

01-1936-CD  
Dora L. Craig -vs- Sheetz, Incorporated

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

DORA L. CRAIG,

Plaintiff

vs.

No. 01- 1936- CD

SHEETZ, INCORPORATED,

Defendant

Type of Pleading: Complaint

Filed on behalf of: Dora L. Craig, Plaintiff

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

**FILED**

NOV 30 2001

William A. Shaw  
Prothonotary

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

DORA L. CRAIG,

Plaintiff

vs.

No. 01-

CD

SHEETZ, INCORPORATED,

Defendant

**NOTICE**

TO DEFENDANT:

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.

Office of the Court Administrator

Clearfield County Courthouse

230 E. Market Street

Clearfield, PA 16830

(814) 765-2641 ext. 5982

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

DORA L. CRAIG, :  
Plaintiff :  
: vs. : No. 01- CD  
: :  
SHEETZ, INCORPORATED, :  
Defendant :  
:

**COMPLAINT**

NOW, COMES the Plaintiff, Dora L. Craig, by and through her attorneys, The Hopkins Law Firm, and says as follows:

**COUNT I**

1. Plaintiff, Dora L. Craig, is an adult individual who resides at 14 East Washington Avenue, DuBois, Pennsylvania 15801.
2. Defendant, Sheetz, Incorporated, is a Pennsylvania corporation with a place of business at 124 North Brady Street, DuBois, Pennsylvania 15801.
3. At all times mentioned herein, Defendant was in exclusive possession, management and control of a Sheetz store located at 124 North Brady Street, DuBois, Pennsylvania, individually and through its employees, who were acting within the course and scope of their employment by Defendant and in furtherance of Defendant's business.
4. On or about October 25, 2001, Plaintiff was a business visitor to the store and as she stepped out of her car and walked toward the front entrance of the store, Plaintiff stepped into grease or oil sludge or some other substance that had accumulated in the parking

lot of Defendant's store which caused Plaintiff to slip and fall resulting in serious and permanent injuries as set forth below.

5. The accident was caused exclusively and solely by Defendant's negligence, carelessness and recklessness in that:

- a) Defendant caused or permitted grease or oil sludge to accumulate upon the parking lot at a point where it posed an unreasonable risk of injury to the Plaintiff and other business visitors;
- b) Defendant failed to make a reasonable inspection of the parking lot which could have revealed the existence of a dangerous condition posed by the accumulation of grease or oil sludge or some other dangerous material.
- c) Defendant failed to give warning of a dangerous condition posed by the grease or oil sludge or some other dangerous material, erect barricades, or take any other safety precautions to prevent injury to the Plaintiff and other business visitors; and
- d) Defendant failed to remove the accumulation of grease or oil sludge or some other dangerous material from the Defendant's parking lot.

6. Solely as a result of Defendant's negligence, carelessness and recklessness, Plaintiff sustained a fracture of the right wrist. Said injury has caused Plaintiff a great deal of pain and suffering and may continue to do so for an indefinite time into the future and may be permanent.

7. Solely as a result of Defendant's negligence, carelessness and recklessness, Plaintiff has, and will in the future, be obligated to expend monies for medicine and medical care in order to treat and help cure her injury.

8. Solely as a result of Defendant's negligence, carelessness and recklessness, Plaintiff has, and will in the future, be unable to perform her usual and daily duties and employment to her financial detriment.

9. Solely as a result of Defendant's negligence, carelessness and recklessness, Plaintiff has endured pain and suffering.

WHEREFORE, Plaintiff claims damages from the Defendant in an amount in excess of Twenty Thousand Dollars (\$20,000.00), together with costs.

