01-1800-CD
MAXIM DEM'CHAK -vs- DOLORES SHOOK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

MAXIM DEM'CHAK,	*	
	*	No. 01- 1800-CD
Plaintiffs	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
	*	TYPE OF CASE:
	*	Civil
Defendant	*	
	*	
	*	
	*	
	*	TYPE OF PLEADING:
	*	Praecipe for Writ of Summons
	*	
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	
	*	COUNSEL OF RECORD
	*	FOR THIS PARTY:
	*	David R. Thompson, Esquire
	*	Attorney at Law
	*	Supreme Court I.D. 73053
	*	308 Walton Street, Suite 4
	*	P.O. Box 587
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

OCT 3 1 2001

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL DIVISION - LAW

MAXIM DEM'CHAK,	:	
	:	CLEARFIELD COUNTY,
	:	PENNSYLVANIA
	:	
	:	
Plaintiff	:	
	:	
vs.	:	No. 01-
	:	
DOLORES SHOOK,	:	
	:	
Defendant	:	
	*	

PRAECIPE TO WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writs of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 10-31-01

David R. Thompson, Esquire
Attorney for Plaintiff

FILED Atty Thompson pd. 80.00
012:18 ~~PM~~
OCT 31 2001 2CC Atty with Summons
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

CIVIL DIVISION - LAW

MAXIM DEM'CHAK,	:	
	:	CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiff	:	CIVIL ACTION - 2001-
vs.	:	No. 01-
DOLORES SHOOK,	:	
Defendant	:	

WRIT OF SUMMONS

TO: **DOLORES SHOOK**

You are hereby notified that **MAXIM DEM'CHAK**, has (have) commenced an action against you.

DATE: _____ Prothonotary

By: _____
[Deputy]

SEAL OF THE COURT

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11711

DEMCHAK, MAXIM 01-1800-CD

VS.

SHOOK, DOLORES

PRAECIPE & WRIT OF SUMMONS

SHERIFF RETURNS

NOW NOVEMBER 5, 2001 BOB KOLAR, SHERIFF OF CAMBRIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA TO SERVE THE WITHIN PRAECIPE & SUMMONS ON DOLORES SHOOK, DEFENDANT.

NOW NOVEMBER 15, 2001 SERVED THE WITHIN PRAECIPE & SUMMONS ON DOLORES SHOOK, DEFENDANT BY DEPUTIZING THE SHERIFF OF CAMBRIA COUNTY. THE RETURN OF SHERIFF KOLAR IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

Return Costs

Cost	Description
27.68	SHFF. HAWKINS PAID BY: ATTY.
45.15	SHFF. KOLAR PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

82.83

FILED
0/10:04/3ST
DEC 12 2001

William A. Shaw
Prothonotary

Sworn to Before Me This

12th Day Of December 2001

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

So Answers,

Chester A. Hawkins
Sheriff

CASE #	PLAINTIFF	DEFENDANT	
90317-01	DEM'CHAK, MAXIM	SHOOK, DOLORES	01-1800
DATE 11/15/01			

AT 14:20 HRS. SERVED THE WRIT OF SUMMONS UPON DOLORES SHOOK BY HANDING A TRUE AND ATTESTED COPY THEREOF TO HER PERSONALLY AT 673 NICKTOWN HILL RD. SPANGLER, PA. AND MAKING CONTENTS THEREOF KNOWN TO HER. MY COSTS PAID BY ATTORNEY FOR PLAINTIFF.

SHERIFF COSTS	42.15
PRO	3.00
TOTAL COSTS	45.15

SO ANSWERS,

Bob Kolar

BOB KOLAR, SHERIIFF

SWORN AND SUBSCRIBED TO BEFORE ME THIS 27TH DAY OF NOV. 01.

PROTHONATARY Patty Berkeile

2001-90317

Sheriff's Office
Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765- 5915

CHESTER A. HAWKINS
SHERIFF

DARLENE SHULTZ
CHIEF DEPUTY

MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MAXIM DEM'CHAK

vs

DOLORES SHOOK

TERM & NO. 01-1800-CD

SERVE BY: 11/30/01 & SUMMONS

or

HEARING DATE:

DOCUMENT TO BE SERVED:
PRAECIPE & SUMMONS

MAKE REFUND PAYABLE TO: DAVID R. THOMPSON, Attorney

SERVE: DOLORES SHOOK

ADDRESS: 673 Nickton Hill Road, Spangler, Pa. 15775

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

This Deputation being made at the request and risk of the Plaintiff this 5th day of NOVEMBER 2001.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

