy. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22, upon Records Custodian, Clearfield Hospital. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22, upon Personnel Director, Kurtz Bros. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22, upon Records Custodian, Travelers Property Casualty. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22, upon Records Custodian, Blair Medical Associates. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22, upon Dr. Martin Schaeffer s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓
	Certificate Prerequisite to Service of a Subpoena Pursuant to Pa.R.C.P. 4009.22 upon Dr. James P. Davidson. s/Troy J. Harper, Esq. Cert of Svc no cc	John K. Reilly Jr. ✓

Date: 12/29/2004

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 10:52 AM

ROA Report

Page 3 of 3

Case: 2001-01610-CD

Current Judge: Paul E. Cherry

Joseph Casher, Patricia M. Casher vs. William Franklin Test

Civil Other

Date		Judge
09/04/2002	ORDER, NOW, this 4th day of September, 2002, re: Discovery, including depositions, shall be completed on or before February 1, 2003. by the Court, s/JKR,JR.,P.J. cc to Naddeo, Harper	John K. Reilly Jr. ✓
01/09/2003	Motion to Extend Time for Discovery, filed by s/Troy J. Harper Two CC Attorney Harper Consent, s/James Naddeo, Esq.	John K. Reilly Jr. ✓
01/14/2003	ORDER, AND NOW, this 13th day of Jan., 2003, re: ALL Discovery, including depositions, shall be completed on or before April 1, 2003. by the Court, s/JKR,JR.,P.J. 2 cc to Atty Naddeo - per Naddeo's request.	John K. Reilly Jr. ✓
02/24/2004	Praeipce To List For Trial. filed by, s/James A. Naddeo, Esquire Certificate of Service no cc Copy to C/A	John K. Reilly Jr. ✓
04/15/2004	ORDER, AND NOW, this 15th day of April, 2004, re: Pre-Trial Conference is hereby CONTINUED until the January, 2005, Civil Call. by the Court, s/PEC,J. 1 cc Attys, Naddeo, Lewis, Harper	Paul E. Cherry ✓

FILED 1cc  
SEP 27 2001  
William A. Shaw  
Prothonotary  
Aug pd. 80.00

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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William A. Shaw  
Prothonotary

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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No. 01 - - CD

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose 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 COURT HOUSE  
Market and Second Streets  
Clearfield, PA 16830

(814) 765-2641

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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No. 01 - - CD

COMPLAINT

NOW COME the Plaintiffs, Joseph Casher and Patricia M. Casher, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiff, Joseph Casher, is a sui juris, adult individual who resides at R. R. 2, Box 566, Woodland, Pennsylvania 16881.

2. That the Plaintiff, Patricia M. Casher, is a sui juris, adult individual who resides at R. R. 2, Box 566, Woodland, Pennsylvania 16881.

3. That the Defendant, William Franklin Test, is a sui juris, adult individual who resides at 115 Bailey Road, Curwensville, Pennsylvania 16833.

COUNT I

Patricia M. Casher v. William Franklin Test

4. That on or about October 24, 1999 at approximately 9:35 p.m., E.D.S.T. the Plaintiff, Patricia M. Casher, was a

passenger in the right front seat of an 1986 S-10 Chevrolet pick-up bearing Pennsylvania Registration No. BCY6276 which vehicle was owned by Jeffrey G. Casher.

5. That on the said date and at or about the said time, the Defendant, William Franklin Test, was the operator of a 1989 Ford Ranger pick up bearing Pennsylvania Registration No. YAA341 which vehicle was owned by Kenneth L. Test and Linda J. Test.

6. That State Route 322 is a two-lane, macadam roadway which proceeds in a generally east-west direction through Bradford Township, Clearfield County, Pennsylvania.

7. That on the aforesaid date and at or about the said time, it was dark and there were no adverse weather conditions.

8. That on the aforesaid date and at or about the said time, the vehicle in which the Plaintiff, Patricia M. Casher, was a passenger was proceeding East on State Route 322 in its proper lane of travel.

9. That on the aforesaid date and at or about the said time, the vehicle operated by the Defendant, William Franklin Test, was proceeding West on State Route 322.

10. That on the aforesaid date at or about the said time, the Defendant, William Franklin Test, crossed over the double yellow line into the Eastbound lane of travel where he

collided with the vehicle in which the Plaintiff was a passenger causing it to spin in a clockwise motion approximately 60 degrees still within the eastbound lane.

11. That as a result of the collision described in Paragraph 10 hereof which is incorporated herein by reference, the Plaintiff, Patricia M. Casher, was thrown generally forward and backward within the vehicle in which she was a passenger causing the numerous and serious injuries hereinafter set forth.

12. That the Defendant, William Franklin Test, was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries to the Plaintiff, Patricia M. Casher, as follows:

A. That the Defendant failed to have his vehicle under proper control;

B. That the Defendant failed to maintain a proper lookout;

C. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3361, 75 Pa.C.S.A. Section 3361 and supplements thereto, in that he operated his vehicle upon State Route 322 at a speed greater than was reasonable and prudent under the conditions then and there existing and without regard to the actual and/or potential hazards then and there existing and at a speed which was greater than

would permit him to bring his vehicle to a stop within the assured clear distance ahead.

D. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3714, 75 Pa. C.S.A. Section 3174 and supplements thereto in that he operated his vehicle upon State Route 322 with careless disregard for the safety of the Plaintiff, Patricia M. Casher.

E. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3736, 75 Pa.C.S.A. Section 3736, and supplements thereto, in that he operated his vehicle upon State route 322 in willful or wanton disregard for the safety of the person or property of the Plaintiff, Patricia M. Casher.

F. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3309, 75 Pa.C.S.A. Section 3309, and supplements thereto, in that he failed to operate his vehicle entirely within a single lane of a roadway laned for traffic and moved his vehicle from his lane of travel without first ascertaining that the movement could be made with safety.

G. That the Defendant, William Franklin Test, was negligent, careless and reckless in that he failed to use due care under all circumstances of the case.

13. That as a result of the collision described in Paragraph 10 hereof, the Plaintiff, Patricia M. Casher, suffered the following injuries which may and probably will be permanent:

- A. Right knee contusion;
- B. Chin contusion;
- C. Minimal skin abrasion over the knee;
- D. Upper Thoracic spine strain;
- E. Cervical strain;
- F. Lumbar strain.

14. That as a result of the injuries referred to in Paragraph 13 hereof, the Plaintiff, Patricia M. Casher, has been unable to engage in her regular household duties since the time of the accident up to and including the filing of this complaint and will be unable to do so for an indefinite period of time in the future.

15. That as a result of the injuries referred to in Paragraph 13 hereof, the Plaintiff, Patricia M. Casher, may incur medical expenses for the treatment of her injuries in excess of her available first party medical benefits.

16. That as a result of the injuries referred to in Paragraph 13 hereof, the Plaintiff, Patricia M. Casher has lost wages which may and probably will exceed the amounts to which she is entitled to under first party reimbursement.

17. That the Plaintiff, Patricia M. Casher, claims a reasonable amount for the following:

A. Pain and suffering: past, present and future;

B. Privation and inconvenience: past, present and future;

C. Future medical expenses;

D. Lost wages;

E. Impairment of earning power;

F. All other damages allowable by law.

WHEREFORE, the Plaintiff, Patricia M. Casher, claims damages from the Defendant in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

## COUNT II

### JOSEPH CASHER V. WILLIAM FRANKLIN TEST

18. That the Plaintiff, Joseph Casher, is the husband of Patricia M. Casher having been married to her on August 21, 1976.

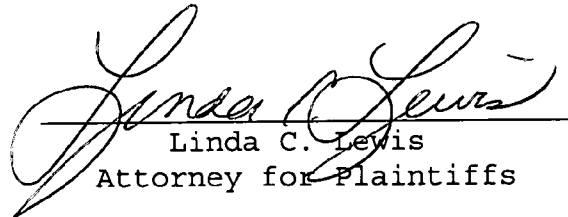


19. That the Plaintiff, Joseph Casher, incorporates Paragraphs 1 through 17 of the First Count of this Complaint by reference and makes them a part hereof.

20. That at all times referred to herein, the Plaintiff, Joseph Casher, was residing with his wife, Patricia M. Casher, and continues to reside with her up to the date of this Complaint.

21. That as a result of the injuries suffered by the Plaintiff, Patricia M. Casher, the Plaintiff, Joseph Casher, has been deprived of the services and society of his wife and will continue to be so deprived for an indefinite period of time in the future.

WHEREFORE, Plaintiff, Patricia M. Casher, claims damages from the Defendant, Joseph Casher, in excess of Twenty Thousand (\$20,000.00) Dollars. Jury Trial Demanded.

  
Linda C. Lewis  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

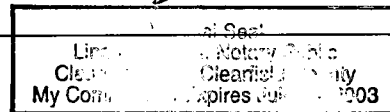
COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared PATRICIA M. CASHER, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

Patricia M. Casher.  
Patricia M. Casher

SWORN and SUBSCRIBED before me this 26<sup>th</sup> day of Sept, 2001.

Linda Lewis



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

Sheriff Docket # 11582

CASHER, JOSEPH & PATRICIA M.

01-1610-CD

VS.

