

01-1817-CJ
DONALD L. HERB et al -vs- JOHN SHOOK et al

Date: 12/29/2004

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 10:22 AM

ROA Report












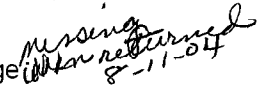





Page 1 of 1

Case: 2001-01818-CD

Current Judge: Fredric Joseph Ammerman

Lindsey Demchak, Derika Feaster vs. Dolores Shook

Civil Other

Date		Judge
11/02/2001	Filing: Praeipce for Writ of Summons Paid by: C. Lee Anderson, Esquire Receipt number: 1833687 Dated: 11/02/2001 Amount: \$80.00 (Check) Two Writs of Summons issued to Sheriff	No Judge 
12/12/2001	Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge 
10/20/2003	Complaint. filed by s/C. Lee Anderson, Esquire Verification s/Lindsey Demchak Certificate of Service no cc	No Judge 
11/04/2003	Answer & New Matter filed by Atty. Mix No cc.	No Judge 
11/17/2003	Reply to New Matter, filed by s/C. Lee Anderson, Esq. No CC	Fredric Joseph Ammerman 
01/05/2004	Certificate of Service, Plaintiff Derika Feaster, c/o Lindsey Demchak, Her Parent and Natural Guardian's, Answers to Defendant's Interrogatories Directed to Plaintiff Derika Feaster, c/o Lindsey Demchak, Her Parent and Natural Guardian upon: ROBERT A. MIX, ESQUIRE. filed by, s/C. Lee Anderson, Esquire no cc	No Judge 
	Certificate of Service, Plaintiff Lindsey Demchak's Answers to Defendant's Interrogatories Directed to Plaintiff Lindsey Demchak upon: Robert A. Mix, Esquire filed by, s/C. Lee Anderson, Esquire no cc	No Judge 
	Certificate of Service, Plaintiffs' Reply to Defendant's Request for Production of Documents upon: Robert A. Mix, Esquire. filed by, s/C. Lee Anderson, Esquire no cc	No Judge 
01/08/2004	Certificate of Service, Request for Production of Documents upon: Robert A. Mix, Esquire. filed by, s/C. Lee Anderson, Esquire	No Judge 
	Certificate of Service, Interrogatories Directed to the Defendant upon: Robert A. Mix, Esquire filed by, s/C. Lee Anderson, Esquire no cc	No Judge 
07/12/2004	Certificate of Service, Plaintiffs Lindsey Demchak's and Derika Feaster's Answers to Defendant's Expert Witness Interrogatories Directed to Plaintiffs Lindsey Demchak and Derika Feaster served upon Robert A. Mix, Esq., filed by s/C. Lee Anderson, Esq. No CC	Fredric Joseph Ammerman 
07/14/2004	Certificate of Readiness, filed by s/C. Lee Anderson Two CC Attorney Anderson	No Judge 
07/29/2004	Order, NOW, this 29th day of July, 2004, date set for Call of Civil List; counsel for both parties having agreed to submit the matter to mediation; upon request of counsel for both parties, Order that the Court Administrator relist the case for the Winter 2005 Term of Court. BY THE COURT: /s/Fredric J. Ammerman, P.J. Two CC Attys: Anderson, Mix	Fredric Joseph Ammerman 
12/08/2004	Praeipce For Entry of Appearance, filed by David R. Thompson, Esquire, on behalf of Plaintiffs. 2CC Atty	Fredric Joseph Ammerman 
12/15/2004	Certificate of Service, copy of Praeipce For Entry of Appearance, by mail on Fredric Joseph Ammerman 12-14-04, upon C. Lee Anderson, Esquire, and Robert A. Mix, Esquire. Filed by s/ David R. Thompson, Esquire. No CC	Fredric Joseph Ammerman 
12/22/2004	Petition for Court Approval of a Minor's Settlement, filed by s/David R. Thompson, Esq. Two CC Attorney Thompson	Fredric Joseph Ammerman 
12/23/2004	ORDER, filed. 2 Cert. to Atty. Thompson NOW, this 23rd day of Dec. , 2004, RE: Petition for Approval of Minor's Settlement in the gross sum of \$20,000.00	Fredric Joseph Ammerman 

SIDDL, ANDERSON & SACKS, LLP
ATTORNEYS AT LAW
2917 NORTH FRONT STREET
17110-1260
HARRISBURG, PENNSYLVANIA
(717) 234-2401

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

JOHN SHOOK AND DOLORES SHOOK,
DEFENDANTS

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

: NO. 01-1818-CD

: CIVIL ACTION - AT LAW
: JURY TRIAL DEMANDED

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

Please issue Writs of Summons for the defendants at the following addresses:

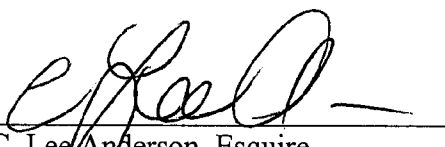
John Shook
673 Nicktown Hill Road
N Cambria, PA 15714

Dolores Shook
673 Nicktown Hill Road
N Cambria, PA 15714

Respectfully submitted,

SMIGEL, ANDERSON & SACKS

Date: Nov 1, 2001


C. Lee Anderson, Esquire
I.D. #: 21315
2917 North Front Street
Harrisburg, PA 17110
(717) 234-2401

Attorneys for Plaintiffs

FILED

NOV 02 2001

William A. Shaw
Prothonotary

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

JOHN SHOOK AND DOLORES SHOOK,
DEFENDANTS

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

: NO. 01-1818-CO

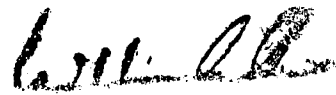
: CIVIL ACTION - AT LAW
: JURY TRIAL DEMANDED

COPY

WRIT OF SUMMONS

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF HAS
COMMENCED AN ACTION AGAINST YOU.



