

01-1916-CD
RALPH A. WOLFE et al -vs- DAVID N. DRAKE et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-VS-

DAVID N. DRAKE and VICKY L.
DRAKE, Co-Administrators of the
Estate of KATHY L. DRAKE,
Deceased,

Defendants

CIVIL DIVISION

NO: 01-1916-CO

COMPLAINT

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED

NOV 20 2001

William A. Shaw
Prothonotary

NOTICE TO DEFEND

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

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

COURT ADMINISTRATOR OF CLEARFIELD COUNTY
ONE NORTH SECOND STREET
CLEARFIELD, PA 16830
814-765-2641

COMPLAINT

AND NOW COME the Plaintiffs, **RALPH A. WOLFE AND PEGGY WOLFE**, by and through their attorneys **PETER J. MANSMANN, ESQUIRE AND FRANK M. MOORE, ESQUIRE of MANSMANN & MOORE**, filing the following Amended Complaint in Civil Action:

1. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, residing at RD3, Box 136, Tyrone, PA 16686, County of Blair, are parents of their deceased son, Kenneth J. Wolfe, who died on December 18, 1999.
2. On May 24, 2000, Plaintiffs Ralph A. Wolfe and Peggy Wolfe were appointed Administrators of the Estate of Kenneth J. Wolfe by the Register of Wills of Blair County at No. 2000-00290.
3. Plaintiffs, Ralph A. Wolfe and Peggy Wolfe, are the only persons entitled to recover damages in this wrongful death and survival action.
4. Defendants, David N. Drake and Vicky L. Drake, Co-Administrators of the Estate of Kathy L. Drake, reside at 8100 Ramsburg Road, Thurmont, MD 21788.

COUNT I - WRONGFUL DEATH RALPH A. WOLFE AND PEGGY WOLFE IN THEIR OWN RIGHT

5. Plaintiffs incorporate by reference paragraphs 1 through 5 of this Complaint.
6. On December 18, 1999, Decedent Kathy L. Drake operated a vehicle at an excessive rate of speed around a bend on North S.R. 0453, in Gulich Township, Pennsylvania. She lost control, left the roadway, and struck a tree. Decedent, Kenneth J. Wolfe, was a rear seated passenger who died later that night at Conemaugh Hospital.
7. Kenneth J. Wolfe died on December 18, 1999 as a result of a subarachnoid hemorrhage, subdural hematoma and blunt force trauma suffered in that motor

vehicle accident.

8. Kenneth J. Wolfe's injuries and death, and Ralph A. Wolfe and Peggy Wolfe's damages were the direct and proximate result of the Decedent Kathy L. Drake's negligence, carelessness, and recklessness as listed in the following lettered particulars:

- a. In driving the vehicle at an excessive, dangerous, and reckless rate of speed;
- b. In failing to keep the vehicle under proper control;
- c. In allowing the vehicle to exit the roadway;
- d. In failing to use due care and in acting without due regard for the rights and safety of her passengers;
- e. In continuing to operate the vehicle in a reckless and dangerous manner after beginning to lose control of the vehicle;
- f. In failing to operate the brakes in such a manner that the vehicle could round the bend in the roadway properly and without leaving the roadway; and
- g. In failing to observe the condition of the roadway.

9. There were no highway defects which may have contributed to this collision and there were no pre-existing mechanical defects discovered upon inspection of the vehicle.

10. Ralph A. Wolfe and Peggy Wolfe are entitled to recover damages for Kenneth J. Wolfe's wrongful death and have suffered the following damages:

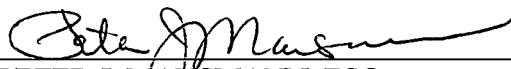
- a. They have expended money for funeral and estate expenses because of the death of Kenneth J. Wolfe;

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendants for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS and costs.