TEST, WILLIAM FRANKLIN

COMPLAINT

**SHERIFF RETURNS**

NOW OCTOBER 3, 2001 AT 10:45 AM DST SERVED THE WITHIN COMPLAINT ON  
WILLIAM FRANKLIN TEST, DEFENDANT AT SHERIFF'S OFFICE MARKET ST.,  
CLEARFIELD, CLEARFIELD CUONTY, PENNSYLVANIA BY HANDING TO WILLIAM  
TEST A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE  
KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: SHULTZ

**Return Costs**

Cost	Description
23.24	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

**FILED**

OCT 15 2001  
01326 PM  
William A. Shaw  
Prothonotary

Sworn to Before Me This

5th Day of October 2001  
*[Signature]*

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

So Answers,

*[Signature]*  
by *[Signature]*  
Chester A. Hawkins  
Sheriff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

OCT 25 2001

h771:02/1000

William A. Shaw  
Prothonotary

*[Signature]*

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

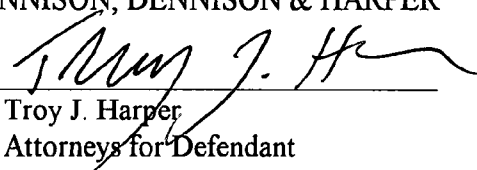
### APPEARANCE

#### TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please enter our Appearance on behalf of the Defendant, WILLIAM FRANKLIN TEST,  
in regard to the above entitled matter.

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for Defendant

Dated: 10/23/01

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Appearance was served on the  
23<sup>rd</sup> day of October, 2001, by United States Mail, First Class,  
Postage Prepaid, addressed to the following:

Linda C. Lewis, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

FILED

APR 16 2001

Q10:30/65-attg/naddeo  
William A. Naddeo  
Orthodontary

WAB

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

No. 01 - 1610 - CD

Type of Pleading:

Certificate of Service

Filed on behalf of:  
Plaintiff

Counsel of Record for  
this party:

Linda C. Lewis, Esq.  
Pa I.D. 80478

211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

**FILED**

NOV 16 2001

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



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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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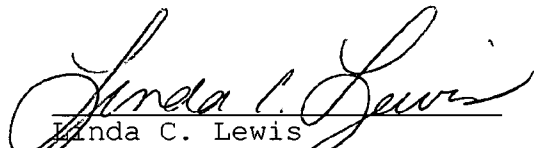
No. 01 - 1610 - CD

**CERTIFICATE OF SERVICE**

I, Linda C. Lewis, Esquire, do hereby certify that a true and correct copy of Interrogatories Addressed to Defendant filed in the above-captioned action was served on the following person and in the following manner on the 16th day of November, 2001:

First-Class Mail, Postage Prepaid

John C. Dennison, II, Esquire  
Dennison, Dennison & Harper  
293 Main Street  
Brookville, PA 15825

  
Linda C. Lewis  
Attorney for Plaintiffs

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Answer and New Matter

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

NOV 26 2001

mjl:SS)ndcc  
William A. Shaw  
Prothonotary



JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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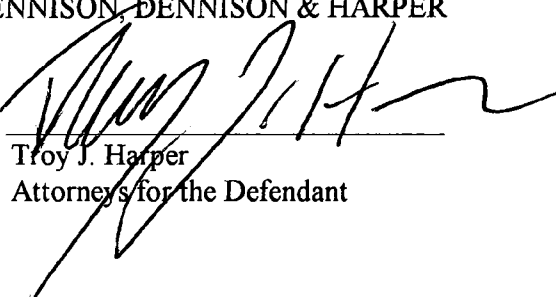
**NOTICE TO PLEAD**

**TO: JOSEPH CASHER and PATRICIA M. CASHER:**

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

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

### ANSWER AND NEW MATTER

AND NOW, comes the Defendant, WILLIAM FRANKLIN TEST, by his attorneys,  
Dennison, Dennison & Harper, who file the following Answer and New Matter in response to the  
Plaintiffs' Complaint:

1. After reasonable investigation, the Defendant, William Franklin Test, is without  
sufficient knowledge and information to form a belief as to the truth of the averments of  
Paragraph 1 of the Plaintiffs' Complaint, and said averments are therefore denied.
2. After reasonable investigation, the Defendant, William Franklin Test, is without  
sufficient knowledge and information to form a belief as to the truth of the averments of  
Paragraph 2 of the Plaintiffs' Complaint, and said averments are therefore denied.
3. Admitted.

### COUNT I

#### Patricia M. Casher v. William Franklin Test

4. With respect to the averments of Paragraph 4 of the Plaintiffs' Complaint concerning  
the location of the Plaintiff, Patricia M. Casher, within the vehicle, after reasonable investigation,

the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averment is therefore denied. The remaining averments of Paragraph 4 of the Plaintiffs' Complaint are admitted.

5. Admitted.

6. Admitted.

7. Admitted.

8. Admitted.

9. Admitted.

10. The averments of Paragraph 10 of the Plaintiffs' Complaint are admitted only insofar as the Defendant, William Franklin Test, was operating the vehicle and that there was a collision with the vehicle in which the Plaintiff, Patricia M. Casher, was a passenger. The remaining averments of Paragraph 10 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

11. The averment of Paragraph 11 of the Plaintiffs' Complaint that there was a collision are admitted. By way of further response, the averments of Paragraph 10 of this Answer are incorporated herein by reference thereto. With respect to the remaining averments of Paragraph 11 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

12. With respect to the averments of Paragraph 12 of the Plaintiffs' Complaint alleging any injuries, after reasonable investigation, the Defendant, William Franklin Test, is without

sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied. The remaining averments of Paragraph 12 of the Plaintiffs' Complaint and subparagraphs A. through G. thereof are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

13. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 13 and subparagraphs A. through F. thereof of the Plaintiffs' Complaint, and said averments are therefore denied.

14. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 14 of the Plaintiffs' Complaint, and said averments are therefore denied.

15. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 15 of the Plaintiffs' Complaint, and said averments are therefore denied.

16. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 16 of the Plaintiffs' Complaint, and said averments are therefore denied.

17. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 17 and subparagraphs A. through F. thereof of the Plaintiffs' Complaint, and said averments are therefore denied.

**WHEREFORE**, the Defendant, William Franklin Test, demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

**COUNT II**

Joseph Casher v. William Franklin Test

18. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 18 of the Plaintiffs' Complaint, and said averments are therefore denied.

19. Paragraph 19 of the Plaintiffs' Complaint contains no allegations of fact and is merely an incorporation clause, and no further response is required. To the extent any further response is deemed required, the averments of Paragraphs 1 through 17 of this Answer are incorporated herein by reference thereto.

20. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 20 of the Plaintiffs' Complaint, and said averments are therefore denied.

21. After reasonable investigation, the Defendant, William Franklin Test, is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 21 of the Plaintiffs' Complaint, and said averments are therefore denied.

**WHEREFORE**, the Defendant, William Franklin Test, demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

**NEW MATTER**

22. The terms and conditions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., are hereby incorporated herein by reference thereto as fully as the same bar and/or diminish any claim or cause of action of the Plaintiffs.

23. At the time of the accident complained of in the Plaintiffs' Complaint, and at all times material hereto, the Plaintiff, Patricia M. Casher, was subject to the limited tort option under the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq.

24. The Plaintiff, Patricia M. Casher, did not sustain serious injuries, as defined by the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., as a result of the accident described in the Plaintiffs' Complaint and therefore all claims for noneconomic damages are barred.

25. The Plaintiffs have failed to state a cause of action upon which relief may be granted.

**WHEREFORE**, the Defendant, William Franklin Test, demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

DENNISON, DENNISON & HARPER

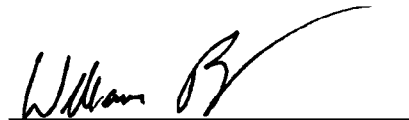
By 

Troy J. Harper  
Attorneys for Defendant



### **VERIFICATION**

I verify that the averments made in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
William Franklin Test

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Answer and New Matter was served on the 21<sup>st</sup> day of NOVEMBER, 2001, by United States Mail, First Class,

Postage Prepaid, addressed to the following:

Linda C. Lewis, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

William A. Shaw  
Prothonotary

DEC 07 2001

FILED

JAMES A. NADDEO  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

No. 01 - 1610 - CD

Type of Pleading:

Answer to New Matter

Filed on behalf of:  
Plaintiff

Counsel of Record for  
this party:

Linda C. Lewis, Esq.  
Pa I.D. 80478

211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

**FILED**

DEC 07 2001

0/11:25/67  
William A. Shaw  
Prothonotary

1 CENT 70 ATR

*EAT*

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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No. 01 - 1610 - CD

**ANSWER TO NEW MATTER**

NOW COMES, Plaintiffs, JOSEPH CASHER and PATRICIA M. CASHER, by and through their attorney, Linda C. Lewis, Esquire set forth the following Answer to New Matter:

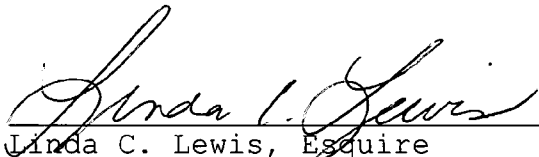
1. Paragraph 22 states a conclusion of law to which no answer is required.

2. Paragraph 23 states a conclusion of law to which no answer is required.

3. Paragraph 24 states a conclusion of law to which no answer is required.

4. Paragraph 25 states a conclusion of law to which no answer is required.

WHEREFORE, Plaintiffs claim damages set forth in their Complaint.

  
Linda C. Lewis, Esquire  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

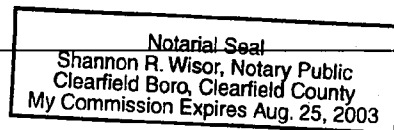
COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared PATRICIA M. CASHER, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Answer to New Matter are true and correct to the best of her knowledge, information and belief.

Patricia M. Casher  
Patricia M. Casher

SWORN and SUBSCRIBED before me this 14th day of December, 2001.