Prothonotary

Date: 11-2-01

Deputy

COPY

FILED

NOV 02 2001

M. B. J. Atty. Anderson

William A. Shaw

Prothonotary

Pd. \$80.00

2 Writs Summons to

Sherrill

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11724

DEMCHAK, LINDSEY ind & as parent & nat. guardian of DERIKA FEASTER 01-1818-CD

VS.

SHOOK,, JOHN & DOLORES

PRAECIPE & SUMMONS

SHERIFF RETURNS

NOW NOVEMBER 8, 2001, BOB KOLAR, SHERIFF OF CAMBRIA COUNTY WAS DEPUTIZED BY CHESTER A .HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN PRAECIPE & SUMMONS ON JOHN SHOOK AND DOLORES SHOOK, DEFENDANTS.

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

Return Costs

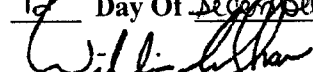
Cost	Description
34.55	SHFF. HAWKINS PAID BY: ATTY.
51.15	SHFF. KOLAR PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED

01/10/03-~~201~~
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
90321-01 DEMCHAK, LINDSEY
DATE 11/15/01

DEFENDANT
SHOOK, JOHN & DOLORES 01-1818

AT 14:20 HRS. SERVED THE COMPLAINT WITH NOTICE TO DEFEND
UPON JOHN AND DOLORES SHOOK BY HANDING TRUE AND ATTESTED
COPIES THEREOF TO THEM PERSONALLY AT 673 NICKTOWN HILL RD.
NORTHERN CAMBRIA PA. AND MAKING CONTENTS THEREOF KNOWN TO
THEM. MY COSTS PAID BY ATTORNEY FOR PLAINTIFF.

SHERIFF COSTS 48.15
PRO 3.00
TOTAL COSTS 51.15

SO ANSWERS,

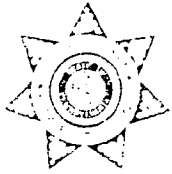
Bob Kolar

BOB KOLAR, SHERIFF

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

PROTHONATARY

Patty Berkebile



CHESTER A. HAWKINS
SHERIFF

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

2001-90321

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

LINDSEY DEMCHAK, Ind.

VS

JOHN SHOOK & DOLORES SHOOK

TERM & NO. 01-1818-CD

SERVE BY: 12/1/01

or

HEARING DATE:

DOCUMENT TO BE SERVED:
COMPLAINT

MAKE REFUND PAYABLE TO: SMIGEL, ANDERSON & SACKS, Attorneys

SERVE: JOHN SHOOK and DOLROES SHOOK

ADDRESS: 673 Nicktown Hill Road, N. Cambria or Spangler, Pa.
15714 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 8th day of NOVEMBER 2001.

Respectfully,


CHESTER A. HAWKINS.
SHERIFF OF CLEARFIELD COUNTY

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

DOLORES SHOOK,

DEFENDANT

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

:
:
: NO. 01-1818-CD

:
: CIVIL ACTION - AT LAW
: JURY TRIAL DEMANDED

N O T I C E

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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Bar Association Lawyer Referral Service
100 South Street, P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

FILED

OCT 20 2003

William A. Shaw
Prothonotary/Clerk of Courts

LINDSEY DEMCHAK, Individually and as	:	IN THE COURT OF COMMON PLEAS
Parent and Natural Guardian of DERIKA	:	OF CLEARFIELD COUNTY,
FEASTER	:	PENNSYLVANIA
PLAINTIFFS	:	
	:	
V.	:	NO. 01-1818-CD
	:	
DOLORES SHOOK,	:	CIVIL ACTION – AT LAW
DEFENDANT	:	JURY TRIAL DEMANDED

COMPLAINT

Now come Plaintiffs Lindsey Demchak, Individually, and as Parent and Natural Guardian of Derika Feaster, by and through their undersigned counsel, Smigel, Anderson & Sacks, LLP, and files the within Complaint, averring as follows:

1. Plaintiff, Lindsey Demchak, is an adult individual residing at 46 Lakepoint Drive, Harrisburg, Lower Paxton Township, Dauphin County, Pennsylvania.

2. Plaintiff, Derika Feaster, is a minor individual residing with her mother and natural guardian, Lindsey Demchak, at 46 Lakepoint Drive, Harrisburg, Lower Paxton Township, Dauphin County, Pennsylvania.

3. Defendant, Dolores Shook, is an adult individual residing at 673 Nicktown Hill Road, Northern Cambria, Cambria County, Pennsylvania.

4. At the time of the accident in question, Plaintiffs were covered under an automobile insurance policy which provided them with the full tort option.

5. The facts and circumstances giving rise to this action occurred at approximately 11:50 a.m., Sunday, November 7, 1999, on State Route 53 in Decatur Township, Clearfield County, Pennsylvania, south of Osceola Mills.

6. At the aforementioned time and place, Plaintiffs were passengers in a 1990 Volvo 240 station wagon owned and driven by Ms. Demchak's father, Maxim Demchak. Mr. Demchak was driving in a southerly direction on State Route 53 at the time.

7. At the aforementioned time and place, Defendant Dolores Shook was driving her vehicle, a 1966 Buick LeSabre, north on State Route 53.