COUNT II - SURVIVAL ACTION
RALPH A. WOLFE AND PEGGY WOLFE, ADMINISTRATORS OF THE
ESTATE OF KENNETH J. WOLFE, DECEASED

11. Plaintiffs incorporate by reference paragraphs 1 through 11 of this Complaint.
12. As a result of the previously described negligent conduct of the Decedent Kathy L. Drake, Plaintiffs, as the Administrators of the estate of Kenneth J. Wolfe, seek damages for the following items:
 - a. The physical pain, and mental anguish which Kenneth J. Wolfe suffered up to the time of his death;
 - b. Loss of Kenneth J. Wolfe's earnings during his expected lifetime less the cost of his maintenance; and
 - c. Monies expended for medical services and supplies incident to the treatment and subsequent death of the decedent, Kenneth J. Wolfe.

WHEREFORE, Plaintiffs Ralph A. Wolfe and Peggy Wolfe, Administrators of the Estate of Kenneth J. Wolfe, deceased, demands judgment against the Defendants for a sum in excess of TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS.

BY: 
PETER J. MANSMANN, ESQ.
PA I.D.#: 11494
FRANK M. MOORE, ESQ.
PA I.D.#: 60039


MANSMANN & MOORE
220 Grant Street
Pittsburgh, PA 15219
Tele: 412-232-0661
Fax: 412-232-0233

VERIFICATION

I am the attorney of record for plaintiff and am authorized to make this verification on plaintiff's behalf. I made this verification because the statement in this petition are uniquely known to me based on personal knowledge, information, and belief.

I verify that the statement made in this petition are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Respectfully Submitted,


Peter J. Mansmann, Esquire
Attorney for Plaintiff

Dated: November 20, 2001

FILED

NOV 28 2001

W
01/10/35 *W*
William A. Shaw
Prothonotary

pd 680.00
McAtty Maxmum

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

DAVID N. DRAKE and VICKY L.
DRAKE, Co-Administrators of the
Estate of KATHY L. DRAKE,
Deceased,

Defendants

CIVIL DIVISION

NO: 01-1916-CD

AFFIDAVIT OF SERVICE

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219


Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED

DEC 11 2001


m | 10:55 am
William A. Shaw
Prothonotary *nace*



AFFIDAVIT OF SERVICE


COMMONWEALTH OF PENNSYLVANIA)
)
ALLEGHENY COUNTY) SS:

BEFORE ME, a Notary Public, in and for the above County and Commonwealth, personally appeared, Peter J. Mansmann, Esquire, who being duly sworn according to law, deposes and says that a true and correct copy of a Complaint in Civil Action was served upon the Defendant, David N. Drake, at 8100 Ramsburg Road, Thurmont, MD 21788, Certified Mail No. 7000 1530 0005 1877 2835, return receipt requested. A true and correct copy of said Return Receipt is attached hereto and marked Exhibit "A".

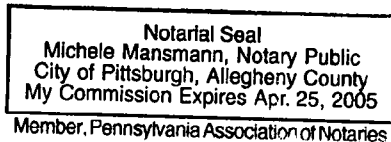

Peter J. Mansmann, Esquire

SWORN TO and subscribed

before me this 4 day
of December, 2001.



Notary Public



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

David N. Drake
8100 Ramsburg Road
Thurmont, MD 21788

COMPLETE THIS SECTION ON DELIVERYA. Received by (Please Print Clearly) B. Date of Delivery
12-1-01C. Signature
x Vicki & Drake ☐ Agent
☐ AddresseeD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 1530-0005 1877 2835

PS Form 3811, July 1999 Domestic Return Receipt

102595-99-M-17E

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
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individuals in their own right,

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DRAKE, Co-Administrators of the
Estate of KATHY L. DRAKE,
Deceased,

Defendants

CIVIL DIVISION

NO: 01-1916-CD

AFFIDAVIT OF SERVICE

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

JURY TRIAL DEMANDED.