Shannon R. Wisor



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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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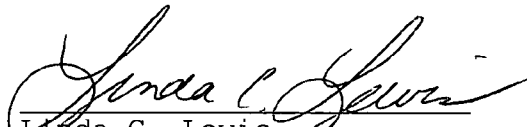
No. 01 - 1610 - CD

**CERTIFICATE OF SERVICE**

I, Linda C. Lewis, Esquire, do hereby certify that a  
certified copy of Answer to New Matter filed in the above-  
captioned action was served on the following person and in the  
following manner on the 6th day of December, 2001:

First-Class Mail, Postage Prepaid

John C. Dennison, II, Esquire  
Dennison, Dennison & Harper  
293 Main Street  
Brookville, PA 15825

  
Linda C. Lewis  
Attorney for Plaintiffs

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JAN 23 2002  
10:12/NOCC  
William A. Shaw  
Prothonotary *WAS*



JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\*  
\* Number 2001 - 1610 C.D.

### CERTIFICATE OF SERVICE

I certify that an original and one certified copy of the Answers to Interrogatories

Addressed to Defendant were served on the 22nd day of January

2002, by United States Mail, First Class, Postage Prepaid, addressed to the following:

Linda C. Lewis, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JAN 24 2002

William A. Shaw  
Prothonotary

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\* Number 2001 - 1610 C.D.

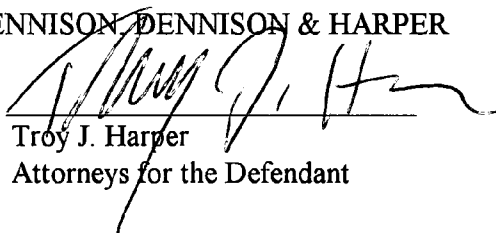
### CERTIFICATE OF SERVICE

I certify that an original and two certified copies of the First Set of Interrogatories  
Directed to the Plaintiffs and an original and two certified copies of the First Set of Request for  
Production of Documents Directed to the Plaintiffs were served on the 23<sup>rd</sup> day of  
January, 2002, by United States Mail, First Class, Postage Prepaid,  
addressed to the following:

Linda C. Lewis, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

**JAMES A. NADDEO**  
ATTORNEY AT LAW  
211 1/2 EAST LOCUST STREET  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

No. 01 - 1610 - CD

Type of Pleading:

**CERTIFICATE OF SERVICE**

Filed on behalf of:  
Plaintiff

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820

211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

**FILED**

MAY 16 2002

013411nocc  
William A. Shaw  
Prothonotary

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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No. 01 - 1610 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiffs' Answers to Interrogatories and Answer to Request for Production of Documents in the above-captioned action were served on the following person and in the following manner on the 16th day of May , 2002:

First-Class Mail, Postage Prepaid

John C. Dennison, II, Esquire  
DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, PA 15825

  
James A. Naddeo  
Attorney for Plaintiffs

FILED <sup>1cc</sup>  
073:4364  
JUN 12 2002  
Atty Naddeo  
[Signature]

William A. Shaw  
Prothonotary

William A. Shaw  
Prothonotary



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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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No. 01 - 1610 - CD

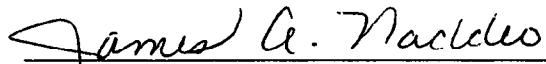
**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, Attorney for Plaintiffs, Joseph Casher and Patricia M. Casher, do hereby certify that a true and correct copy of Notice of Deposition of William Franklin Test in the above matter was served by first-class mail, postage prepaid, upon the following:

John C. Dennison, II, Esquire  
DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, PA 15825

ASAP Court Reporting  
P.O. Box 345  
Ebensburg, PA 15931

Said Notice of Deposition was mailed this 12<sup>th</sup> day of June, 2002.

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JUL 24 2002

m | 1:35/10cc  
William A. Shaw  
Prothonotary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By 

Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Dr. James P. Davidson, 502 Park Avenue, Clearfield, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

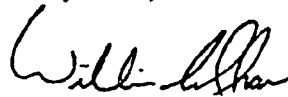
If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



DATE: Monday, July 15, 2002  
Seal of the Court

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

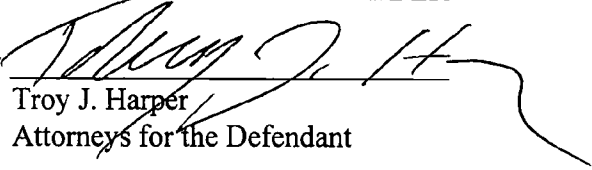
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**  
JUL 24 2002  
m/1:35/no cc  
William A. Shaw  
Prothonotary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By 

Troy J. Harper,  
Attorneys for Defendant



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Dr. Martin Schaeffer, Medical Arts Building, 807 Turnpike Avenue, Suite  
250, Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

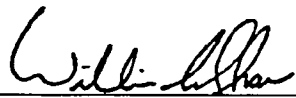

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
William A. Shaw  


Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

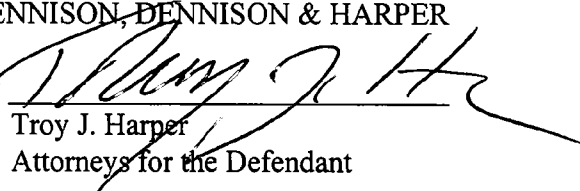
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JUL 24 2002

mjl:351 noc  
William A. Shaw  
Prothonotary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

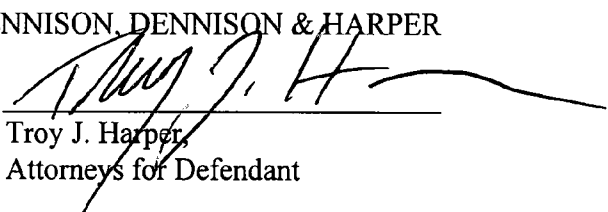
**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Blair Medical Associates, 1414 Eighth Avenue,  
Altoona, PA 16602 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JUL 24 2002

m/1:35/10cc  
William A. Shaw  
Prothonotary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

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Dated: 7/23/02

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Travelers Property Casualty, Pittsburgh Claim Service  
Center, 700 Two Chatham (Name of Person or Entity)  
Center, Pittsburgh, PA 15219

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



DATE: Monday, July 15, 2002  
Seal of the Court



Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident that occurred on or about October 24, 1999, involving your insured, Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, with Claim Number SIG 1131.

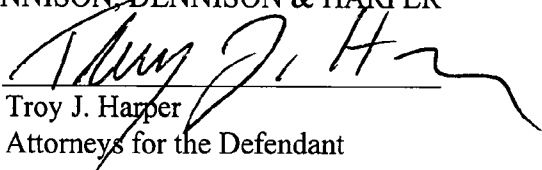
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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**  
JUL 24 2002  
m | 1:35 / noc  
William A. Shaw  
Prothonotary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

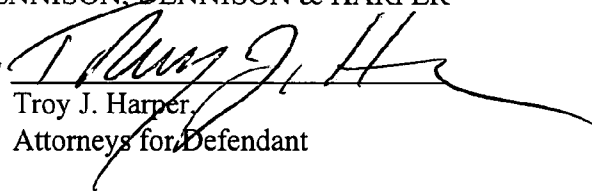
**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: July 23, 2002

DENNISON, DENNISON & HARPER

By   
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Personnel Director, Kurtz Bros., 400 Reed Street, Clearfield, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:  
See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
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If you fail to produce the documents or things required by this subpoena within twenty  
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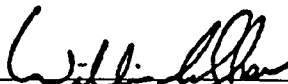
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_



Any and all documents and records contained in any employment file for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to applications for employment, payroll records, disciplinary reports, evaluations, notices, leaves of absence, termination notices, job descriptions, salary information, workman's compensation claims, accident reports and correspondences.

### CERTIFICATE OF SERVICE

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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JUL 24 2002

m/1:35/NOCC  
William A. Shaw  
Notary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

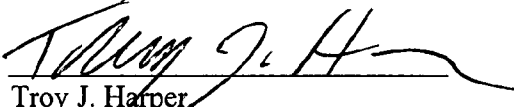
**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

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objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorney's for Defendant

**COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD**

Joseph Casher

Patricia M. Casher

Plaintiff(s)

Vs.

William Franklin Test

Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Clearfield Hospital, P. O. Box 992, Clearfield,  
PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:  
See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
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to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
Deputy

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

**CERTIFICATE OF SERVICE**

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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JUL 24 2002

m/1:35/nacc  
William A. Shaw  
Prothonotary



JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

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\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
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Dated: 7/23/02

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Penn Central Physical Therapy, P. O. Box 607,  
Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

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NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court



Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957; SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, therapy records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

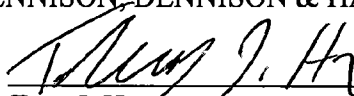
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DENNISON DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
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vs.

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Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

JUL 24 2002

m/1:35/NO CL  
William A. Shaw  
Prothonotary

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
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\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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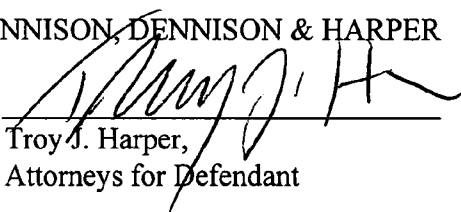
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objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By   
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher

Patricia M. Casher

Plaintiff(s)

Vs.

William Franklin Test

Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Clearfield County EMS, 713 W. Front Street, Clearfield,  
PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See attached  
at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.


THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
Deputy

Any and all records, trip sheets, logs, treatment records or other documents for an accident which occurred on October 24, 1999, involving Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601.



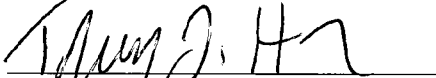
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of JULY, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By



Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of  
Deposition of Joseph Casher

Filed on behalf of: Defendant

Counsel of Record for this Party:  
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 02 2002

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William A. Shaw  
Prothonotary

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KSA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania

\*

\* Civil Action Law

\*

\*

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\*

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\* Number 2001 - 1610 C.D.