8. Rounding a curve to the right, Mrs. Shook permitted her car to drift left over the double centerline, completely into the southbound lane, whereupon her car struck Mr. Demchak's car head-on, causing Plaintiffs to suffer serious and permanent bodily injuries.

9. The aforementioned collision, and the injuries and damages sustained by the Plaintiffs, as set forth hereafter, were the direct result of the negligence, carelessness and recklessness of the Defendant in that she:

- (a) Failed to keep alert and maintain a proper watch for the presence of other motor vehicles on the roadway;

- (b) Failed to drive her vehicle with due regard for the highway and traffic conditions that were existing and of which she was or should have been aware;

- (c) Failed to keep her vehicle under control;

- (d) Continued to operate her vehicle in a direction towards the vehicle Plaintiffs were in when she saw, or in the exercise of reasonable diligence, should have seen that further operation in that direction would result in a collision;

- (e) Failed to take evasive action to avoid striking the vehicle in front of her;

- (f) Failed to avoid hitting the vehicle the Plaintiffs were in when she saw or should have seen that that vehicle was on the road in full view; and

(g) Failed to drive on the right side of the road in violation of §3301(a) of the Motor Vehicle Code of the Commonwealth of Pennsylvania;

(h) Failed to pass the oncoming car driven by Mr. Demchak, which was proceeding in the opposite direction, to the right in violation of §3302 of the Motor Vehicle Code of the Commonwealth of Pennsylvania;

(i) Failed to keep her vehicle in her lane of traffic as clearly marked on the road in violation of §3309 of the Motor Vehicle Code of the Commonwealth of Pennsylvania;
and

(j) Drove her vehicle in a careless and reckless fashion, in violation of §3714 of the Motor Vehicle Code of the Commonwealth of Pennsylvania;

COUNT I

Lindsey Demchak v. Dolores Shook

10. The allegations of paragraphs 1 through 9 are incorporated herein by reference.

11. As a direct result of this negligence of the Defendant, Plaintiff Lindsey Demchak sustained serious and permanent personal injuries, including but not limited to the following:

- a) Cervical sprain
- (b) Contusions, abrasions, and lacerations to her right hand and both arms
- (c) Contusions and abrasions to both legs
- (d) Post-traumatic stress disorder
- (e) Emotional and psychological impairment
- (f) Permanent scarring on her right hand

12. As a further result of Defendant's negligence, Plaintiff Lindsey Demchak also sustained the following losses and damages:

- (a) Pain and suffering, past, present and future.
- (b) Loss of life's pleasures, past, present and future.
- (c) Unreimbursed medical expenses, past, present and future.

WHEREFORE, Plaintiff Lindsey Demchak demands judgment against Defendant in an amount in excess of this county's mandatory arbitration limits, plus the costs of this action, and any other relief that this Honorable Court deems just and proper.

COUNT II

Lindsey Demchak, Parent and Natural Guardian of Derika Feaster v. Dolores Shook

13. The allegations of paragraphs 1 through 8 are incorporated herein by reference.

14. As a direct result of the negligence of the Defendant, Plaintiff Derika Feaster sustained serious and permanent personal injuries, including, but not limited to the following:

- (a) Fractured right femur
- (b) Multiple head contusions and abrasions

15. As a further result of Defendant's negligence, Plaintiff Derika Feaster also sustained the following losses and damages:

- (a) Pain and suffering, past, present and future.
- (b) Loss of life's pleasures, past, present and future.
- (c) Unreimbursed medical expenses, past, present and future.

WHEREFORE, Plaintiff Lindsey Demchak, Parent and Natural Guardian of Derika Feaster, demands judgment against Defendant in an amount in excess of this county's mandatory

arbitration limits, plus the costs of this action, and any other relief that this Honorable Court
deems just and proper.

Respectfully submitted,

SMIGEL, ANDERSON & SACKS

Date:

Oct 16, 2002

A handwritten signature in cursive script, appearing to read "C. Lee Anderson", written over a horizontal line.

C. Lee Anderson, Esquire

I.D. #: 21315

4431 North Front Street

Harrisburg, PA 17110

(717) 234-2401

Attorneys for Plaintiffs

VERIFICATION

I, Lindsey Demchak, Individually and as Parent and Natural Guardian of Derika Feaster, verify that the statements contained in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

Date: Oct 12, 2003

Lindsey Demchak
Derika Feaster

Lindsey Demchak, Individually and as Parent and
Natural Guardian of Derika Feaster, Plaintiff

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

DOLORES SHOOK,

DEFENDANT

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of the foregoing
Complaint was served upon the following as addressed below by depositing the same in the
United States Mail, first class mail, postage prepaid, at Harrisburg, Pennsylvania on this 16
day of Oct, 2003:

Mrs. Dolores Shook
673 Nicktown Hill Road
Northern Cambria, PA 15714

SMIGEL, ANDERSON & SACKS

Date:

Oct 16, 2003



C. Lee Anderson, Esquire
Supreme Court ID # 21315
4431 North Front Street
Harrisburg, PA 17110
(717) 234-2401

Attorneys for Plaintiff

FILED NO
M 11:30 AM
OCT 20 2003
CL
KEL

William A. Shaw
Prothonotary/Clerk of Courts

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

LINDSEY DEMCHAK, Individually and as)	
Parent & Natural Guardian of Drika	:	
Feaster,)	
	:	No. 01-1818-CD
Plaintiff)	
	:	Type of Pleading: Answer & New Matter
vs.)	
	:	
DOLORES SHOOK,)	Filed on behalf of: Defendant Shook
	:	
Defendant)	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 04 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