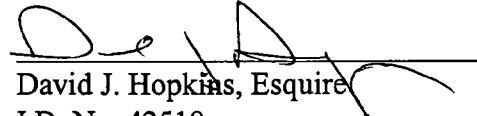
Respectfully submitted,



David J. Hopkins, Esquire  
I.D. No. 42519  
900 Beaver Drive  
DuBois, PA 15801  
(814) 375-0300

**DEMAND FOR JURY TRIAL**

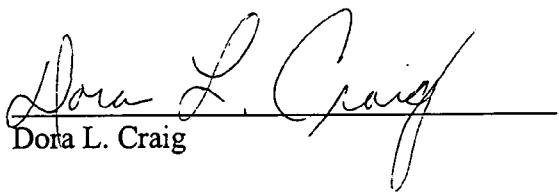
Plaintiff demands a trial by twelve (12) jurors.



David J. Hopkins, Esquire  
I.D. No. 42519  
900 Beaver Drive  
DuBois, PA 15801  
(814) 375-0300

VERIFICATION

With full understanding that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities, I verify that the statements made in this pleading are true and correct.

  
Dora L. Craig

Dated: 11/27/01

FILED

NOV 30 2001  
013-001-001-00  
William A. Shaw  
Prothonotary  
cc with the above

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DORA L. CRAIG,

CIVIL DIVISION

Plaintiff,

NO.: 01-1936-CD

v.

SHEETZ, INCORPORATED,

PRAECIPE FOR APPEARANCE

Defendant.

Filed on behalf of Defendant

**JURY TRIAL DEMANDED**

Counsel of Record for this party:  
**ALEXANDER P. BICKET, ESQUIRE**  
Pa. I.D.#53428

**ZIMMER KUNZ, PLLC**  
Firm #920  
3300 USX Tower  
Pittsburgh, PA 15219

(412) 281-8000

**FILED**

DEC 14 2001

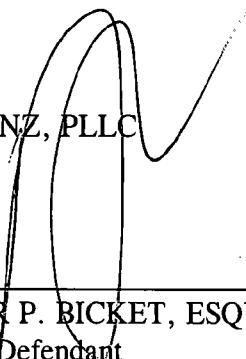
11139170C  
William A. Shaw  
Prothonotary

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY

Kindly enter the appearance of ZIMMER KUNZ, PLLC and ALEXANDER P. BICKET, ESQUIRE on behalf of the Defendant, SHEETZ, INCORPORATED. in the above mentioned matter.

JURY TRIAL DEMANDED

ZIMMER KUNZ, PLLC  
  
ALEXANDER P. BICKET, ESQUIRE  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the within PRAECIPE FOR APPEARANCE was forwarded to counsel below named by United States Mail on the 12th day of December, 2001

David J. Hopkins, Esquire  
The Hopkins Law Firm  
900 Beaver Drive  
DuBois, PA 16148

ZIMMER KUNZ, PLLC

ALEXANDER P. BICKET, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DORA L. CRAIG,

Plaintiff,

CIVIL DIVISION

NO.: 01-1936-CD

v.

SHEETZ, INCORPORATED,

Defendant.

**ANSWER AND NEW MATTER TO  
PLAINTIFF'S COMPLAINT**

Filed on behalf of Defendant

Counsel of Record for this party:  
**ALEXANDER P. BICKET, ESQUIRE**  
Pa. I.D.#53428

**ZIMMER KUNZ, PLLC**  
Firm #920  
3300 USX Tower  
Pittsburgh, PA 15219

(412) 281-8000

**TO: PLAINTIFF**

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

ALEXANDER P. BICKET, ESQUIRE

**FILED**

JAN 09 2002

6/10/02  
William A. Shaw

Prothonotary

**ANSWER AND NEW MATTER**  
**TO PLAINTIFF'S COMPLAINT**

AND NOW comes the Defendant, Sheetz, Incorporated, (hereinafter "Sheetz") by and through its attorneys, ZIMMER KUNZ, PLLC and ALEXANDER P. BICKET, ESQUIRE, and files the within Answer and New Matter to Plaintiff's Complaint and in support thereof sets forth as follows:

1. After reasonable investigation, this Defendant is without information or knowledge sufficient to form a belief as to the truth of the averments set forth in Paragraph 1 of Plaintiff's Complaint and therefore the same are denied.
2. Admitted.
3. The allegations contained in Paragraph 3 of Plaintiff's Complaint contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, the allegations contained in said paragraph are admitted.
4. The allegations contained in Paragraph 4 contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, this Defendant is without information or knowledge sufficient to form a belief as to the truth of the averment that the Plaintiff was a business visitor to the store and therefore the same is denied. By way of further answer, the remaining allegations contained in Paragraph 4 of Plaintiff's Complaint are denied.