CAMBRIA COUNTY

SHERIFF

11/21/01

DAVID THOMPSON
PO BOX 587

PHILIPSBURG PA 16866-0000

BOB KOLAR, SHERIFF
CAMBRIA COUNTY
PENNSYLVANIA

STATEMENT

BOB KOLAR, SHERIFF	CIVIL REC & DOCKETING & R	9.00
SHERIFF, CAMBRIA COUNTY, PA	CIVIL SERVICE	9.00
	GENERAL MILEAGE	24.15
	PROTHONOTARY NOTARY	3.00
DEM'CHAK, MAXIM	REFUND ON DOCKET	54.85
90317-01		
PRAECIPE & SUMMONS - DEM'CHAK VS. SH		
DEM'CHAK, MAXIM		
V S		
SHOOK, DOLORES 01-1800		
DAVID THOMPSON		
PO BOX 587		
PHILIPSBURG, PA 16866		
	TOTAL COSTS.....	100.00
	TOTAL RECEIPTS.....	100.00

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	No. 01-1800-CD
Plaintiff	*	
	*	
vs.	*	
	*	TYPE OF CASE:
DOLORES SHOOK,	*	Civil Division - Law
	*	
Defendant	*	
	*	
	*	
	*	
	*	TYPE OF PLEADING:
	*	Petition to Conduct Discovery
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	
	*	COUNSEL OF RECORD
	*	FOR THIS PARTY:
	*	David R. Thompson, Esquire
	*	Attorney at Law
	*	Supreme Court I.D. 73053
	*	308 Walton Street, Suite 4
	*	P.O. Box 587
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

MAR 27 2002

01/40/2cc atty Thompson

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	
Plaintiff	*	No. 01-1800-CD
	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
Defendant	*	
	*	

ORDER

AND NOW, this 28th day of March, 2002, upon reading and considering the foregoing Petition to Conduct Discovery, a Rule is hereby issued upon Dolores Shook to show cause why the Court should not enter an order authorizing the Petitioner to conduct discovery and take the deposition of Dolores Shook prior to filing a complaint.

RULE RETURNABLE for written response April 18, 2002, hearing to be held thereon if necessary, May 8, 2002, at 3:00 o'clock, ~~a.m.~~/p.m. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

FILED

MAR 28 2002

William A. Shaw
Prothonotary

BY THE COURT:

J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	
Plaintiff	*	No. 01-1800-CD
	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
Defendant	*	
	*	

PETITION TO CONDUCT DISCOVERY

AND NOW, comes the Plaintiff, Maxim Demchak, by and through his attorney, David R. Thompson, Esquire, and files the following Petition to Conduct Discovery prior to filing the complaint:

1. The Petitioner is Maxim Demchak, an adult individual, with a residential address of 259 Campground Road, Carlisle, Pennsylvania, 17013.

2. The Respondent is Dolores Shook, an adult individual, with a residential address of 673 Nicktown Hill Road, Spangler, Pennsylvania, 15775.

3. Petitioner has filed a Praecipe for Writ of Summons on October 31, 2001, which was served upon Defendant on November 15, 2001, based on injuries which Maxim Demchak sustained as a result of a motor vehicle accident which occurred on November 7, 1999.

4. Petitioner avers that no communication has taken place between the parties, except that counsel for Plaintiff has had correspondence with the insurer of Defendant

Shook.

5. Iin order to file a proper Complaint, it is necessary for the Petitioner to conduct discovery and take the deposition of Dolores Shook, who was the driver of the vehicle in order to determine whether Defendant Shook was the sole owner of the vehicle or whether or not she operated as an agent of another.

WHEREFORE, Petitioner requests your Honorable Court to issue a rule upon Respondent to show cause why Petitioner should not be permitted to take the deposition of Dolores Shook prior to filing a Complaint in this matter.

Respectfully submitted,

David R. Thompson, Esquire
Attorney for Petitioner

VERIFICATION

David R. Thompson, Attorney for Plaintiff verifies that the statements made in this ***PETITION TO CONDUCT DISCOVERY*** are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

David R. Thompson, Esquire

IN COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,

Plaintiff

vs.

DOLORES SHOOK,

Defendant

No. 01-1800

TYPE OF CASE:
Civil Division

TYPE OF PLEADING:
Certificate of Service

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:
David R. Thompson, Esquire
Attorney at Law
Supreme Court 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED

APR 03 2002

William A. Shaw
Prothonotary

IN COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	No. 01-1800-CD
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
Defendant	*	
	*	

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **PETITION TO CONDUCT DISCOVERY** , in the above captioned matter on the following by fax and by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

Dolores Shook
673 Nicktown Hill Road
Spangler PA 15775

Deborah Wallace, AIC
Claims Adjuster
ERIE INSURANCE GROUP
4901 Louise Drive
Rossmoyne Business Center
P.O. Box 2013
Mechanicsburg PA 17055-0710

DATE: 4-2-02

BY: _____
David R. Thompson, Esquire

FILED

APR 03 2002

0|3.11|1cc atty Thompson

William A. Shaw
Prothonotary

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

MAXIM DEMCHAK,	Plaintiff	No. 01-1800-CD
vs.		Type of Pleading: Entry of Appearance
DOLORES SHOOK,	Defendant	Filed on behalf of: Defendant Shook
		Counsel of Record for this Party:
		Joseph P. Green, Esquire ID. No. 19238 115 East High Street PO Box 179 Bellefonte, PA 16823 814-355-4769

ENTRY OF APPEARANCE

To the Prothonotary:

Enter the appearance of the undersigned on behalf of Dolores Shook, Defendant above-named.