LINDSEY DEMCHAK, Individually and as)
Parent and Natural Guardian of DERIKA	: No. 01-1818-CD
FEASTER,)
Plaintiff	: JURY TRIAL DEMANDED
)
vs.	:
)
JOHN SHOOK and DOLORES SHOOK,	:
Defendants)

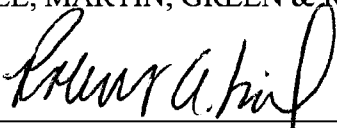
NOTICE TO PLEAD

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

LINDSEY DEMCHAK, Individually and as)	
Parent and Natural Guardian of DERIKA	:	No. 01-1818-CD
FEASTER,)	
	:	JURY TRIAL DEMANDED
Plaintiff)	
	:	
vs.)	
	:	
DOLORES SHOOK,)	
	:	
Defendants)	

ANSWER AND NEW MATTER

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

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

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

3. Admitted.

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

5. Admitted

6. Admitted.

7. Admitted.

8. Admitted that a collision occurred between the vehicles operated by Defendant and Maxim Demchak. The remaining averments are denied. After reasonable investigation, Defendant Shook 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 generally pursuant to Pa. R.C.P. 1029(e).

COUNT I

Lindsey Demchak v. Dolores Shook

10. The averments of paragraphs 1 through 9 above are incorporated herein by reference.

11. The averments of this paragraph stating that Defendant was negligent and that her negligence caused Plaintiff Lindsey Demchak's injuries and damages are denied generally pursuant to Pa. R.C.P. 1029(e).

The remaining averments are denied. After reasonable investigation, Defendant Shook is without knowledge or information sufficient to form a belief as to the truth of the averments and strict proof thereof is demanded.

12. The averments of this paragraph stating that Defendant was negligent and that her negligence caused Plaintiff Lindsey Demchak's injuries and damages are denied generally pursuant to Pa. R.C.P. 1029(e).

The remaining averments are denied. After reasonable investigation, Defendant Shook 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 Lindsey Demchak.

COUNT II

Lindsey Demchak, Parent and Natural Guardian of Derika Feaster v. Dolores Shook

13. The averments of paragraphs 1 through 9 above are incorporated herein by reference.

14. The averments of this paragraph stating that Defendant was negligent and that her negligence caused Plaintiff Derika Feaster's injuries and damages are denied generally pursuant to Pa. R.C.P. 1029(e).

The remaining averments are denied. After reasonable investigation, Defendant Shook 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 of this paragraph stating that Defendant was negligent and that her negligence caused Plaintiff Derika Feaster's injuries and damages are denied generally pursuant to Pa. R.C.P. 1029(e).

The remaining averments are denied. After reasonable investigation, Defendant Shook 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 Plaintiffs Lindsey Demchak and Derika Feaster.

NEW MATTER

16. Plaintiffs' 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).

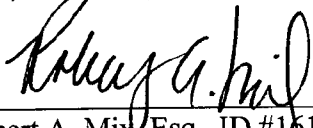
17. Plaintiffs' recovery of damages is restricted, limited or barred by the provisions of Section 1705 of the Pennsylvania Motor Vehicle Financial Responsibility Law (75 Pa. C.S.A. §1705).

18. A payment of \$76.80 was made by or on behalf of Defendant to Plaintiff Lindsey Demchak for her loss of earnings.

WHEREFORE, Defendant demands judgment in her favor and against Plaintiffs Lindsey Demchak and Derika Feaster.

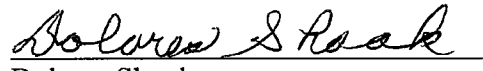
LEE, MARTIN, GREEN & REITER, INC.

By: _____


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

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 Shook

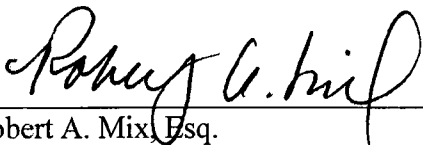
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION – LAW

LINDSEY DEMCHAK, Individually and as)	
Parent and Natural Guardian of DERIKA	:	No. 01-1818-CD
FEASTER,)	
	:	JURY TRIAL DEMANDED
Plaintiff)	
	:	
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:

C. Lee Anderson, Esquire
Smigel, Anderson & Sacks, LLP
River Chase Office Center
4431 North Front Street
Harrisburg, PA 17110



Robert A. Mix, Esq.

³⁰ FILED No
cc
NOV 11 2003

William A. Shaw
Prothonotary/Clerk of Courts

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

JOHN SHOOK AND DOLORES SHOOK,
DEFENDANTS

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

FILED

NOV 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

REPLY TO NEW MATTER

NOW COMES the Plaintiff Lindsey Demchak, by her attorneys Smigel, Anderson & Sacks, L.L.P. and makes the following Reply to New Matter:

16. Denied. Plaintiff's claim is subject to the provisions of the Pennsylvania Motor Vehicle Financial Responsibility law, however, proof that her recovery of damages is restricted, limited, or barred is hereby demanded.

17. Denied. Plaintiff's claim is subject to the provisions of the Pennsylvania Motor Vehicle Financial Responsibility law, however, proof that her recovery of damages is restricted, limited, or barred is hereby demanded.

18. Admitted.

WHEREFORE, Plaintiff demands judgment against Defendant as set forth in her Complaint.