### NOTICE OF DEPOSITION

TO: Joseph Casher  
c/o James A. Naddeo, Esq.  
211-1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

Take notice that the deposition of **JOSEPH CASHER** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, on Tuesday, October 1, 2002, at 10:00 A.M., at the offices of James A. Naddeo, Esq., 211-1/2 E. Locust Street, Clearfield, Pennsylvania 16830. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

Date: August 1, 2002

By: 

Troy J. Harper  
Attorneys for Defendant

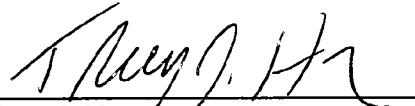
CERTIFICATE OF SERVICE

I hereby certify that on the 1<sup>st</sup> day of August, 2002, a true and correct copy of the foregoing Notice of Deposition for Joseph Casher, was mailed by United States mail, first class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.  
211-1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

Sargent's Court Reporting Service, Inc.  
210 Main Street  
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

By:   
Troy J. Harper  
Attorneys for Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of  
Deposition of Patricia M. Casher

Filed on behalf of: Defendant

Counsel of Record for this Party:  
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 02 2002

m/jl.29/rocc  
William A. Shaw  
Prothonotary

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania

\*

\* Civil Action Law

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\* Number 2001 - 1610 C.D.

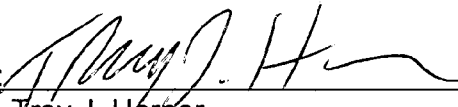
### NOTICE OF DEPOSITION

TO: Patricia M. Casher  
c/o James A. Naddeo, Esq.  
211-1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

Take notice that the deposition of **PATRICIA M. CASHER** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, on Tuesday, October 1, 2002, at 11:00 A.M., at the offices of James A. Naddeo, Esq., 211-1/2 E. Locust Street, Clearfield, Pennsylvania 16830. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

Date: August 1, 2002

By:   
Troy J. Harper  
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 1<sup>st</sup> day of August, 2002, a true and correct copy of the foregoing Notice of Deposition for Patricia M. Casher, was mailed by United States mail, first class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.  
211-1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

Sargent's Court Reporting Service, Inc.  
210 Main Street  
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

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

  
Troy J. Harper  
Attorneys for Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER

293 Main Street

Brookville, Pennsylvania 15825

(814) 849-8316

**FILED**

AUG 13 2002

mla:001nccc

William A. Shaw  
Prothonotary

*WAS*



JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

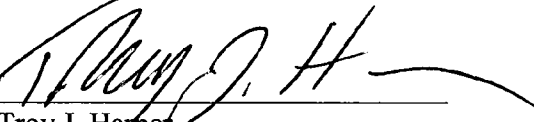
**TO: RECORDS CUSTODIAN**  
Penn Central Physical Therapy  
P.O. Box 607  
Clearfield, Pennsylvania 16830

**PLEASE TAKE NOTE** that the Defendant, William Frank Test, will take the deposition of the Records Custodian of the Penn Central Physical Therapy, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records file in his/her possession for any medical treatment and/or medical care rendered to Patricia M. Casher, S.S.N.177-48-2601, date of birth: 3/13/57, including all imaging studies and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher

Patricia M. Casher

Plaintiff(s)

Vs.

William Franklin Test

Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Records Custodian, Penn Central Physical Therapy, P. O. Box 607,  
Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper

ADDRESS: 293 Main Street

Brookville, PA 15825

TELEPHONE: (814) 849-8316

SUPREME COURT ID # 74753

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002

Seal of the Court





Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957; SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, therapy records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the  
12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid,  
addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Records Custodian  
Penn Central Physical Therapy  
P.O. Box 607  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 15 2002

h 12:00 noon  
William A. Shaw  
Prothonotary

*WAS*

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

**TO: RECORDS CUSTODIAN**  
Travelers Property Casualty  
Pittsburgh Claim Service Center  
700 Two Chatham Center  
Pittsburgh, Pennsylvania 15219

**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of the Records Custodian of the Travelers Property Casualty, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire claims file, investigative file and/or First Party Benefits file in his/her possession for Patricia M. Casher, S.S.N. 177-48-2601, date of birth: 3/13/57, including all claims files with assigned claim number S1G 1131, for an accident which occurred on or about October 24, 1999 and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for Defendant



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Records Custodian, Travelers Property Casualty, Pittsburgh Claim Service  
Center, 700 Two Chatham (Name of Person or Entity)  
Center, Pittsburgh, PA 15219

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



DATE: Monday, July 15, 2002  
Seal of the Court

~~Deputy~~

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident that occurred on or about October 24, 1999, involving your insured, Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, with Claim Number S1G 1131.

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the  
12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid,  
addressed to the following:

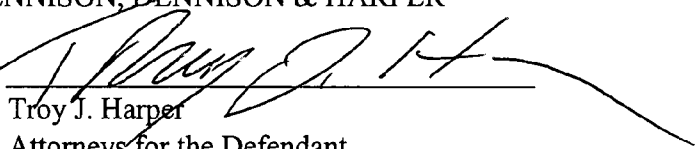
James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Records Custodian  
Travelers Property Casualty  
Pittsburgh Claim Service Center  
700 Two Chatham Center  
Pittsburgh, Pennsylvania 15219

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m 12:00 / noon  
William A. Shaw  
Prothonotary *WAS*

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania

\*

\* Civil Action - Law

\*

\*

\*

\*

\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

**TO: RECORDS CUSTODIAN**  
Blair Medical Associates  
1414 Eighth Avenue  
Altoona, Pennsylvania 16602

**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of the Records Custodian of the Blair Medical Associates, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records file in his/her possession for any medical treatment and/or medical care rendered to Patricia M. Casher, S.S.N.177-48-2601, date of birth: 3/13/57, including all imaging studies and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Records Custodian, Blair Medical Associates, 1414 Eighth Avenue,  
Altoona, PA 16602 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.



### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the  
12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid,  
addressed to the following:

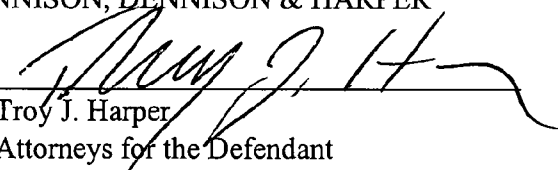
James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Records Custodian  
Blair Medical Associates  
1414 Eighth Avenue  
Altoona, Pennsylvania 16602

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m/2001/nc

William A. Shaw  
Prothonotary

*[Signature]*

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

**TO: DR. MARTIN SCHAEFFER**  
Medical Arts Building  
807 Turnpike Avenue, Suite 250  
Clearfield, Pennsylvania 16830

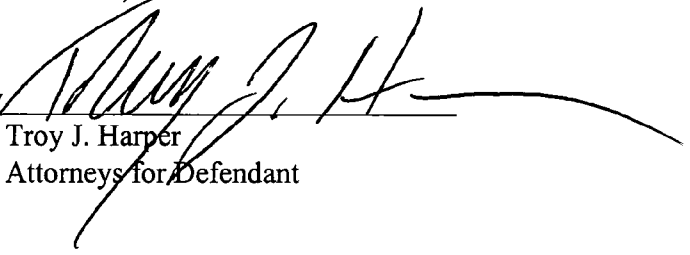
**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of Dr. Martin Schaeffer, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records file in his/her possession for any medical treatment and/or medical care rendered to Patricia M. Casher, S.S.N.177-48-2601, date of birth: 3/13/57, including all imaging studies and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Dr. Martin Schaeffer, Medical Arts Building, 807 Turnpike Avenue, Suite  
250, Clearfield, PA 16830(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.


THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_  
~~Deputy~~

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid, addressed to the following:

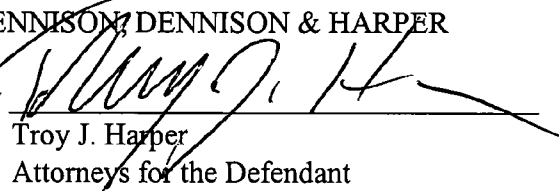
James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Dr. Martin Schaeffer  
Medical Arts Building  
807 Turnpike Avenue, Suite 250  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002  
ml2001nacc  
William A. Shaw  
Prothonotary *WAS*



JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

**TO: DR. JAMES P. DAVIDSON**  
502 Park Avenue  
Clearfield, Pennsylvania 16830

**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of Dr. James P. Davidson, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records file in his/her possession for any medical treatment and/or medical care rendered to Patricia M. Casher, S.S.N.177-48-2601, date of birth: 3/13/57, including all imaging studies and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Dr. James P. Davidson, 502 Park Avenue, Clearfield, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



DATE: Monday, July 15, 2002  
Seal of the Court

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the  
12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid,  
addressed to the following:

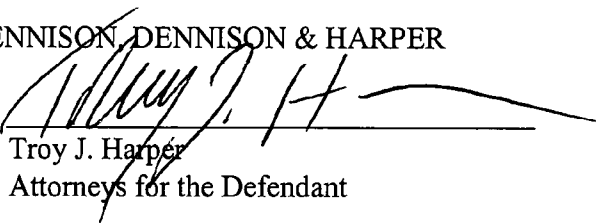
James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Dr. James P. Davidson  
502 Park Avenue  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m | 2:00 | NOCC  
William A. Shaw  
Prothonotary

*E. Shaw*

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

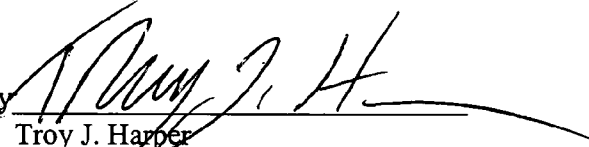
**TO: RECORDS CUSTODIAN**  
Clearfield County EMS  
713 w. Front Street  
Clearfield, Pennsylvania 16830

**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of the Records Custodian of the Clearfield County EMS, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire emergency response records file in his/her possession for any medical treatment and/or medical care rendered to Patricia M. Casher, S.S.N. 177-48-2601, date of birth: 3/13/57, for an accident that occurred on or about October 24, 1999, including all trip sheets and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE  
MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING  
IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT  
CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE  
AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE  
ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE  
ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for Defendant



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher

Patricia M. Casher

Plaintiff(s)

Vs.