GREEN & REITER

By: _____
Joseph P. Green, Esq., ID #19238
Attorney for Defendant
115 East High Street
PO Box 179
Bellefonte, PA 16823
814-355-4769

FILED

APR 12 2002

William A. Shaw
Prothonotary

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Entry of Appearance was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 11 day of Apr, 2002 addressed to the following:

David R. Thompson, Esq.
308 Walton Street, Suite 4
PO Box 587
Philipsburg, PA 16866

Joseph P. Green

FILED

APR 12 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

MAXIM DEMCHAK,	*	
	*	No. 01-1800-CD
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
	*	
Defendant	*	
	*	TYPE OF PLEADING:
	*	Certificate of Service
	*	
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	COUNSEL OF RECORD FOR
	*	THIS PARTY:
	*	David R. Thompson, Esquire
	*	Attorney at Law
	*	Supreme Court 73053
	*	P.O. Box 587
	*	308 Walton Street, Suite 4
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

JUL 19 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

MAXIM DEMCHAK,	*	
	*	No. 01-1800-CD
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
	*	
	*	
Defendant	*	

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy of **DOCUMENTS REQUESTED**, in the above captioned matter on the following by Prepaid, First Class, United States Mail:

Joseph P. Green, Esquire
LEE, MARTIN, GREEN & REITER, INC.
155 East High Street
P.O. Box 179
Bellefonte, PA 16823-0179

DATE:

BY: _____
David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION

MAXIM DEMCHAK,	*	
	*	
	*	No. 01-1800-CD
Plaintiff	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
	*	
	*	
	*	
Defendant	*	
	*	
	*	TYPE OF PLEADING:
	*	Certificate of Service
	*	
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	COUNSEL OF RECORD FOR
	*	THIS PARTY:
	*	David R. Thompson, Esq.
	*	Attorney at Law
	*	Supreme Court I.D. 73053
	*	P.O. Box 587
	*	308 Walton Street, Suite 4
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

DEC 06 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

MAXIM DEMCHAK,	*	
	*	
	*	No. 01-1800-CD
Plaintiff	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
	*	
	*	
	*	
Defendant	*	

CERTIFICATE OF SERVICE

I, DAVID R. THOMPSON, Esquire, do hereby certify that I served a true and correct copy of the NOTICE OF DEPOSITION of Dolores Shook in the above captioned matter on the following by placing the same in the United States mail, postage pre-paid, and addressed as follows:

Dolores Shook
c/o Robert A. Mix, Esquire
LEE, MARTIN, GREEN & REITER, INC.
115 East High Street
Bellefonte, PA 16823

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

DATED: 12-3-02

BY: _____
David R. Thompson, Esq.

FILED 2cc
@ 2:55 BH Atty Thompson
DEC 06 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

MAXIM DEMCHAK, an individual,	*	
	*	
	*	No. 01-1800-CD
	*	
	*	
Plaintiff	*	
	*	
vs.	*	TYPE OF CASE:
	*	Civil Division - Law
DOLORES SHOOK, an individual,	*	
	*	
Defendant	*	
	*	
	*	
	*	
	*	TYPE OF PLEADING:
	*	Complaint
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	COUNSEL OF RECORD FOR
	*	THIS PARTY:
	*	David R. Thompson, Esq.
	*	Attorney at Law
	*	Supreme Court I.D. 73053
	*	P.O. Box 587
	*	308 Walton Street, Suite 4
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

OCT 09 2003

03:40 pm

William A. Shaw

Prothonotary/Clerk of Courts

2 Cert to Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

MAXIM DEMCHAK, an individual,	*	
	*	
	*	No. 01-1800-CD
	*	
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK, an individual,	*	
	*	
Defendant	*	

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Petition 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 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 Courthouse
Clearfield PA 16830
(814) 765-2641

David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

MAXIM DEMCHAK, an individual,	*	
	*	
	*	No. 01-1800-CD
	*	
	*	
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK, an individual,	*	
	*	
Defendant	*	

COMPLAINT

AND NOW, comes the Plaintiff, by and through his attorney, David R. Thompson, Esquire, who files the following Complaint against the Defendant, of which the following are averments of fact:

1. Plaintiff Maxim Demchak is an adult individual, who currently resides at 125 Clay Road, Carlisle, Cumberland County, Pennsylvania, 17013.

2. Defendant Dolores Shook is an adult individual, who currently resides at 673 Nicktown Hill Road, North Cambria, Cambria County, Pennsylvania, 15714.

3. On or about November 7, 1999, at approximately 11:50 a.m. (Eastern Daylight Time), Plaintiff Maxim Demchak was operating his vehicle in a careful and prudent manner in his lane of travel in the southbound lane on State Route 53 in Decatur Township, Clearfield County, Pennsylvania. By way of further pleading, Plaintiff's two daughters, son-in-law, and granddaughter, to wit: Susan Herb, Lindsey Demchak, Donald Herb, and Derika B. Feaster) were passengers in the vehicle being driven by Plaintiff Maxim Demchak. This

vehicle will be referred to hereinafter as the "Demchak" vehicle.