Date: Nov 13 2003

SMIGEL, ANDERSON & SACKS

By: C. Lee Anderson
C. Lee Anderson, Esquire
I.D. #: 21315
4431 North Front Street
Harrisburg, PA 17110
(717) 234-2401
Attorneys for Plaintiff

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

JOHN SHOOK AND DOLORES SHOOK,
DEFENDANTS

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

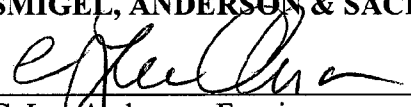
CERTIFICATE OF SERVICE

I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of the foregoing
Reply to New Matter was served upon the following as addressed below by depositing the same
in the United States Mail, first class mail, postage prepaid, at Harrisburg, Pennsylvania on this
13 day of Nov, 2003:

Robert A. Mix, Esquire
Lee, Martin, Green & Reiter, Inc.
115 East High Street
P.O. Box 179
Bellefonte, PA 16823-0179

SMIGEL, ANDERSON & SACKS

Date: Nov 13, 2003

By: 
C. Lee Anderson, Esquire
I.D. #: 21315
4431 North Front Street
Harrisburg, PA 17110
(717) 234-2401
Attorneys for Plaintiff

FILED
NOV 14 2003
NOV 17 2003

William A. Shaw
Prothonotary/Clerk of Courts

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

Plaintiffs

V.

DOLORES SHOOK,

Defendant

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

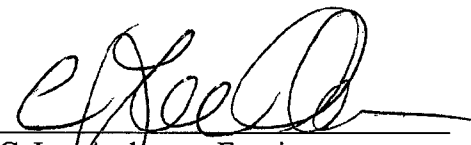
I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of Plaintiff
Derika Feaster, c/o Lindsey Demchak, Her Parent and Natural Guardian's, Answers to
Defendant's Interrogatories Directed to Plaintiff Derika Feaster, c/o Lindsey Demchak,
Her Parent and Natural Guardian, was served upon the following as addressed below by
Depositing the same in the United States Mail, first class, postage prepaid, at
Harrisburg, Pennsylvania on January 3, 2004.

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

Smigel, Anderson & Sacks

Date: Jan 3, 2004

By:



C. Lee Anderson, Esquire

ID# 21315

4431 North Front Street
Harrisburg, PA 17110-1709
(717) 234-2401

Attorneys for Plaintiffs

FILED

JAN 05 2004

William A. Shaw
Prothonotary/Clerk of Courts

FILED No CC

71:5081
JAN 05 2004

William A Shaw

Prothonotary/Clerk of Courts

[Handwritten signature]

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

Plaintiffs

V.

DOLORES SHOOK,
Defendant

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of Plaintiff
Lindsey Demchak's Answers to Defendant's Interrogatories Directed to Plaintiff Lindsey
Demchak, individually, was served upon the following as addressed below by depositing the
same in the United States Mail, first class, postage prepaid, at Harrisburg, Pennsylvania on
January 3, 2004.

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

Smigel, Anderson & Sacks

Date:

Jan 3, 2004

By:



C. Lee Anderson, Esquire

ID# 21315

4431 North Front Street
Harrisburg, PA 17110-1709
(717) 234-2401

Attorneys for Plaintiffs

FILED

JAN 05 2004

William A. Snow
Prothonotary, Clerk of Courts

FILED

M/1:52 PM
JAN 05 2004

William A. Shaw
Prothonotary/Clerk of Courts

No cc
[Signature]

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

Plaintiffs

V.

DOLORES SHOOK,

Defendant

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of the Plaintiffs' Reply to Defendant's Request for Production of Documents was served upon the following as addressed below by depositing the same in the United States Mail, first class, postage prepaid, at Harrisburg, Pennsylvania on January 3, 2004.

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

Smigel, Anderson & Sacks

Date:

Jan 3, 2004

By:



C. Lee Anderson, Esquire

ID# 21315

4431 North Front Street

Harrisburg, PA 17110-1709

(717) 234-2401

Attorneys for Plaintiffs

FILED

JAN 05 2004

William A. Shaw
Prothonotary/Clerk of Courts

FILED No
JAN 11 2004
JAN 05 2004

William A. Shaw
Prothonotary/Clerk of Courts

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

PLAINTIFFS

V.

DOLORES SHOOK,

DEFENDANT

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

: NO. 01-1818-CD

: CIVIL ACTION - AT LAW
: JURY TRIAL DEMANDED


CERTIFICATE OF SERVICE

I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of the foregoing
Request for Production of Documents was served upon the following as addressed below by
depositing the same in the United States Mail, first class mail, postage prepaid, at Harrisburg,
Pennsylvania on this 5 day of January, 2004:

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

SMIGEL, ANDERSON & SACKS

Date: Jan 5, 2004


C. Lee Anderson, Esquire
Supreme Court ID # 21315
4431 North Front Street
Harrisburg, PA 17110
(717) 234-2401
Attorneys for Plaintiffs

FILED No
m 115724
JAN 08 2004
a
221

William A. Shaw
Prothonotary/Clerk of Courts

LINDSEY DEMCHAK, Individually and as	:	IN THE COURT OF COMMON PLEAS
Parent and Natural Guardian of DERIKA	:	OF CLEARFIELD COUNTY,
FEASTER	:	PENNSYLVANIA
PLAINTIFFS	:	
	:	
V.	:	NO. 01-1818-CD
	:	
DOLORES SHOOK,	:	CIVIL ACTION – AT LAW
DEFENDANT	:	JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

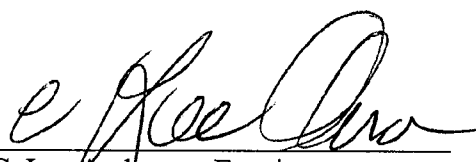
I, C. Lee Anderson, Esquire, hereby certify that a true and correct copy of the foregoing Interrogatories Directed to the Defendant was served upon the following as addressed below by depositing the same in the United States Mail, first class mail, postage prepaid, at Harrisburg, Pennsylvania on this 5 day of January, 2004:

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

SMIGEL, ANDERSON & SACKS

Date:

Jan 5, 2004


 C. Lee Anderson, Esquire
 Supreme Court ID # 21315
 4431 North Front Street
 Harrisburg, PA 17110
 (717) 234-2401
 Attorneys for Plaintiffs

No
 m115784 CC
 JAN 8 2004
 E
 KES
 PA JUDICIAL BRANCH
 CLEARFIELD COUNTY COURTS

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER

Plaintiffs

V.