William Franklin Test

Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Records Custodian, Clearfield County EMS, 713 W. Front Street, Clearfield,  
PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.


THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
Deputy

Any and all records, trip sheets, logs, treatment records or other documents for an accident which occurred on October 24, 1999, involving Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601.

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid, addressed to the following:

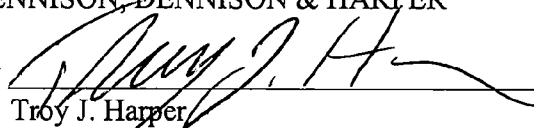
James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Records Custodian  
Clearfield County EMS  
713 w. Front Street  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m/2.00/nocc  
William A. Shaw *ES*  
Prothonotary *ES*

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
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\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

**TO: PERSONNEL DIRECTOR**

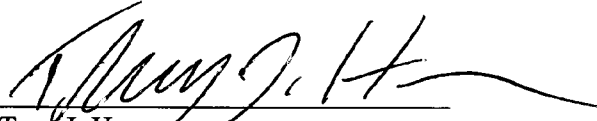
Kurtz Bros.  
400 Reed Street  
Clearfield, Pennsylvania 16830

**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of the Personnel Director of Kurtz Bros., twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire employment file in his/her possession for Patricia M. Casher, S.S.N. 177-48-2601, date of birth: 3/13/57, including all employment records and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Personnel Director, Kurtz Bros., 400 Reed Street, Clearfield, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:  
See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

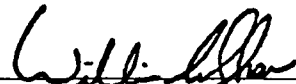
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_

Any and all documents and records contained in any employment file for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to applications for employment, payroll records, disciplinary reports, evaluations, notices, leaves of absence, termination notices, job descriptions, salary information, workman's compensation claims, accident reports and correspondences.



### CERTIFICATE OF SERVICE

I certify that a true and correct copy of foregoing Notice of Deposition was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid, addressed to the following:

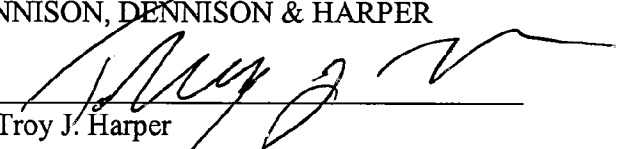
James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Personnel Director  
Kurtz Bros.  
400 Reed Street  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Deposition  
for the Purpose of Copying Records Only

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002  
m/2:00/ndcc  
William A. Shaw  
Prothonotary

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF DEPOSITION FOR THE PURPOSE OF COPYING RECORDS ONLY**

**TO: RECORDS CUSTODIAN**  
Clearfield Hospital  
P.O. Box 992  
Clearfield, Pennsylvania 16830

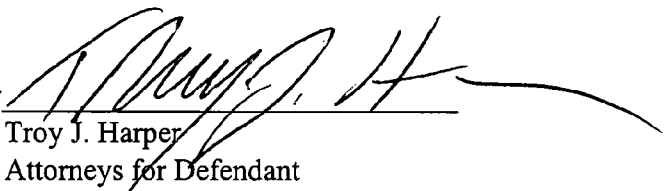
**PLEASE TAKE NOTE** that the Defendant, William Franklin Test, will take the deposition of the Records Custodian of the Clearfield Hospital, twenty (20) days from the service of this Notice and attached Subpoena upon the same at the offices of Dennison, Dennison & Harper, 293 Main Street, Brookville, Pennsylvania 15825

There will be no interrogation of the witness at this deposition since the deposition is for the purpose of copying records only. No attorneys are expected to be present. Deponent is directed to bring to this deposition copies of the entire medical records file in his/her possession for any medical treatment and/or medical care rendered to Patricia M. Casher, S.S.N.177-48-2601, date of birth: 3/13/57, including all imaging studies and such other documents as set forth on the attached Subpoena.

**DEPONENT IS ADVISED THAT IT IS SUFFICIENT TO PROVIDE THE MATERIAL REQUESTED BY MAIL OR HAND DELIVERY IN LIEU OF APPEARING IN PERSON FOR THIS DEPOSITION, PROVIDED THAT THE DEPONENT CERTIFIES THAT THE RECORDS WHICH HE/SHE SENDS ARE TRUE, ACCURATE AND COMPLETE COPIES OF ALL OF THE RECORDS REQUESTED BY THE ATTACHED SUBPOENA AND BY SIGNING THE CERTIFICATE OF COMPLIANCE ATTACHED HERETO AND RETURNING THE SAME WITH THE RECORDS.**

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

\*

\*

\*

No. 2001-01610-CD

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

TO: Records Custodian, Clearfield Hospital, P. O. Box 992, Clearfield,  
PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:  
See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
Deputy

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

**CERTIFICATE OF SERVICE**

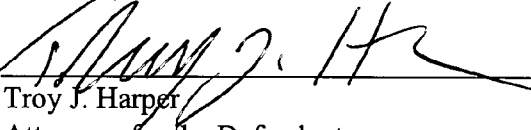
I certify that a true and correct copy of foregoing Notice of Deposition was served on the  
10<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid,  
addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

and by Certified Mail, Return Receipt Requested, on the following:

Records Custodian  
Clearfield Hospital  
P.O. Box 992  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m/1159/hoc  
William A. Shaw  
Prothonotary

*[Handwritten signature]*



JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to  
Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was  
mailed or delivered to each party at least twenty (20) days prior to the date on which the  
Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: \_\_\_\_\_

8/12/02

By \_\_\_\_\_

Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

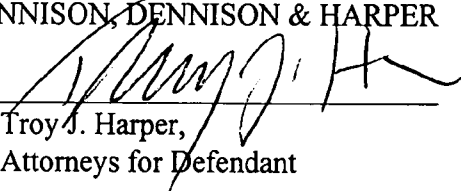
**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher

Patricia M. Casher

Plaintiff(s)

Vs.

William Franklin Test

Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Clearfield County EMS, 713 W. Front Street, Clearfield,  
PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at Dennison, Dennison & Harper, 293 Main Street, Brookville, PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

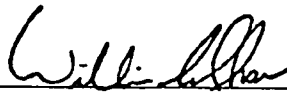
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
Deputy

Any and all records, trip sheets, logs, treatment records or other documents for an accident which occurred on October 24, 1999, involving Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601.

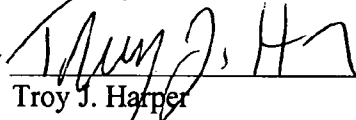
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of JULY, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First

Class, Postage Prepaid addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper  
Attorneys for the Defendant



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m11.591ncc

William A. Shaw

Prothonotary

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
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\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

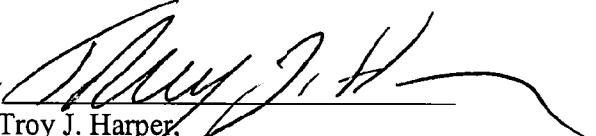
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Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to  
Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was  
mailed or delivered to each party at least twenty (20) days prior to the date on which the  
Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: 8/12/02

By   
Troy J. Harper,  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

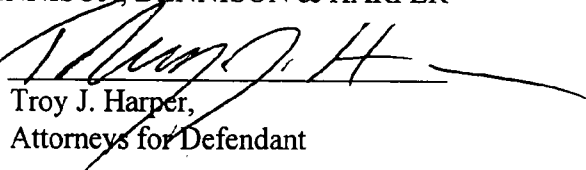
**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Dr. Martin Schaeffer, Medical Arts Building, 807 Turnpike Avenue, Suite  
250, Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

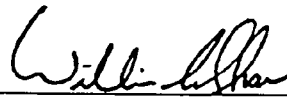
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
William A. Shaw  
~~Prothonotary~~

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

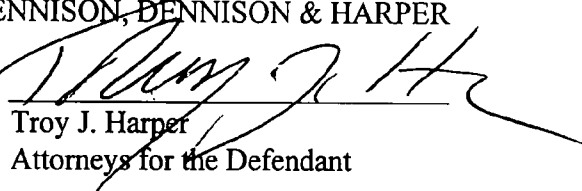
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant



### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First

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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

ALB 10 2002  
M/159/NOCC  
William A. Shaw  
Prothonotary

ED  
K22

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
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As a prerequisite to the Service of a Subpoena to Produce Documents and Things for  
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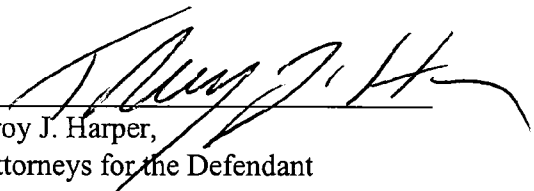
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Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: 8/12/02

By

  
Troy J. Harper,  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
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\* Civil Action - Law  
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**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
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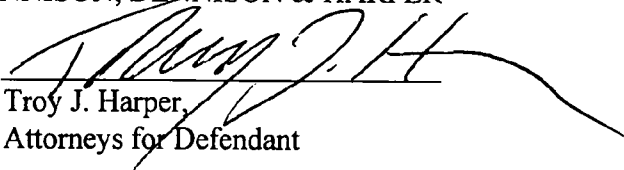
**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Dr. James P. Davidson, 502 Park Avenue, Clearfield, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
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to comply with it.

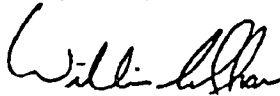
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.