FILED

DEC 11 2001

mjb/ss am nccc

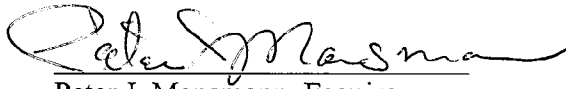
William A. Shaw
Prothonotary



AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA)
) SS:
ALLEGHENY COUNTY)

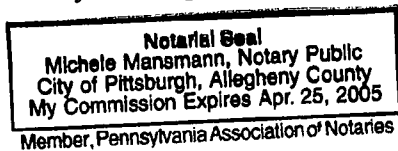
BEFORE ME, a Notary Public, in and for the above County and Commonwealth, personally appeared, Peter J. Mansmann, Esquire, who being duly sworn according to law, deposes and says that a true and correct copy of a Complaint in Civil Action was served upon the Defendant, Vicky L. Drake, at 8100 Ramsburg Road, Thurmont, MD 21788, Certified Mail No. 7000 1530 0005 1877 2828, return receipt requested. A true and correct copy of said Return Receipt is attached hereto and marked Exhibit "A".


Peter J. Mansmann, Esquire

SWORN TO and subscribed

before me this 4 day
of December, 2001.


Notary Public



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vicky L. Drake
800 Ramsburg Road
Thurmont, MD 21788

COMPLETE THIS SECTION ON DELIVERY

Received by (Please Print Clearly)

B. Date of Delivery
12-1-01

Signature
X Vicky Drake

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

7000 1530 0005 1877 0828

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RALPH A. WOLFE, as Administrator
of the Estate of Kenneth J. Wolfe,
deceased and Ralph A. Wolfe and
Peggy Wolfe, his wife, as individuals
in their own right,

Plaintiffs

vs.

No. 01-1916 CD

DAVID N. DRAKE and VICKY L.
DRAKE, co-Administrators of
the Estate of Kathy L. Drake,
deceased,

Defendants

ENTRY OF APPEARANCE

Please enter my appearance for Defendants in the above matter. Papers
may be served at the address listed below.

DEMAND FOR JURY TRIAL

Pursuant to Rule 1007.1 of the Pennsylvania Rules of Civil Procedure, as
amended, a Jury Trial is demanded on all issues raised by the pleadings in this
action.

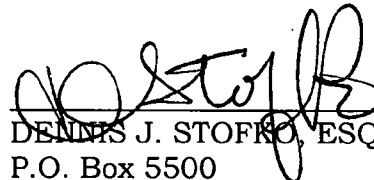
I certify this Entry of Appearance and Demand for Jury Trial shall be served
forthwith by ordinary mail upon all parties.

FILED

DEC 17 2001

m/134/noce
William A. Shaw
Prothonotary

WAS



DENNIS J. STOFKO, ESQUIRE
P.O. Box 5500
Johnstown, Pa. 15904
814 262-0064
ID 27638

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, as Administrator
of the Estate of Kenneth J. wolfe,
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No. 01-1916-CD

DAVID N. DRAKE and VICKY L.
DRAKE, co-Administrators of
the Estate of Kathy L. Drake,
deceased,

Defendants

ANSWER AND NEW MATTER
Counsel of record for this party:
Dennis J. Stofko, Esquire
P.O. Box 5500
Johnstown, Pa. 15904
814 262-0064
ID27638

TO THE PLAINTIFFS:

You are hereby notified to reply to the
enclosed New Matter within 20 days
of service hereof or a default judgment
may be entered against you.

FILED

DEC 27 2001

m/11/19/2000

William A. Shaw
Prothonotary

(Ewas)

ANSWER AND NEW MATTER

NOW COME the Defendants by and through counsel, Dennis J. Stofko and files the following Answer and New Matter.

1. Admitted.

2. Admitted.

3. Denied. After reasonable investigation, Defendants are without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

4. Admitted.

5. Denied. See previous Answers.

6. Denied. It is specifically denied that the decedent, Kathy L. Drake operated the vehicle that was involved in the motor vehicle accident on December 18, 1999. To the contrary, at all times material herein based on information and belief, the Defendants aver that decedent, Kenneth J. Wolfe was the operator of the motor vehicle.