4. By way of further pleading, the above referenced passengers have also instituted an action against Delores Shook.

5. At or about the same time, a vehicle operated by Dolores Shook (hereinafter the "Shook" vehicle) was traveling on State Route 53 in the north bound lane of travel in Decatur Township, Clearfield County, Pennsylvania.

6. The Shook vehicle, traveling north, entered the south bound lane of travel for unknown reasons, crossed the center line, and struck the Demchak vehicle head on.

7. The Shook vehicle struck the Demchak vehicle, while the Demchak vehicle was properly and fully in the south bound lane of travel and traveling at a speed and in a manner which was safe and prudent.

8. Following the collision of the said vehicles, Plaintiff Maxim Demchak has suffered the following injuries, some or all of which are of a permanent nature.

a. blunt force trauma to head;

b. laceration of the top of head;

c. blunt force trauma to right hand;

d. severe bruise and abrasion to right hand;

e. blunt force trauma to the right rib cage;

f. severe bruising of the right rib cage;

g. blunt force trauma to the left lower leg;

h. severe bruising and abrasions to left lower leg;

i. compression injury to right cervical neck and shoulder;

j. constant and consistent severe compression headaches;

k. extreme pain and suffering resulting from severe compression headaches;

l. mini-stroke due to blood clot immediately below laceration to top of head;

m. right sided weakness;

n. slurred speech, and tongue has deviated to the right;

o. swallowing difficulty;

p. severe drooling;

q. slowed thought process;

r. extreme fatigue;

s. sprain, strain, cuts, abrasions and bruises to referenced parts of body;

t. loss of health, strength, vigor, vitality, and/or physical and mental well being;

u. Severe pain, suffering and humiliation.

8. As a further direct and proximate result of the aforesaid accident, Plaintiff Maxim Demchak has been and will be obliged to receive and undergo medical attention and care and to expend various sums of money and to incur various expenses, which expenses have or may exceed the sums recoverable under the limits set forth in Title 75 Pa.C.S. §1711, and may be obliged to expend such sums or incur such expenditures for an indefinite time into the future.

9. As a further direct and proximate result of this accident, Plaintiff Maxim Demchak has sustained emotional distress over the injuries which he witnessed occurring to the other members of his family, who were passengers in the vehicle.

10. As a further direct and proximate result of the aforesaid accident, Plaintiff

Maxim Demchak has suffered a severe loss of his earnings and an impairment of his earning capacity and powers, which such loss of income and/or impairment of earning capacity has or may exceed the sums recoverable under his policy limits pursuant to Title 75 Pa.C.S. § 1711.

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

COUNT I
MAXIM DEMCHAK
vs.
DOLORES SHOOK

NEGLIGENCE - PERSONAL INJURY

Paragraphs 1 through 11 hereof are incorporated by reference herein as though the same were set forth at length.

12. Defendant Dolores Shook was negligent in the operation of her automobile, which negligence was the direct and proximate cause of the aforesaid collision and the injuries and damages sustained by Plaintiff Maxim Demchak.

13. The negligence of Defendant Dolores Shook was as follows:

a. in traveling at an excessive and dangerous rate of speed under the circumstances then and there existing;

b. in failing to operate her vehicle in her proper lane of travel;

c in traveling over the posted or lawful speed limit;

d. in failing to keep a safe, careful and adequate lookout for other vehicles on the roadway, and particularly those vehicles traveling properly within their lane of travel in a southerly direction, to wit: the Demchak vehicle;

e. in operating her vehicle in a direction toward the Demchak vehicle when she knew or should have known that to do so would result in a violent collision;

f. in failing to take appropriate, proper, timely or other evasive action to avoid the aforesaid collision, despite avenues of evasion being open to her such as turning, braking, or slowing her vehicle;

g. in failing to observe and see the Demchak vehicle which was plainly in front of her in the opposite and appropriate lane of travel;

h. Failing to keep her vehicle under proper and adequate control such that the operator did not avoid striking the Demchak vehicle when the Demchak vehicle was lawfully within its own lane of travel;

i. in failing to warn, signal, or otherwise advise the Demchak vehicle or the Plaintiff that she was going to strike the Demchak vehicle, such as flashing her lights or sounding horn;

j. in failing to maintain, inspect, service, or repair the Shook vehicle to keep it in safe and proper working order;

k. in operating her vehicle in such mental and/or physical condition that it was imprudent, unsafe and hazardous to operate his vehicle;

l. in violating one or more of the provisions of the Motor Vehicle Code.

WHEREFORE, Plaintiff demands that judgement be entered in favor of Plaintiff and against Defendant in an amount in excess of $25,000.00 plus interest and costs of suit.

COUNT II
MAXIM DEMCHAK
VS.
DOLORES SHOOK

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

Paragraphs 1 through 13 are incorporated by reference herein as though the same were set forth at length.