5. The allegations contained in Paragraph 5 of Plaintiff's Complaint contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, this Defendant denies the allegations set forth in Paragraph 5 of Plaintiff's Complaints, along with all the allegations contained in subparagraphs (a) through (d) of Paragraph 5 of Plaintiff's Complaint.

6. The allegations contained in Paragraph 6 of Plaintiff's Complaint contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, this Defendant denies that the injuries complained of by the Plaintiff in said Paragraph were in any way caused by any conduct of this Defendant in any manner whatsoever. By way of further answer, after reasonable investigation, this Defendant is without information or knowledge sufficient to form a belief as to the truth of the remaining averments set forth in Paragraph 6 of Plaintiff's Complaint and therefore the same are denied.

7. The allegations contained in Paragraph 7 of Plaintiff's Complaint contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, this Defendant denies that at any time relevant hereto, it was in any way negligent, careless and/or reckless. By way of further answer, this Defendant denies that any of its conduct caused any of the Plaintiff's alleged injuries and damages in any manner whatsoever. By way of further answer, after reasonable investigation, this Defendant is without information or knowledge sufficient to form a belief as to the truth of the remaining averments set forth in Paragraph 7 of Plaintiff's Complaint and therefore the same are denied.

8. The allegations contained in Paragraph 8 of Plaintiff's Complaint contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, this Defendant denies that at any time relevant hereto, it was in any way negligent, careless and/or reckless. By way of further answer, this Defendant denies that any of its conduct caused any of the Plaintiff's alleged injuries and damages in any manner whatsoever. By way of further answer, after reasonable investigation, this Defendant is without information or knowledge sufficient to form a belief as to the truth of the remaining averments set forth in Paragraph 8 of Plaintiff's Complaint and therefore the same are denied.

9. The allegations contained in Paragraph 9 of Plaintiff's Complaint contain conclusions of law to which no response is required. To the extent that an answer is deemed necessary, this Defendant denies that at any time relevant hereto, it was in any way negligent, careless and/or reckless. By way of further answer, this Defendant denies that any of its conduct caused any of the Plaintiff's alleged injuries and damages in any manner whatsoever. By way of further answer, after reasonable investigation, this Defendant is without information or knowledge sufficient to form a belief as to the truth of the remaining averments set forth in Paragraph 9 of Plaintiff's Complaint and therefore the same are denied.

WHEREFORE, the Defendant, Sheetz, Incorporated, demands judgment in its favor and against all parties with costs sustained.

NEW MATTER

10. This Defendant has been informed, advised, and therefore believes that at the time of events complained of by the Plaintiff this Defendant had no notice or knowledge of any condition which may have proved to be a danger on its premises and further states that the

same could not have been discovered after reasonable inspection and investigation.

11. In the alternative, this Defendant has been informed, advised and therefore believes that any condition complained of by the Plaintiff was both open and obvious.

12. This Defendant has been informed, advised and therefore believes that the Plaintiff was negligent and voluntarily assumed the risk of her own injuries and cannot now seek recovery for the same.

13. This Defendant avers that the Plaintiff's injuries and damages, if any, are attributable to a superceding intervening act and are not causally related to any conduct of this Defendant.

WHEREFORE, the Defendant, Sheetz, Incorporated, demands judgment in its favor and against all parities with costs sustained.

ZIMMER KUNZ, PLAC

ALEXANDER P. BICKET, ESQUIRE  
Attorney for Defendant

**VERIFICATION**

I, MARY ANSLINGER, Risk Manager of Sheetz, Inc. do hereby verify that the averments of facts contained in the foregoing Answer and New Matter to Plaintiff's Complaint are true and correct to the best of my knowledge, information and belief.