7. Admitted.

8. Denied. Paragraph 8 contains a conclusion of law to which no responsive pleading is required.

9. Denied. After reasonable investigation, Defendants are without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

10. Denied. It is specifically denied that Ralph A. Wolfe and Peggy Wolfe are entitled to recover damages for Kenneth J. Wolfe's wrongful death. To the

contrary, the Defendants aver that at all times material herein the plaintiff, Kenneth J. Wolfe was the operator of the vehicle and responsible for the accident.

WHEREFORE, Defendants request Plaintiffs' Complaint be dismissed.

11. Denied. See previous Answers.

12. Denied. After reasonable investigation, Defendants are without sufficient knowledge or information to form a belief as to the truth of the averment and proof thereof is required at the time of trial.

WHEREFORE, Defendants request Plaintiffs' Complaint be dismissed.

NEW MATTER

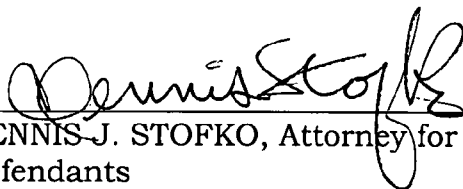
13. At all times material herein the Defendants aver that Kenneth J. Wolfe was the operator of the motor vehicle that was involved in the accident that occurred on December 18, 1999.

14. Any and all omissions, negligent or tortious conduct was the result of the actions of the plaintiff, Kenneth J. Wolfe.

15. The accident described in Plaintiff's complaint occurred on December 18, 1999 which date was subsequent to the effective date of the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa. CSA Chapter 17.

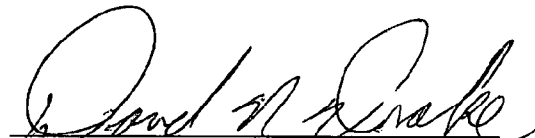
16. The Defendant pleads the said Motor Vehicle Financial Responsibility Law as a defense to the extent that said law limits and controls Plaintiff's right to recover damages in this action.

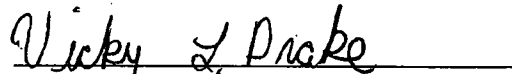
WHEREFORE, Defendants request judgment on their behalf.


DENNIS J. STOFKO, Attorney for
Defendants

We, David N. Drake and Vicky L. Drake, co-Administrators of the Estate of Kathy L. Drake, do hereby swear or affirm that the facts set forth in the Answer and New Matter are true and correct to the best of my knowledge, information and belief.

We understand that these averments of fact are made subject to the penalties of 18 Pa. CSA 4904 relating to unsworn falsification to authorities.


David N. Drake


Vicky L. Drake

Dated: Dec 17, 2001

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

Plaintiffs,

-vs-

DAVID N. DRAKE and VICKY L.
DRAKE, Co-Administrators of the
Estate of KATHY L. DRAKE,
Deceased,

Defendants

CIVIL DIVISION

NO: 01-1916 CD

**PLAINTIFFS' REPLY TO NEW
MATTER**

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

FILED

DEC 31 2001

M/9/13 am/narc

William A. Shaw
Prothonotary



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, Administrator of
the Estate of KENNETH J. WOLFE,
Deceased and RALPH A. WOLFE
and PEGGY WOLFE, his wife, as
individuals in their own right,

CIVIL DIVISION

NO: 01-1916 CD

Plaintiffs,

-VS-

DAVID N. DRAKE and VICKY L.
DRAKE, Co-Administrators of the
Estate of KATHY L. DRAKE,
Deceased,

Defendants

PLAINTIFFS' REPLY TO NEW MATTER

AND NOW, come the Plaintiffs, by and through their counsel, Peter J. Mansmann,
Esquire, and Francis M. Moore, Esquire, and replies to Defendants' New Matter as follows:

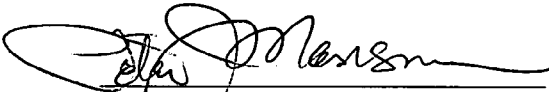
13. It is denied that Kenneth J. Wolfe was the operator of the motor vehicle that was
involved in the accident that occurred on December 18, 1999.