14. As a direct and proximate result of the Defendant's negligence, as aforesaid, and Plaintiff Maxim Demchak's sensory observation of both the collision and the injuries which he sustained and the sensory observation of the injuries about to be and then inflicted on his daughters, son-in-law and granddaughter, Plaintiff Maxim Demchak has experienced severe emotional distress and extreme mental pain and suffering, and injury from loss of sleep, diminution in appetite, shock, frustration and fatigue.

15. As a direct and proximate result of the Defendant's negligence, as aforesaid, and Plaintiff Maxim Demchak's personal and contemporaneous observation of a vehicle approaching head on into his automobile in which he and his two (2) daughters, son-in-law, and granddaughter were passengers, Plaintiff has suffered substantial mental pain and suffering and severe emotional distress, and injury.

WHEREFORE, Plaintiffs demand that judgment be entered in favor of Plaintiff and against Defendant in an amount in excess of $25,000.00, plus interest and costs of suit.

COUNT III
MAXIM DEMCHAK
VS.
DOLORES SHOOK

PROPERTY DAMAGE

Paragraphs 1 through 15 of the Complaint are incorporated by reference as if fully set forth at length.

16. Plaintiff was the owner of a 1990 Volvo 240 DL Station Wagon.

17. As a direct and proximate result of the Defendant's negligence, as aforesaid, Plaintiff's 1990 Volvo 240 DL Station Wagon was completely demolished. The reasonable and necessary costs of replacement was the approximate amount of $7,000.00.

WHEREFORE, Plaintiff demands that judgment be entered in favor of Plaintiff and against Defendant in the amount of $7,000.00, plus interest and costs of suit.

Respectfully submitted,

David R. Thompson, Esquire

VERIFICATION

I certify that the facts set forth in the foregoing **COMPLAINT** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated:

Maxim Demchak

Maxim Demchak

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	Type of Pleading: Motion to Compel
	)	Plaintiff to Submit to a Physical
DOLORES SHOOK,	:	Examination
Defendant	)	Filed on behalf of: Defendant Shook
	:	
	)	Counsel of Record for this Party:
	:	
	)	Joseph P. Green, Esquire
	:	ID. No. 19238
	)	115 East High Street
	:	PO Box 179
	)	Bellefonte, PA 16823
	:	814-355-4769

FILED

OCT 10 2003
M/2:00 (cc)
William A. Shaw
Prothonotary/Clerk of Courts

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

ORDER

AND NOW, this 14th day of October, 2003, upon consideration of the within Motion to Compel Plaintiff to Submit to a Physical Examination, argument is set for the 14 day of November, 2003, at 10:50 o'clock A m., in Courtroom no. 1, of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT:

FILED

OCT 14 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

MOTION TO COMPEL PLAINTIFF TO SUBMIT TO A PHYSICAL EXAMINATION

Now Comes Defendant Dolores Shook, by her attorneys, Lee, Martin, Green & Reiter, Inc., pursuant to Pa. R.C.P. 4010 and respectfully represents:

1. In this civil action Plaintiff seeks recovery for personal injuries sustained in a two-vehicle accident occurring on November 7, 1999 on State Route 53 in Decatur Township, Clearfield County, Pennsylvania.

2. Plaintiff contends that as a result of the accident he suffered a stroke, which caused severe headaches, slurred speech, difficulty swallowing, loss of concentration, and other symptoms.

3. Through discovery proceedings, Defendant has obtained copies of Plaintiff's medical records, to include those of Kevin R. Hargrave, M.D., and Stephen L. Ross, M.D., Plaintiff's treating physicians. Drs. Hargrave and Ross indicate in their letter/report dated February 15, 2001 that they do not believe that Plaintiff's stroke is post-traumatic. A copy of said letter/report is attached as Exhibit "A".

4. Plaintiff's physical condition, to include the personal injuries caused by the accident, is in controversy.

5. Defendant has requested that Defendant submit to a physical examination to be conducted by Carl Ellenberger, M.D., a neurologist, licensed to practice medicine in the Commonwealth of Pennsylvania.

6. Plaintiff has not responded to this request.

7. Defendant has scheduled a physical examination of Plaintiff to be conducted on Tuesday, November 18, 2003 at 2:45 p.m. at Lebanon Valley Center for Sleep Disorders, 1501 East Cumberland Street, Suite 2, Lebanon, Pennsylvania. Said examination is to include a verbal and physical examination of plaintiff and is to address any neurological or other injuries received by Plaintiff in the accident.

WHEREFORE, Defendant respectfully requests Your Honorable Court to direct Plaintiff to submit to a physical examination to be conducted by Carl Ellenberger, M.D. on the above stated date and time and at the above stated location.

LEE, MARTIN, GREEN & REITER, INC.