DOLORES SHOOK,

Defendant

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

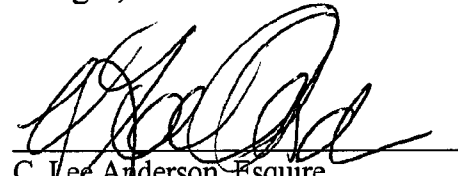
I, C. Lee Anderson , Esquire, hereby certify that a true and correct copy of the Plaintiffs
Lindsey Demchak's and Derika Feaster's Answers to Defendant's Expert Witness Interrogatories
Directed to Plaintiffs Lindsey Demchak and Derika Feaster was served upon the following as
addressed below by depositing the same in the United States Mail, first class, postage prepaid, at
Harrisburg, Pennsylvania on July 9, 2004.

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

Smigel, Anderson & Sacks

Date: July 9, 2004

By:



C. Lee Anderson, Esquire

ID#21315

4431 North Front Street

Harrisburg, PA 17110-1709

(717) 234-2401

Attorneys for Plaintiffs

FILED

m/10-3884
JUL 12 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

LINDSEY DEMCHAK, indiv. and as:

Parent and Natural Guardian of:

DERIKA FEASTER :

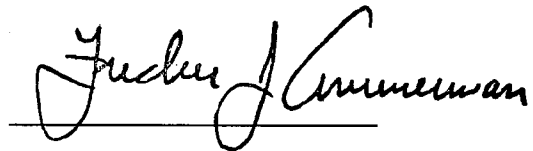
VS. : NO. 01-1818-CD

DOLORES SHOOK :

O R D E R

NOW, this 29th day of July, 2004, this being the date set for Call of the Civil List; counsel for both parties having agreed to submit the matter to mediation; and upon request of counsel for both parties, it is the ORDER of this Court that the Court Administrator relist the case for the Winter 2005 Term of Court.

BY THE COURT:



President Judge

FILED

JUL 29 2004

William A. Shaw
Prothonotary/Clerk of Courts

FILED Rec Atty: Anderson
8/3/03 ~~8/3/03~~ M:Y
JUL 29 2004
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION LAW

LINDSEY DEMCHAK, Individually and as Parent *
and Natural Guardian of DERIKA FEASTER, *
Plaintiffs *

VS. *

DOLORES SHOOK, *

Defendant *

No. 01-1818-CD

TYPE OF CASE:
Civil Action - Law

TYPE OF PLEADING:
Praecipe for Entry of
Appearance

FILED ON BEHALF OF:
Plaintiffs

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
DEC 08 2004

William A. Shaw
Prothonotary/Clerk of Courts

EBV
2cc
Amy
copy to CLA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

LINDSEY DEMCHAK, Individually and as	*	No. 01-1818-CD
Parent and Natural Guardian of DERIKA	*	
FEASTER,	*	
	*	
Plaintiffs	*	
	*	
vs.	*	
	*	
DOLORES SHOOK,	*	
	*	
Defendant	*	
	*	

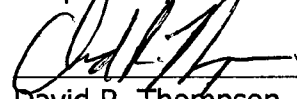
PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance in the above-captioned matter on behalf of the Plaintiffs

LINDSEY DEMCHAK, Individually and as Parent and Natural Guardian of Derika Feaster.

Respectfully submitted,



David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

LINDSEY DEMCHAK, individually and as
parent and natural guardian of
DERIKA FEASTER,

Plaintiffs

vs.

DOLORES SHOOK,

Defendants

No. 01-1818-CD

TYPE OF CASE:
Civil Court

TYPE OF PLEADING:
Certificate of Service

FILED ON BEHALF OF:
Defendant

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 15 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

LINDSEY DEMCHAK, individually and as
parent and natural guardian of
DERIKA FEASTER,

Plaintiffs

VS.

DOLORES SHOOK,

Defendants

*
*
*
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*
*
*
*
*
*

No. 01-1818-CD

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **PRAECIPE FOR ENTRY OF APPEARANCE**, in the above captioned matter has been served upon the person indicated below, by placing the same in the United States First Class Mail, postage prepaid and addressed as follows:

C. Lee Anderson, Esquire
SMIGEL ANDERSON & SACKS
River Chase Office Center, 3rd Floor
4431 North Front Street
Harrisburg PA 17110-1709

Robert A. Mix, Esquire
LEE GREEN & REITER
115 E High Street
PO Box 179
Bellefonte PA 16823-0179

DATE: 12-14-04

BY: 
David R. Thompson, Esquire

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER,

Plaintiffs

V.

DOLORES SHOOK,

Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO. 01-1818-CD

CIVIL ACTION – AT LAW
JURY TRIAL DEMANDED

HONORABLE FREDERIC J.
AMMERMAN

ORDER

AND NOW THIS 23 day of December, 2004, upon consideration of the Petition for Approval of Minor's Settlement, it is hereby ordered that the Petitioner is authorized to enter into a settlement in the gross sum of \$20,000.00. Petitioner is authorized to sign a release and to mark the matter settled, discontinued and ended as to the above Defendant.