14. It is denied that all omissions, negligent or tortutious conduct was the result of
the actions of the Plaintiff, Kenneth J. Wolfe.

15. Admitted.

16. Admitted.

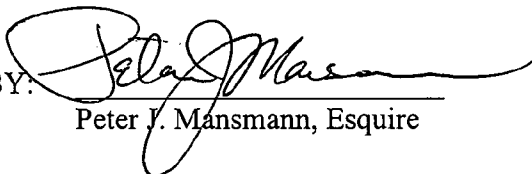
WHEREFORE, the Plaintiffs demand judgment against the Defendants.


Peter J. Mansmann, Esquire
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of December, 2001, a true and correct copy of the Plaintiffs' Reply to New Matter was served by first class mail, postage prepaid, to the below named party of interest:

Dennis J. Stofko, Esquire
P.O. Box 5500
Johnstown, PA 15904

BY: 
Peter J. Mansmann, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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DRAKE, Co-Administrators of the
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Deceased,

Defendants

CIVIL DIVISION

NO: 01-1916 CD

**NOTICE OF SERVICE OF
INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

FILED

MAR 14 2002

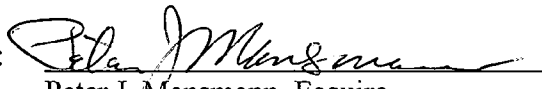
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William A. Shaw
Prothonotary

Ei
Ked

NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS DIRECTED TO DEFENDANT

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Plaintiff, Ralph A. Wolfe, et al., through their counsel, Peter J. Mansmann, Esquire, and Frank M. Moore, Esquire, hereby notifies the Court that Interrogatories have been served upon the Defendants, David N. Drake and Vicky L. Drake, by mailing an original and two (2) copies of same to Defendants' counsel, Dennis J. Stofko on March 11, 2002.

BY: 
Peter J. Mansmann, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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DRAKE, Co-Administrators of the
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Deceased,

Defendants

CIVIL DIVISION

NO: 01-1916 CD

**NOTICE OF SERVICE OF
PLAINTIFFS' ANSWERS TO
INTERROGATORIES AND RESPONSE
TO REQUEST FOR PRODUCTION
OF DOCUMENTS**

FILED ON BEHALF OF:
PLAINTIFFS

COUNSEL OF RECORD
FOR THIS PARTY:

PETER J. MANSMANN, ESQ.
PA I.D.#: 11494

FRANK M. MOORE, ESQ.
PA I.D.#: 60039

MANSMANN & MOORE

220 Grant Street
Pittsburgh, PA 15219

Tele: 412-232-0661
Fax: 412-232-0233

FILED

MAR 14 2002

M/11.78/noc
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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RALPH A. WOLFE, Administrator of
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NO: 01-1916 CD

Plaintiffs,

-vs-


DAVID N. DRAKE and VICKY L.
DRAKE, Co-Administrators of the
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Deceased,

Defendants

NOTICE OF SERVICE OF PLAINTIFFS' ANSWERS TO INTERROGATORIES
AND RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS

TO: PROTHONOTARY OF CLEARFIELD COUNTY


Plaintiffs through their counsel, Peter J. Mansmann and Francis M. Moore, hereby
notifies the Court that Answers to Interrogatories and Response to Production of Documents
have been served upon the Defendants, David N. Drake and Vicky L. Drake, by mailing an
original and two (2) copies of same to Defendants' counsel, Dennis J. Stofko, Esquire, on March
11, 2002.