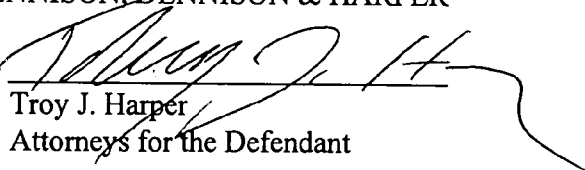
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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

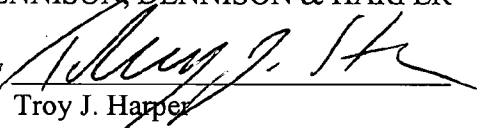
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James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

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an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002  
m/lisg/nocc  
William A. Shaw  
Prothonotary *WAS*

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
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\* Civil Action - Law  
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DENNISON, DENNISON & HARPER

Date: 8/12/02

By   
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

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an individual,  
Defendant.

CIVIL ACTION - LAW

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Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Penn Central Physical Therapy, P. O. Box 607,  
Clearfield, PA 16830 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached  
at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.


THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_



Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957; SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, therapy records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

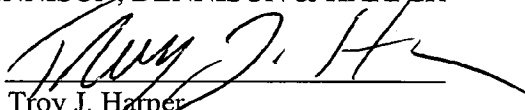
Attorneys for the Defendant

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

mll:sa nocc  
William A. Shaw  
Prothonotary

9  
KSA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to  
Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was  
mailed or delivered to each party at least twenty (20) days prior to the date on which the  
Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: 8/12/02

By Troy J. Harper  
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper  
Attorneys for Defendant



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher

Patricia M. Casher

Plaintiff(s)

Vs.

William Franklin Test

Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Clearfield Hospital, P. O. Box 992, Clearfield,  
PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:  
See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
Deputy

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to emergency room reports, patient charts, admission reports, discharge reports, physician's notes, nurse's notes, surgical reports, inpatient records, outpatient records, billing reports, lab reports, imaging reports, physical therapy records, correspondences, and originals or copies of all imaging studies.

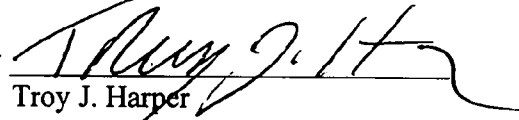
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

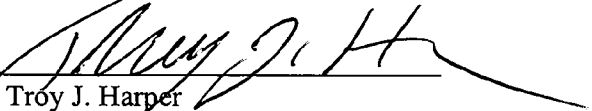
  
Troy J. Harper  
Attorneys for the Defendant

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER

293 Main Street

Brookville, Pennsylvania 15825

(814) 849-8316

**FILED**

AUG 13 2002

m/lisg/nocc  
William A. Shaw  
Prothonotary

EXL

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to  
Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was  
mailed or delivered to each party at least twenty (20) days prior to the date on which the  
Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: \_\_\_\_\_

8/12/02

By \_\_\_\_\_

Troy J. Harper,  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316



JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
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\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

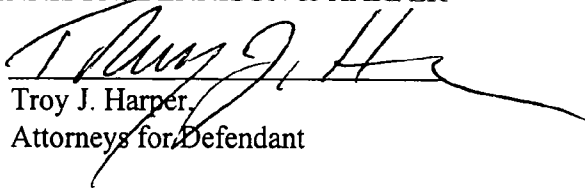
**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: July 23, 2002

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Personnel Director, Kurtz Bros., 400 Reed Street, Clearfield, PA 16830  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:  
See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.


THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_

Any and all documents and records contained in any employment file for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to applications for employment, payroll records, disciplinary reports, evaluations, notices, leaves of absence, termination notices, job descriptions, salary information, workman's compensation claims, accident reports and correspondences.

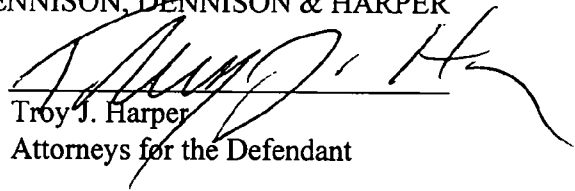
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

mll:sglnoc  
William A. Shaw  
Prothonotary

*[Handwritten signature]*

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

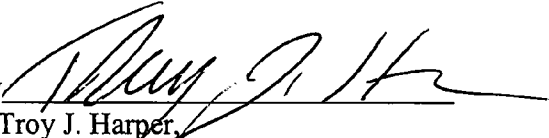
As a prerequisite to the Service of a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to  
Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was  
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Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;

4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: 8/12/02

By:   
Troy J. Harper,  
Attorneys for the Defendant



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

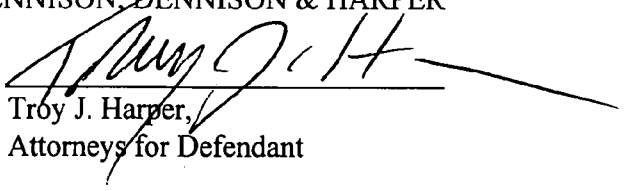
**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By   
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Travelers Property Casualty, Pittsburgh Claim Service  
Center, 700 Two Chatham (Name of Person or Entity)  
Center, Pittsburgh, PA 15219

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division



DATE: Monday, July 15, 2002  
Seal of the Court

~~Deputy~~

Complete copies of any and all documents contained in all claims files, first party benefits files, subrogation files, and/or investigative files, including but not limited to all records, reports, memos, index reports, claim activity logs, reports, medical records, color photographs, recorded statements, payment logs, investigative materials and all correspondences for an accident that occurred on or about October 24, 1999, involving your insured, Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, with Claim Number SIG 1131.

### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

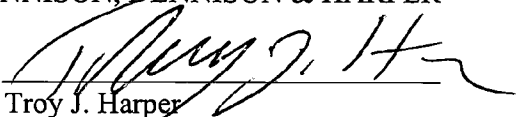
Attorneys for the Defendant

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First Class, Postage Prepaid addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By   
Troy J. Harper  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER,

Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate Prerequisite  
to Service of a Subpoena Pursuant to  
Pa.R.C.P. 4009.22

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

John C. Dennison, II

Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

**FILED**

AUG 13 2002

m/KS91N0CC  
William A. Shaw  
Prothonotary *Koz*

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
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\*  
\* Number 2001 - 1610 C.D.

**CERTIFICATE PREREQUISITE TO SERVICE OF A  
SUBPOENA PURSUANT TO PA.R.C.P. 4009.22**

As a prerequisite to the Service of a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21, the Defendant certifies the following pursuant to  
Pa.R.C.P. 4009.22:

1. A Notice of Intent to Serve a Subpoena to Produce Documents and Things for  
Discovery Pursuant to Pa.R.C.P. 4009.21 with a copy of the Subpoena attached thereto was  
mailed or delivered to each party at least twenty (20) days prior to the date on which the  
Subpoena is sought to be served;
2. A copy of the aforementioned Notice, including the proposed Subpoena, is attached to  
this Certificate;
3. No objection to the Subpoena has been received;



4. The Subpoena which will be served is identical to the Subpoena which is attached to the aforementioned Notice.

DENNISON, DENNISON & HARPER

Date: \_\_\_\_\_

8/12/02

By \_\_\_\_\_

Troy J. Harper,  
Attorneys for the Defendant

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CIVIL ACTION - LAW

Number 2001 - 1610 C.D.

Type of Case: Civil Division

Type of Pleading: Notice of Intent  
to Serve Subpoena to Produce Documents  
and Things for Discovery Pursuant to  
Pa.R.C.P. 4009.21

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper  
Supreme Court Number: 74753

John C. Dennison, II  
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, Pennsylvania 15825  
(814) 849-8316

JOSEPH CASHER AND PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
\*  
\*  
\* Number 2001 - 1610 C.D.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO  
P.A.R.C.P. 4009.21**

**TO : JOSEPH CASHER and PATRICIA M. CASHER:**

William Franklin Test, by and through his attorneys, Dennison, Dennison & Harper,  
intends to serve a Subpoena identical to the one that is attached to this Notice. You have twenty  
(20) days from the date listed below in which to file of record and serve upon the undersigned an  
objection to the Subpoena. If no objection is made, the Subpoena may be served.

Dated: 7/23/02

DENNISON, DENNISON & HARPER

By Troy J. Harper  
Troy J. Harper,  
Attorneys for Defendant

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Joseph Casher  
Patricia M. Casher  
Plaintiff(s)

Vs.

William Franklin Test  
Defendant(s)

No. 2001-01610-CD

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

TO: Records Custodian, Blair Medical Associates, 1414 Eighth Avenue,  
Altoona, PA 16602 (Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to  
produce the following documents or things:

See attached

at the law offices of Dennison, Dennison & Harper, 293 Main Street, Brookville,  
PA 15825 (Address)

You may deliver or mail legible copies of the documents or produce things requested by  
this subpoena, together with the certificate of compliance, to the party making this request at the  
address listed above. You have the right to seek in advance the reasonable cost of preparing the  
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty  
(20) days after its service, the party serving this subpoena may seek a court order compelling you  
to comply with it.

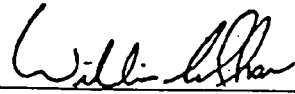
THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Troy J. Harper  
ADDRESS: 293 Main Street  
Brookville, PA 15825  
TELEPHONE: (814) 849-8316  
SUPREME COURT ID # 74753  
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw  
Prothonotary/Clerk, Civil Division

DATE: Monday, July 15, 2002  
Seal of the Court

  
\_\_\_\_\_

Any and all medical records in your possession for Patricia M. Casher, DOB: 3/13/1957, SSN: 177-48-2601, including but not limited to physician's notes, nurse's notes, office notes, patient questionnaires, reports, evaluations, consultations, lab reports, patient charts, operative reports, therapy records, admission records, discharge records, correspondences, billing statements, and all imaging and x-ray reports and films for any care and/or treatment.