The settlement amount shall be distributed as follows:

TO: Smigel, Anderson, & Sacks, attorneys at law, \$4,000.00 for counsel fees;

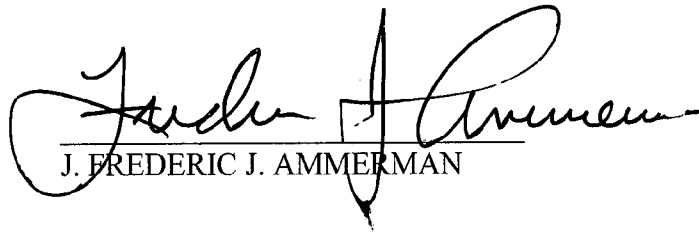
TO: Smigel, Anderson, & Sacks, attorneys at law, \$481.19 for reimbursement of costs;

TO: Lindsey Demchak, as Parent and Natural Guardian of Derika Feaster, a minor, \$15,518.81, to be deposited into a restricted, federally insured account marked "No withdrawals prior to age 18 without prior court approval."

TOTAL AMOUNT OF DISTRIBUTION: \$ 20,000.00.

Counsel shall provide to the Court within ten (20) days from the date of this order proof of such deposit.

BY THE COURT:


J. FREDERIC J. AMMERMAN

FILED
16:54
DEC 23 2004
Thompson

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER, Plaintiff

vs.

DOLORES SHOOK,

Defendant

*
*
*
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*
*
*

No. 01-1818-CD

ORDER

On this the _____ day of _____, 2004, upon consideration of the Notice of Petition for Court Approval of a Minor's Settlement it is hereby ORDERED AND DECREED that a Conference is scheduled the _____ day of _____, 2004 at _____ a.m./p.m. in Courtroom No. _____ of the Clearfield County Courthouse, Clearfield, Pennsylvania, to show cause as to why said Petition should be granted.

J.

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER,

Plaintiffs

V.

DOLORES SHOOK,

Defendant

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

: NO. 01-1818-CD

: CIVIL ACTION – AT LAW
: JURY TRIAL DEMANDED

: HONORABLE FREDERIC J.
: AMMERMAN

FILED 2 CC
019:2784 Ally
DEC 22 2004 Thompson
William A. Shaw
Prothonotary/Clerk of Courts

PETITION FOR COURT APPROVAL OF A MINOR'S SETTLEMENT

TO THE HONORABLE FREDERIC J. AMMERMAN, THE JUDGE OF THE SAID COURT:

The Petition of Derika Feaster, a Minor, by Lindsey Demchak, her Parent and Natural Guardian, and by and through their attorneys, SMIGEL, ANDERSON & SACKS, and David R. Thompson, Esquire, respectfully represents:

1. Derika Feaster is a minor individual (date of birth - January 23, 1992), who resides with her mother, Lindsey Demchak, at 46 Lakepoint Drive, Lower Paxton, Dauphin County, Pennsylvania.

2. Your Petitioner, Lindsey Demchak, is the parent and natural guardian of Derika Feaster. Your Petitioner has sole legal custody of her daughter per the order of the Probate and Family Court, Suffolk Division, Commonwealth of Massachusetts, 24 New Chardon Street, Boston, Massachusetts, said order having been entered on May 20, 1999, in Lindsey Demchak v. Derrick Feaster, Docket No. 99W0178.

3. Derika Feaster was injured in an automobile accident which occurred on November 7, 1999. She sustained several injuries, with the most serious injury being a fracture of her left femur about two inches above her knee.

4. Derika Feaster's cause of action against the Defendant is based on the Defendant's negligent driving, which resulted in a head on collision between the vehicle in which Derika was a passenger and the Defendant's vehicle.

5. Defendant is insured for the accident in question under a policy issued by Erie Insurance Company with liability limits of \$300,000.00. There are four (4) other claimants.

6. Defendant has vigorously contested and defended this action, citing the fact that the Minor Plaintiff has reached a full recovery from her injuries.

7. Defendant has offered to settle Minor Plaintiff's claim against them for the payment of \$20,000.00.

8. The minor plaintiff has achieved a full physical recovery from her injuries.

9. Your Petitioner, after consultation with counsel, believes that a settlement for said amount is fair and reasonable, given the injuries sustained, the recovery achieved and the risks and costs involved in proceeding to trial.

10. If approved by this Honorable Court, the settlement proceeds would be distributed as follows:

Smigel, Anderson & Sacks - attorneys' fees (20%)	\$4,000.00
Smigel, Anderson & Sacks - costs advanced	481.19

The balance of the settlement proceeds, \$15,518.8, would be deposited in a savings account in the name of the minor in a bank, building and loan association, savings and loan association or credit union, deposits in which are insured by a Federal governmental agency. No withdrawal can be made from such account until the minor attains majority, except as authorized by a prior order of the court. Proof of the deposit shall be promptly filed of record. Said distribution is specifically allowed pursuant to Pa.R.C.P. No. 2039(b)(2).

11. Your Petitioner believes that the aforementioned settlement would be in the best interests of Derika Feaster as it is a fair and reasonable amount and arises from a mediation hearing held between the Minor Plaintiff, Your Petitioner and the Defendant.

WHEREFORE, your Petitioner prays that this Honorable Court issue an Order approving the foregoing settlement and distribution, and authorizing her to execute a good and sufficient Release to the Defendant in this action.