By: _____

Robert A. Mix, Esq., ID #16164
Attorney for Defendant
115 East High Street
PO Box 179
Bellefonte, PA 16823
814-355-4769

PENNSTATE
The Milton S. Hershey Medical Center
The College of Medicine

Health Information Services

HU24
P.O. Box 850
Hershey, PA 17033-0850

EXHIBIT
A

DENNIS E. LINE, M.D.
977 WALNUT BOTTOM ROAD
CARLISLE, PA 17013

February 15, 2001

Dear Dr. Line:

RE: DEMCHAK, MAXIM MSHMC #: 1029988

It was my pleasure to see Mr. Demchak in follow-up for his left corona radiata stroke which he sustained in 1999. His symptoms of slurred speech and mild swallowing difficulties persist. He feels that his dysarthria is slightly worse going up by 10% or so, but that his swallowing dysfunction is stable.

He denies any focal weakness or numbness or any speech arrest or difficulties other than slurring. His headaches are now gone, and he is off of preventive medication for these as well.

On questioning about new symptoms, he does state that he has left leg fatigue when going up stairs but not otherwise. He denies any muscle fasciculations anywhere, and he denies any cramps. He does possibly have carpal tunnel in the left wrist relating some symptoms of some numbness in the second through fourth digits at times. He denies any hand weakness.

His exam today shows a blood pressure of 110/78 with a heart rate of 80. He weighs 149 pounds. His neurologic exam shows the dysarthria which is stable since my first exam in January. His tongue still shows right-sided deviation with some atrophy. His cranial nerve exam otherwise continues to be normal. His motor examination today shows normal strength in all four extremities. He has 2+ and symmetric reflexes in the arms and knee jerks, but no ankle jerks. In addition, his vibratory sense is decreased in the toes and ankles very slightly. His coordination and gait are unremarkable. He does not have any tremor of his extremities, but he does have a mild titubation type head tremor, which again is chronic and stable.

I have reviewed his brain MRI done on November 21st of 2000 which again shows the small left corona radiata stroke which is actually less prominent than on previous examinations. In addition, his very mild brain atrophy is unchanged. There are no new ischemic lesions or focal abnormalities.

Assessment: Mr. Demchak is a nice man who was in a car accident last November and sustained a mild closed head injury. Approximately a week or so thereafter, he developed a headache syndrome which has now resolved. Some time near his accident, he sustained a left corona

FEB 2001

radiata stroke which I do not feel is post traumatic. It is theoretically possible, although I think very unlikely.

His slurred speech and swallowing dysfunction also came about approximately one week after his accident which is probably around the time of his stroke. It is likely that these problems are both related to his small stroke.

Additional items on the differential include a right 12th cranial nerve problem and/or motor neuron disease. I feel that motor neuron disease is very unlikely given the fact that he has not developed any increasing weakness over the past one year.

Recommendations: I have encouraged him to continue to be on top of secondary stroke prevent items such as blood pressure, cholesterol, and to ensure that he does not have mild type II diabetes especially given the decreased vibratory sense in the feet.

When he obtains additional anticoagulation follow-up, he will request glucose testing as well as cholesterol testing. His LDL should be under 100 and, if it is not, he should be placed on a statin agent.

I have not scheduled any clinic follow-up with him but look forward to speaking with him by telephone concerning the nature of his blood tests if the has the results sent to us. I wished him luck, but, unfortunately, informed him that his speech and swallowing difficulties are likely not reversible, but I also think that they are not going to be progressive. In the future, if this turns out to be untrue, then he will likely need some neurologic follow-up.

Sincerely,

Kevin R. Hargrave, M.D.

Stephen C. Ross, M.D.
Assistant Professor of Medicine

KRH/rmh D: 02/15/2001 T: 02/16/2001 11:46

c: ROBERT M. STEIN, M.D., Ph.D.
1861 WILLIAM PENN WAY
LANCASTER, PA 17601

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Compel Plaintiff to Submit to a Physical Examination was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 9th day of October, 2003 addressed to the following:

David R. Thompson, Esq.
308 Walton Street, Suite 4
PO Box 587
Philipsburg, PA 16866

Robert A. Mix

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

MAXIM DEMCHAK, an individual,	*	
	*	
	*	
	*	No. 01-1800-CD
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK, an individual,	*	
	*	
	*	
Defendant	*	
	*	TYPE OF PLEADING:
	*	Certificate of Service
	*	
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	COUNSEL OF RECORD FOR
	*	THIS PARTY:
	*	David R. Thompson, Esquire
	*	Attorney at Law
	*	Supreme Court 73053
	*	P.O. Box 587
	*	308 Walton Street, Suite 4
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

OCT 15 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION - LAW

MAXIM DEMCHAK, an individual,	*	
	*	
	*	
	*	No. 01-1800-CD
Plaintiff	*	
	*	
vs.	*	
	*	
DOLORES SHOOK, an individual,	*	
	*	
	*	
Defendant	*	

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy of **COMPLAINT**, in the above captioned matter on the following by Prepaid, First Class, United States Mail:

Joseph P. Green, Esquire
LEE, MARTIN, GREEN & REITER, INC.
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

DATE: 10-13-03

BY: _____
David R. Thompson, Esquire

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

MAXIM DEMCHAK,		)
	Plaintiff	: No. 01-1800-CD
		)
vs.		: Type of Pleading: Answer & New Matter
		)
DOLORES SHOOK,		:
	Defendant	) Filed on behalf of: Defendant Shook
		:
		) Counsel of Record for this Party:
		:
		) Robert A. Mix, Esquire
		: ID. No. 16164
		) 115 East High Street
		: PO Box 179
		) Bellefonte, PA 16823
		: 814-355-4769

FILED

NOV 0 4 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

NOTICE TO PLEAD

To the within named Plaintiff:

You are hereby notified to plead to the within NEW MATTER within 20 days of service hereof, or judgment may be entered against you.