BY: 
Peter J. Mansmann, Esquire

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of March, 2002, a true and correct copy of Plaintiffs' Answers to Interrogatories and Response to Request for Production of Documents were served by first class mail, postage prepaid to the below named party of interest:

Dennis J. Stofko, Esquire
969 Eisenhower Boulevard, Suite E
P.O. Box 550
Johnstown, PA 15904

BY: 
Peter J. Mansmann, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
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RALPH A. WOLFE, as Administrator
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Plaintiffs

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No. 01-1916 CD

DAVID N. DRAKE and VICKY L.
DRAKE, co-Administrators of
the Estate of Kathy L. Drake,
deceased,

Defendants

FILED

SEP 16 2003

William A. Shaw
Prothonotary/Clerk of Courts

CERTIFICATE OF READINESS

Filed on Behalf of: Defendants

1. Type of Case: Simple ☒ Complex ☐ Companion Case ☐

2. Type of Trial: Jury ☒ Nonjury ☐ Arbitration ☐

3. Estimate Trial Time 2 days hours minutes

Estimated Arbitration Time days hours minutes

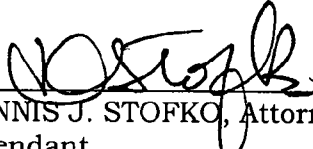
4. Trial Counsel: List Name and address and telephone number for each party and
name, address and telephone number of person responsible for each unrepresented
party.

Peter J. Mansmann, Attorney for Plaintiffs
220 Grant Street
Pittsburgh, Pennsylvania 15219
412 232-0661

Dennis J. Stofko, Attorney for Defendants
P.O. Box 5500
Johnstown, Pa. 15904
814 262-0064

I certify on behalf of Defendant that the pleadings are complete, that all preliminary motions have been resolved, that all discovery has been completed and that the case is in all respects ready for trial except: a) motions in limine ✓; b) expert depositions ✓.

Date: 15 Sept 03


DENNIS J. STOFKO, Attorney for
Defendant

FILED

NO

SEP 11:29 AM

SEP 16 2003

copy to C/A

William A. Shaw
Prothonotary/Clerk of Courts

[Signature]

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RALPH A. WOLFE, as Administrator
of the Estate of Kenneth J. wolfe,
deceased and Ralph A. Wolfe and
Peggy Wolfe, his wife, as individuals
in their own right,

Plaintiffs

vs.

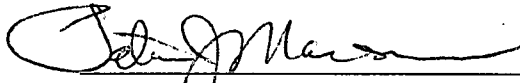
No. 01-1916 CD

DAVID N. DRAKE and VICKY L.
DRAKE, co-Administrators of
the Estate of Kathy L. Drake,
deceased,

Defendants

PRAECIPE

Please mark the above captioned matter ended, settled and forever
discontinued.

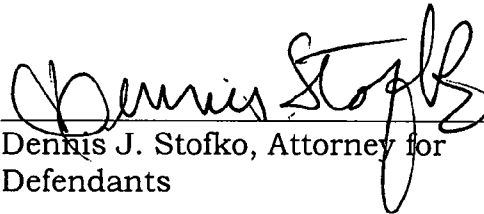


Peter J. Mansmann, Attorney for
Plaintiffs

FILED

NOV 01 2003

William A. Shaw
Prothonotary



Dennis J. Stofko, Attorney for
Defendants

FILED

M 1:37 PM -130 CE
2 Court to City of Dallas
NOV 01 2003
City of Dallas

William A. Shaw
Prothonotary

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

CIVIL DIVISION

**Ralph A. Wolfe
Kenneth J. Wolfe
Peggy Wolfe**

Vs.

No. 2001-01916-CD

**David N. Drake
Vicky L. Drake
Kathy L. Drake**

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 November 3, 2003, marked:

Discontinued, Settled and Ended

Record costs in the sum of \$92.00 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of November A.D. 2003.

William A. Shaw, Prothonotary