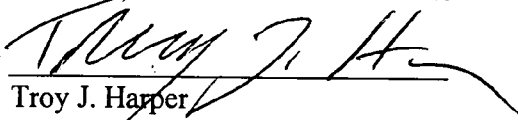
### CERTIFICATE OF SERVICE

I certify that a certified copy of the foregoing Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 was served on the 23<sup>rd</sup> day of July, 2002, by United States Mail, First Class, postage prepaid, addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

### CERTIFICATE OF SERVICE

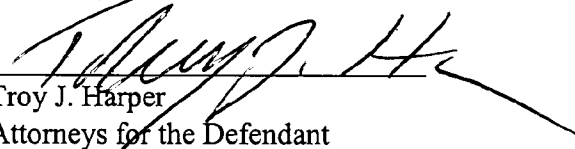
I certify that a true and correct copy of the Certificate Pursuant to Pa.R.C.P. 4009.22 was served on the 12<sup>th</sup> day of August, 2002, by United States Mail, First

Class, Postage Prepaid addressed to the following:

James Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for the Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION

JOSEPH CASHER and PATRICIA M. :

CASHER, husband and wife :

-VS- : No. 01 – 1610 – CD

WILLIAM FRANKLIN TEST, an :

individual :

**ORDER**

NOW, this 4<sup>th</sup> day of September, 2002, following status conference into the above-captioned matter, it is the ORDER of this Court that discovery, including depositions, shall be completed on or before February 1, 2003.

By the Court,

President Judge

**FILED**

SEP 04 2002

William A. Shaw  
Prothonotary



**FILED**

SEP 04 2002

0/2:30/12

William A. Shaw  
Prothonotary

SENT TO MADDO  
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~~GA~~ HARPER

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

### **MOTION TO EXTEND TIME FOR DISCOVERY**

AND NOW, comes the Defendant, WILLIAM FRANKLIN TEST, by his attorneys,  
Dennison, Dennison & Harper, who file the following Motion to Extend Time for Discovery:

1. The above-captioned action was instituted by filing a Complaint on or about September 27, 2001.
2. An Answer and New Matter was filed on or about November 21, 2001.
3. Thereafter, the parties engaged in various discovery including Interrogatories, Request for Production of Documents and the issuance on third parties of various Subpoenas to Produce Documents for Discovery.
4. On or about September 4, 2002, a Status Conference was conducted by the Court.
5. Following the Status Conference, the Court entered an Order dated September 4, 2002, directing discovery to be completed by February 1, 2003.
6. Following the entry of the Order, the depositions of the Plaintiffs were completed and supplemental discovery information was exchanged.
7. The Defendant has not yet secured an Independent Medical Examination.
8. No prior requests for an extension to conclude discovery have been made.

9. None the parties will be prejudiced by extending the time for discovery.

10. Counsel for the Plaintiff consents to the extension to complete discovery, and said consent is attached hereto.

**WHEREFORE**, the Defendant, William Franklin Test, respectfully requests this Court to enter an Order extending the time to complete discovery until April 1, 2003.

Respectfully submitted,

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper

Attorneys for Defendant

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

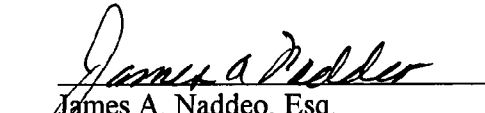
vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
\*  
\* Civil Action - Law  
\*  
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\*  
\* Number 2001 - 1610 C.D.

### CONSENT

I, James A. Naddeo, as counsel for the Plaintiffs, consent to the Motion to Extend Time  
for Discovery.

  
James A. Naddeo, Esq.  
Attorney for the Plaintiffs

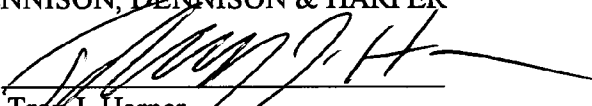
**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Motion to Extend Time for  
Discovery was served on the 8<sup>th</sup> day of January, 2003, by United  
States Mail, First Class, Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By

  
Troy J. Harper  
Attorneys for the Defendant

FILED

REC  
of 3:34 PM  
JAN 09 2003  
to Amy Maddeo  
for Harper

William A. Shaw  
Prothonotary

JOSEPH CASHER and PATRICIA M.  
CASHER, husband and wife,  
Plaintiffs,

vs.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

CA  
\* In the Court of Common Pleas of  
\* Clearfield County, Pennsylvania  
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\* Civil Action - Law  
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\* Number 2001 - 1610 C.D.

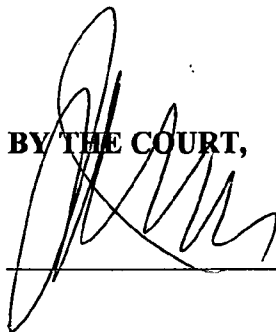
**ORDER**

AND NOW, this 13<sup>th</sup>, day of January, 2003, upon

consideration of the Defendant's Motion to Extend Time for Discovery, and the Plaintiffs through  
their counsel consenting to the same;

**IT IS HEREBY ORDERED** that all discovery, including depositions, shall be completed  
on or before April 1, 2003.

BY THE COURT,



J.

**FILED**

JAN 14 2003

William A. Shaw  
Prothonetary

FILED

2cc

0/11:07 AM  
JAN 14 2003

Atty Naddeo -

~~Atty~~ per Naddeo's request

William A. Shaw  
Prothonotary



William A. Shaw  
Prothonotary/Clerk of Courts

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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No. 01 - 1610 - CD

PRAECIPE TO LIST FOR TRIAL

TO THE PROTHONOTARY:

Please place the above-captioned matter on the next  
list for trial. In support thereof I certify the following:

1. There are no Motions outstanding.
2. Discovery has been completed and the case is ready  
for trial.
3. The case is to be heard by jury.
4. Notice of the Praecipe has been given to opposing  
counsel.
5. The time for trial is estimated at 2-3 days.

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

Date: February 24, 2004

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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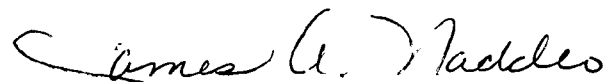
No. 01 - 1610 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praecept to List for Trial filed in the above-captioned action was served on the following person and in the following manner on the 24th day of February, 2004:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire  
DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, PA 15825



James A. Naddeo, Esquire  
Attorney for Plaintiffs

FILED NoCC- to CIA  
0/10:438x copy  
FEB 24 2004  
William A Shaw  
Prothonotary/Clerk of Courts

JAMES A. NADDEO  
ATTORNEY AT LAW  
P.O. BOX 552  
CLEARFIELD, PENNSYLVANIA 16830

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CA

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

JOSEPH CASHER, al

V.

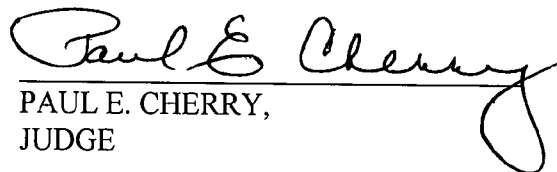
NO. 01-1610-CD

WILLIAM FRANKLIN TEST, al

**ORDER**

AND NOW, this 15<sup>th</sup> day of April, 2004, this being the date scheduled for Pre-Trial Conference, upon consideration of the request for continuance by counsel for the Plaintiff of this matter and counsel for Defendant having no objections, it is the ORDER of this Court that this matter be and is hereby continued until the January, 2005, Civil Call.

BY THE COURT,

  
PAUL E. CHERRY,  
JUDGE

**FILED**

APR 15 2004

William A. Shoop  
Prothonary, Clerk of Courts

FILED

McC. Atty's Naddie, Lewis, Harper

0125901  
APR 15 2004

3/10/04

William A. Shaw  
Prothonotary/Clerk of Courts

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

JOSEPH CASHER and  
PATRICIA M. CASHER

: NO. 01-1610-CD  
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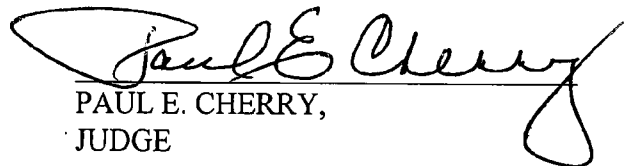
V.

WILLIAM FRANKLIN TEST

**ORDER**

AND NOW, this 14<sup>th</sup> day of January, 2005, following Pre-Trial Conference, it is the ORDER of this Court that this matter be and is hereby referred to Binding Arbitration. The Court hereby appoints Matthew B. Taladay, Esquire, as sole Arbitrator. Attorney Taladay's fees shall be paid by the parties. Jury Selection scheduled for January 27, 2005, is hereby cancelled.

BY THE COURT,

  
PAUL E. CHERRY,  
JUDGE

**FILED**

10:14 PM  
JAN 17 2005  
100 atty Taladay  
100 atty Cherry  
100 atty Harper

William A. Shaw  
Prothonotary

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
Plaintiffs

vs.

WILLIAM FRANKLIN TEST,  
Defendant

No. 01-1610-CD

Type of Pleading:  
Memorandum of Findings  
and Notice of Award

Filed on Behalf of:  
Arbitrator

Arbitrator Information:  
Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801  
(814) 371-7768

*FILED* *No CC*  
*m) 11:16 AM*  
OCT 17 2005

William A. Shaw  
Prothonotary/Clerk of Courts



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

JOSEPH CASHER and  
PATRICIA M. CASHER

vs.

WILLIAM FRANKLIN TEST

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No. 01-1610-CD

**MEMORANDUM OF FINDINGS  
AND NOTICE OF AWARD**

**A. Background**

This matter involves a claim for personal injury damages arising out of an automobile accident of October 24, 1999. By Stipulation of the parties and Order of Court issued by the Honorable Paul E. Cherry dated January 14, 2005, the undersigned was appointed as sole arbitrator in binding arbitration for determination of all outstanding issues. An evidentiary hearing was conducted on Friday, September 16, 2005.

Upon consideration of all proffered testimony and after review of all documentary evidence submitted, the undersigned arbitrator files the Notice of Award set forth below. Though not required by the Rules of Statutory or Common Law Arbitration, the arbitrator also attempts to set forth the factual legal basis for his findings so that the parties will understand the reasons behind the award.