LEE, MARTIN, GREEN & REITER, INC.

By: _____

Robert A. Mix, Esq., ID #16164
Attorney for Defendant
115 East High Street
PO Box 179
Bellefonte, PA 16823
814-355-4769

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

ANSWER AND NEW MATTER

Now Comes Defendant Delores Shook by her attorneys, Lee, Martin, Green & Reiter, Inc., and respectfully represents:

1. Admitted.

2. Admitted.

3. Admitted that on the stated date and at the stated time Plaintiff was operating his vehicle in an easterly direction on State Route 53 and that the named persons were passengers in plaintiff's vehicle. The remaining averments are denied. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

4. Admitted.

5. Admitted.

6. Admitted that a collision occurred between plaintiff and defendant's vehicles. The remaining averments are denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

7. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

8. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

9. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

10. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

11. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

COUNT I
MAXIM DEMCHAK vs. DOLORES SHOOK

NEGLIGENCE – PERSONAL PROPERTY

12. Denied generally pursuant to Pa. R.C.P. 1029(e).

13. Denied generally pursuant to Pa. R.C.P. 1029(e).

WHEREFORE, defendant demands judgment in her favor and against plaintiff.

COUNT II
MAXIM DEMCHAK vs. DOLORES SHOOK

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

14. The averments stating that defendant was negligent and that her negligence caused plaintiff's injuries and damages are denied generally pursuant to Pa. R.C.P. 1029(e). The remaining averments are denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

15. The averments stating that defendant was negligent and that her negligence caused plaintiff's injuries and damages are denied generally pursuant to Pa. R.C.P. 1029(e). The remaining averments are denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

WHEREFORE, defendant demands judgment in her favor and against plaintiff.

COUNT III
MAXIM DEMCHAK vs. DOLORES SHOOK

PROPERTY DAMAGE

16. Admitted.

17. The averments stating that defendant was negligent and her negligence caused plaintiff's damages are denied generally pursuant to Pa. R.C.P. 1029(e). The remaining averments are denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

WHEREFORE, defendant demands judgment in her favor and against plaintiff.

NEW MATTER

18. Plaintiff's recovery of damages is restricted, limited or barred by the provisions of Section 1722 of the Pennsylvania Motor Vehicle Financial Responsibility Law (75 Pa. C.S.A. §1722).

19. Plaintiff's recovery of damages is restricted, limited or barred by the provisions of Section 1705 of the Pennsylvania Motor Vehicle Financial Responsibility Law (75 Pa. C.S.A. §1705).

20. A payment of $10,000.00 was made by or on behalf of defendant to plaintiff for his medical expenses.

21. A payment of $7,185.00 was made by or on behalf of Defendant to Plaintiff or his agent for damage to his vehicle.

WHEREFORE, defendant demands judgment in her favor and against plaintiff.

LEE, MARTIN, GREEN & REITER, INC.

By: _____

Robert A. Mix, Esq., ID #16164
Attorney for Defendant
115 East High Street
PO Box 179
Bellefonte, PA 16823
814-355-4769

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

VERIFICATION

Dolores Shook states that she is the defendant; that she is acquainted with the facts set forth in the foregoing responsive pleading; that the same are true and correct to the best of her knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Dolores S Shook
Dolores Shook

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

MAXIM DEMCHAK,	)	
Plaintiff	:	No. 01-1800-CD
	)	
vs.	:	
	)	
DOLORES SHOOK,	:	
Defendant	)	

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Answer and New Matter was deposited in the United States mail, postage prepaid, in Bellefonte, Pennsylvania, on the 3rd day of November, 2003 addressed to the following:

David R. Thompson, Esq.
308 Walton Street, Suite 4
PO Box 587
Philipsburg, PA 16866

Robert A. Mix

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	No. 01-1800-C D
Plaintiff	*	
	*	
vs.	*	TYPE OF CASE:
	*	Civil Matter
DELORES SHOOK,	*	
	*	
	*	
Defendant	*	
	*	TYPE OF PLEADING:
	*	Reply to New Matter
	*	
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	
	*	
	*	COUNSEL OF RECORD FOR THIS
	*	PARTY:
	*	David R. Thompson, Esq.
	*	P.O. Box 587
	*	308 Walton Street, St. 4
	*	Philipsburg PA 16866
	*	(814) 342-4100 PHONE
	*	(814) 342-7081 FAX
	*	Supreme Court ID #73053

FILED

DEC 1 2 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	No. 01-1800-CD
Plaintiff	*	
	*	
vs.	*	
	*	
DELORES SHOOK,	*	
	*	
	*	
Defendant	*	
	*	

REPLY TO NEW MATTER

AND NOW, comes the Plaintiff by and through his attorney, David R. Thompson, Esquire, and files the following Reply to Defendant's New Matter:

Paragraph 1 though 17 of Plaintiff's Complaint are incorporated herein by reference as through the same were set forth at length:

18. Paragraph 18 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied, and strict proof is demanded at the time of trial.