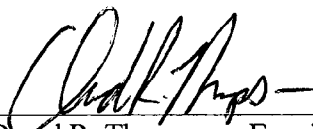
Respectfully submitted,

Smigel, Anderson & Sacks

C. Lee Anderson, Esquire
ID#: 21315
4431 North Front Street
Harrisburg, PA 17110-1709
(717) 234-2401

Date: 12-20-04

By:


David R. Thompson, Esquire
ID#: 73053
308 Walton Street
Philipsburg, PA 16866

Attorneys for Plaintiffs

7/2/99

Suffolk Division

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Docket No. 99W0178

Judgment of Paternity

(3)

Lindsey Demchak, Plaintiff

Derrick Feaster, Defendant

All persons having been notified in accordance with law and after hearing, it is ordered and adjudged:

1. ☒ the defendant is the father of Derika B. Feaster
born on June 9, 1998

2. ☒ the plaintiff - defendant - have care and custody of the minor child

3. ☐ the plaintiff - defendant - be granted the following visitation rights:

4. ☐ the plaintiff - defendant - is ordered to make support payments in accordance with the order of support issued this date

5. ☐ the plaintiff - defendant - is ordered to maintain/provide group health insurance benefits for the minor child in accordance with the order issued this date

6. ☐ the plaintiff - defendant - is hereby prohibited from imposing any restraint on the personal liberty of the plaintiff - defendant - and minor child

7. ☒ Issue of support remains open

8. ☐ It is the further order of this court that the birth record be amended to add the name of _____ as the father of the minor child.

All until further order of the court.

Date MAY 20 1999

Theresa M. Burke
Justice of the Probate and Family Court

Suffolk, S.S. (date) Probate Court

A true copy, Certified:

Richard Jannelli
Register
NOV 16 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER, Plaintiffs

vs.

DOLORES SHOOK,

Defendant

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*

No. 01-1818-CD

CERTIFICATE OF SERVICE

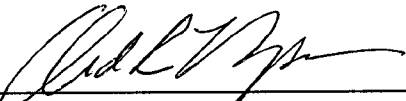
TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy
of **PETITION FOR COURT APPROVAL OF A MINOR'S SETTLEMENT**, in the above
captioned matter on the following by Prepaid, First Class, United States Mail:

Robert A. Mix, Esquire
115 East High Street
P.O. Box 179
Bellefonte, PA 16823

DATE: 12/22/04

BY:


David R. Thompson, Esquire

LINDSEY DEMCHAK, Individually and as
Parent and Natural Guardian of DERIKA
FEASTER,

Plaintiffs

V.

DOLORES SHOOK,

Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO. 01-1818-CD

CIVIL ACTION - AT LAW
JURY TRIAL DEMANDED

HONORABLE FREDERIC J.
AMMERMAN

ORDER

AND NOW THIS 23 day of December, 2004, upon consideration of the Petition for Approval of Minor's Settlement, it is hereby ordered that the Petitioner is authorized to enter into a settlement in the gross sum of \$20,000.00. Petitioner is authorized to sign a release and to mark the matter settled, discontinued and ended as to the above Defendant.

The settlement amount shall be distributed as follows:

TO: Smigel, Anderson, & Sacks, attorneys at law, \$4,000.00 for counsel fees;

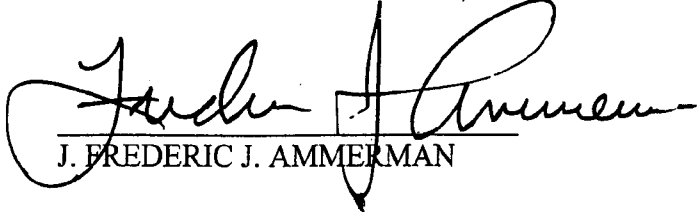
TO: Smigel, Anderson, & Sacks, attorneys at law, \$481.19 for reimbursement of costs;

TO: Lindsey Demchak, as Parent and Natural Guardian of Derika Feaster, a minor, \$15,518.81, to be deposited into a restricted, federally insured account marked "No withdrawals prior to age 18 without prior court approval."

TOTAL AMOUNT OF DISTRIBUTION: \$ 20,000.00.

Counsel shall provide to the Court within ten (20) days from the date of this order proof of such deposit.

BY THE COURT:


J. FREDERIC J. AMMERMAN

#5-Chang
Jury trial as

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

CIVIL DIVISION - LAW

LINDSEY DEMCHAK, ET AL.,

Plaintiffs

vs.

DOLORES SHOOK,

Defendant

No. 2001-1818-CD

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 2001 CoA of
m/11:05am disc issued to
JAN 13 2006 (Lm) Atty Thompson
Copy to C/A

William A. Shaw
Prothonotary

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

CIVIL DIVISION - LAW

LINDSEY DEMCHAK, ET AL.,

Plaintiffs

vs.

DOLORES SHOOK,

Defendant

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No. 2001-1818-CD

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the above captioned matter as settled and discontinue.

DATE:

Respectfully submitted,



David R. Thompson, Esquire

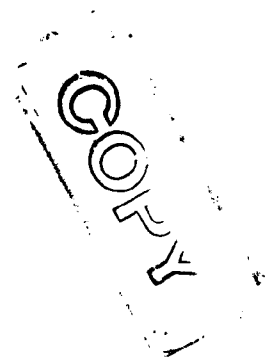
**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

**Lindsey Demchak
Derika Feaster**

**Vs.
Dolores Shook**

No. 2001-01818-CD



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 C. Lee Anderson 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