## **B Findings**

### **1. Non-Economic Damages:**

(a) The Plaintiff sustained bodily injury in the automobile accident of October 24, 1999 consisting of neck strain, lower back strain and blunt trauma to the left lower extremity, multiple abrasions and contusions of the face.

(b) The Plaintiff continues to suffer from chronic neck and back pain.

(c) The Plaintiff's symptoms and complaints of pain are intermittent and inconsistent.

(d) The Plaintiff suffers from depression primarily related to her inability to return to her prior employment.

(e) The Plaintiff has sustained an impairment of bodily function related to the motor vehicle accident of October 24, 1999.

(f) The Plaintiff's impairments are not serious impairments of a bodily function under the arbitrator's interpretation of applicable law.

(g) The Plaintiff has not sustained a serious injury as defined by the Motor Vehicle Financial Responsibility Law.

(h) An award of non-economic damages is not available.

### **2. Loss of Earnings:**

(a) Prior to her injuries, the Plaintiff was seasonally employed by Kurtz Brothers of Clearfield, Pennsylvania.

(b) The Plaintiff's job involved lifting items weighing up to 70 lbs.

(c) The Plaintiff's accident related injuries precluded her return to her prior employment.

(d) The Plaintiff was cleared to return to work by Dr. Martin Schaefer on July 14, 2000, but was instructed to remain off work by her primary care physician, James Davidson, DO.

(e) The Plaintiff earned minimum wage of \$5.50 per hour.

(f) The Plaintiff's employment was seasonal for a period of 4-1/2 months (20 weeks) per year.

(g) The Plaintiff participated in physical therapy and work hardening programs which improved her capacity for labor but not to the point where she was able to return to her prior employment.

(h) The Plaintiff is currently able to hold gainful employment.

(i) The Plaintiff has received lost wage first party benefits in the amount of \$5,000.00.

(j) The Plaintiff is entitled to lost wage benefits calculated as follows:

5 years lost wages (2000 - 2004 employment seasons) x  
20 weeks = 75 weeks x 40 hours per week x \$5.50 per  
hour - \$5,000.00 (first party benefits) = \$17,000.00

3. Medical Expenses:

- (a) Plaintiff has incurred necessary medical expenses related to the subject accident.
- (b) First party medical benefits in the amount of \$5,000.00 have been paid.
- (c) The arbitrator has been provided with no further evidence by which to award additional medical expenses.
- (d) No medical expenses awarded.

4. Loss of Consortium:

- (a) Because the injuries of the Wife Plaintiff do not overcome the limited tort threshold in the husband's claims in the nature of loss of consortium, which are deemed to be non-economic in nature, are not recoverable.
- (b) No loss of consortium damages are awarded.

**D. Discussion**

The automobile accident in which the Plaintiff was involved was not trivial in nature. The Plaintiff was the unrestrained passenger in a car involved in a head-on collision. The Plaintiff's head came into contact with the car's windshield and she sustained multiple blunt force trauma and abrasions to the face and left lower extremity. Although she did not immediately report neck pain, the multiple symptoms described to her doctor the following day included neck and lower back pain.

Although the Plaintiff's complaints of neck and lower back pain abated somewhat in the months following the accident. There is sufficient continuity in her complaints to convince the arbitrator that

she did continue to experience pain symptoms related to the accident. As noted above, Plaintiff's complaints were somewhat intermittent and inconsistent. However, her neck and back complaints and objective findings of muscle spasm and limited range of motion initially provided sufficient reason for Dr. Martin Schaefer to excuse the Plaintiff from her regular customary employment.

Based on the medical records and physical therapy documentation, it appears that the Plaintiff was compliant with her home exercise and therapy programs and was able to regain and maintain a level of function in the light to moderate activity range. Although her household duties had to be somewhat modified, the arbitrator did not receive evidence to convince him that these physical limitations constituted an impairment sufficient to breach the limited tort threshold.

The medical documentation and testimony do evidence the fact that the Plaintiff suffers from depression and psychological sequela. The report of Dr. Francis seems to indicate that this is related more to her loss of self-esteem from lack of employment than from any physical issues. In addition, the arbitrator is not convinced that the accident is the factual cause of Plaintiff's emotional issues. For these reasons, an award of non-economic damages is not appropriate.

With regard to the issue of economic damages, it is the opinion of the arbitrator that the Plaintiff did, reasonably and in good faith, rely on the advice of Dr. James P. Davidson regarding her return to work. It is somewhat troubling that the records of Dr. Davidson indicate that the Plaintiff herself called in to advise that Dr. Schaefer had cleared her to go back to work and that she did not "feel ready".

In addition, Dr. Davidson's notes at one point indicate that the Plaintiff inquired as to whether she should seek other employment. However, there is no indication that Dr. Davidson responded to the Plaintiff's inquiry. Nevertheless as stated above, Plaintiff did rely on the advice and counsel of Dr. Davidson in refraining from returning to her customary employment.

Based on Plaintiff's progress in the work hardening program and her ability to function in the light to medium employment range, it is the opinion of the arbitrator that the Plaintiff is not precluded from gainful employment. In deed, both the Plaintiff and her husband testified that prior to working at Kurtz Bros. the Plaintiff had seasonally worked as a concessions vendor. It is the arbitrator's finding that Plaintiff suffers no accident related limitations which would preclude her seasonal or part-time employment in that or a similar line of work.

Lost wages are awarded for the employment seasons 2000 - 2004 at the rate of \$5.50 per hour. Although Plaintiff testified that she worked at Kurtz Bros. "May through October", there was little in the way of specific evidence to further identify the Plaintiff's customary seasonal employment span.

Based on the above, the arbitration award is as follows:

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

JOSEPH CASHER and  
PATRICIA M. CASHER

vs.

WILLIAM FRANKLIN TEST

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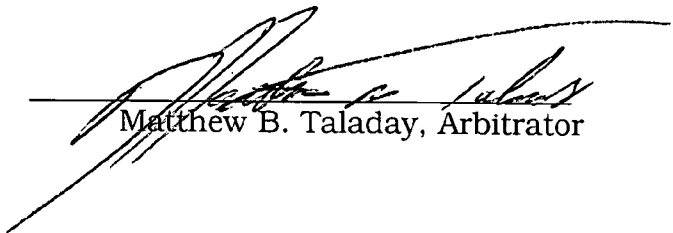
No. 01-1610-CD


**Award**

The Plaintiffs are awarded lost earning and lost earning capacity in the net amount of \$17,000.00.

No non-economic, medical expense or loss of consortium damages are awarded.

Dated: October 14, 2005

  
Matthew B. Taladay, Arbitrator

 **FILED** *No cc*  
*m/11/16/05*  
17 2005

A. Shaw  
Clerk of Courts

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
Plaintiffs

vs.

WILLIAM FRANKLIN TEST,  
Defendant

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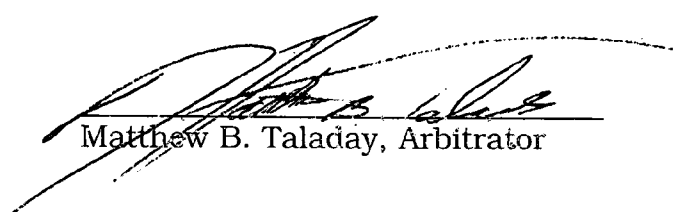
No. 01-1610-CD

CERTIFICATE OF SERVICE

I certify that on the 14th day of October, 2005, a true and correct copy of Memorandum of Findings and Notice of Award was sent via first class mail, postage prepaid, to the following:

Troy J. Harper, Esq.  
Dennison, Dennison & Harper  
293 Main Street  
Brookville, PA 15825

James A. Naddeo, Esq.  
P.O. Box 552  
Clearfield, PA 16830

  
Matthew B. Taladay, Arbitrator



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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

No. 01 - 1610 - CD

Type of Pleading:

PRAECIPE TO SETTLE  
AND DISCONTINUE

Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

James A. Naddeo, Esq.  
Pa I.D. 06820

207 E. Market Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

**FILED**

9/11/24 um

DEC 01 2005

(um)

No CC.  
Out of disc. to  
J. Naddeo  
Copy to C/A

William A. Shaw  
Prothonotary

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

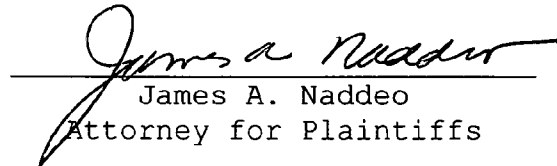
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No. 01 - 1610 - CD

PRAECIPE

TO THE PROTHONOTARY:

Please mark the above-captioned case settled and  
discontinued.

  
James A. Naddeo  
Attorney for Plaintiffs

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

JOSEPH CASHER and  
PATRICIA M. CASHER,  
husband and wife,  
Plaintiffs,

v.

WILLIAM FRANKLIN TEST,  
an individual,  
Defendant.

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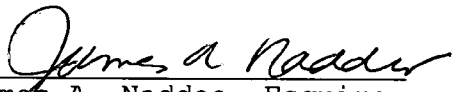
No. 01 - 1610 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiffs' Praecipe to Settle and Discontinue filed in the above-captioned action was served on the following person and in the following manner on the 1st day of December, 2005:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire  
DENNISON, DENNISON & HARPER  
293 Main Street  
Brookville, PA 15825

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

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

**CIVIL DIVISION**

**Joseph Casher and  
Patricia M. Casher  
husband and wife**

**Vs.  
William Franklin Test,  
an individual**

**No. 2001-01610-CD**

**COPY**

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on December 1, 2005, marked:

Settled and Discontinued

Record costs in the sum of \$80.00 have been paid in full by James A. Naddeo Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of December A.D. 2005.

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William A. Shaw, Prothonotary