19. Paragraph 19 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied, and strict proof is demanded at the time of trial.

20. It is admitted that a payment of $10,000.00 was made by or on behalf of the Defendant. It is specifically denied that the payment was made directly to Plaintiff for his medical expenses. By way of further pleading, the said payment was made to Plaintiff as

an advance on his final bodily injury settlement.

21. Admitted in part and denied in part. It is admitted that incremental payments totaling $6,840.00 were made to the Plaintiff by his insurance company as reimbursement for his demolished vehicle. It is denied that the personal property claim was completely resolved. By way of further pleading, Plaintiff suffered a net out of pocket loss of $573.00.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to enter judgement in his favor and against the Defendant as stated in his complaint.

Respectfully submitted,

David R. Thompson, Esquire
Attorney for Plaintiff

VERIFICATION

I certify that the facts set forth in the foregoing **REPLY TO NEW MATTER** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated: 11/21/03

Maxim Demchak

Maxim Demchak

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION-LAW

MAXIM DEMCHAK,	*	No. 01-1800-CD
	*	
	*	
Plaintiff	*	
	*	TYPE OF CASE:
vs.	*	Civil Action - Law
	*	
DELORES SHOOK,	*	
	*	
Defendant	*	
	*	TYPE OF PLEADING:
	*	Certificate of Service
	*	
	*	
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	COUNSEL OF RECORD FOR
	*	THIS PARTY:
	*	David R. Thompson, Esquire
	*	Attorney at Law
	*	Supreme Court 73053
	*	P.O. Box 587
	*	308 Walton Street, Suite 4
	*	Philipsburg PA 16866
	*	(814) 342-4100

FILED

DEC 16 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	No. 01-1800-CD
	*	
	*	
Plaintiff	*	
	*	TYPE OF CASE:
vs.	*	Civil Action - Law
	*	
DELORES SHOOK,	*	
	*	
Defendant	*	

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy of **REPLY TO NEW MATTER**, in the above captioned matter on the following by Prepaid, First Class, United States Mail:

Joseph P. Green, Esquire
LEE, MARTIN, GREEN & REITER, INC.
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

DATE: 12-15-03

BY: _____
David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	
Plaintiff	*	No. 2001-1800-CD
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
Defendant	*	
	*	TYPE OF CASE:
	*	Civil Division
	*	
	*	
	*	
	*	TYPE OF PLEADING:
	*	Praecipe to Settle and Discontinue
	*	
	*	FILED ON BEHALF OF:
	*	Plaintiff
	*	
	*	COUNSEL OF RECORD FOR
	*	THIS PARTY:
	*	David R. Thompson, Esquire
	*	Supreme Court I.D. No. 73053
	*	Attorney at Law
	*	P.O. Box 587
	*	308 Walton Street, Suite 4
	*	Philipsburg PA 16866
	*	(814) 342-4100
	*	

FILED
m/11:05 cm
JAN 13 2006

2cc & Cert of disc issued to Atty Thompson
Copy to C/A

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION - LAW

MAXIM DEMCHAK,	*	
	*	
Plaintiffs	*	No. 2001-1800-CD
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
Defendant	*	
	*	

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the above captioned matter as settled and discontinue.

Respectfully submitted,

DATE:

David R. Thompson, Esquire

DAVID R. THOMPSON
ATTORNEY AT LAW

P.O. Box 587
308 Walton Street, Ste. 4
Philipsburg, PA 16866
Phone: 814-342-4100 Fax: 814-342-7081
e-mail: drtlaw@hotmail.com

January 10, 2006

Prothonotary's Office
CLEARFIELD COUNTY COURTHOUSE
230 East Market Street
Clearfield, PA 16830

RE: Maxim Demchak vs. Dolores Shook
No. 2001-1800-CD
AND
Lindsey Demchak, et al., vs. Dolores Shook
No. 2001-1818-CD

To Whom It May Concern:

Enclosed herein please find the Praecipe to Settle and Discontinue regarding the above referenced matters. It would be appreciated if you could file the same and return the true and correct copies to my office in the enclosed envelope. Thank you for your attention herein.

Should you have any questions, please feel free to contact me.

Very truly yours,

THOMPSON LAW OFFICE

David R. Thompson

DRT:jku
Enclosure

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Maxim Demchak

Vs. **No. 2001-01800-CD**

Dolores Shook

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 January 13, 2006, marked:

Settled and Discontinued

Record costs in the sum of $80.00 have been paid in full by David R. Thompson Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 13th day of January A.D. 2006.

_____
William A. Shaw, Prothonotary