I understand false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: 12/21/01

Mary Anslinger  
MARY ANSLINGER

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within ANSWER AND  
NEW MATTER was forwarded to counsel below named by United States Mail on the

7th day of January, 2002

David J. Hopkins, Esquire  
900 Beaver Drive  
dubious, Pennsylvania 15801

ZIMMER KUNZ, PLLC

ALEXANDER P. BICKET, ESQUIRE

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

Sheriff Docket # 11820

CRAIG, DORA L.

01-1936-CD

VS.

SHEETZ, INCORPORATED

**COMPLAINT;REQUEST/PRODUCTION OF DOCUMENTS (2);PLFF. 1ST SET/INTERROGATORIES(**

**SHERIFF RETURNS**

**NOW, DECEMBER 06, 2001 AT 1:45 P.M. EST SERVED THE WITHIN COMPLAINT;  
REQUEST FOR PRODUCTION OF DOCUMENTS; PLAINTIFF'S FIRST SET OF  
INTERROGATORIES ON SHEETZ, INCORPORATED, DEFENDANT AT EMPLOYMENT,  
124 NORTH BRADY ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY  
HANDING TO DEBORAH FORADORI, MGR. A TRUE AND ATTESTED COPY OF THE  
ORIGINAL COMPLAINT, REQUEST, INTERROGATORIES AND MADE KNOWN TO HER  
THE CONTENTS THEREOF.**

**SERVED BY: COUDRIET**

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**Return Costs**

Cost	Description
30.69	SHERIFF HAWKINS, PAID BY : ATTY.
10.00	SURCHARGE, PAID BY : ATTY.

**FILED**  
012:10  
JAN 16 2002

William A. Shaw  
Prothonotary

**Sworn to Before Me This**

16 Day Of Dec 10 2002  
William A. Shaw

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

**So Answers,**

*Chester A. Hawkins  
by Marilyn Hause*  
Chester A. Hawkins  
Sheriff

*JKS*

THE HOPKINS LAW FIRM

900 Beaver Drive, DuBois, Pennsylvania 15801  
VOICE: (814) 375-0300 FAX: (814) 375-5035

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

DORA L. CRAIG,

Plaintiff

vs.

No. 01- 1936 CD

SHEETZ, INCORPORATED,

Defendant

Type of Pleading: Answer to New Matter

Filed on behalf of: Dora L. Craig, Plaintiff

Counsel of Record for this party:

DAVID J. HOPKINS, ESQUIRE  
Attorney at Law  
Supreme Court No. 42519

900 Beaver Drive  
DuBois, Pennsylvania 15801

(814) 375-0300

**FILED**

JAN 23 2002  
m1:24/noc  
William A. Shaw  
Prothonotary

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

DORA L. CRAIG, :  
Plaintiff :  
vs. : No. 01- 1936 CD  
SHEETZ, INCORPORATED, :  
Defendant :

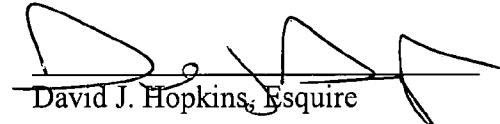
**ANSWER TO NEW MATTER**

AND NOW, comes, the Plaintiff, Dora L. Craig, by and through her attorneys, The Hopkins Law Firm, and answer New Matter of Defendant Sheetz, Incorporated as follows:

10. Denied. The conditions on the premises could have and should have been discovered by a reasonable inspection or investigation by Defendant.
11. Denied. Plaintiff exited her motor vehicle and immediately fell in the defective condition of the parking lot as set forth in Plaintiff's Complaint.
12. Denied. Defendant invited people such as Plaintiff into Defendant's store. Defendant did not negligently nor voluntarily assume the risk of stepping on a defective area of blacktop.
13. Denied. Defendant is responsible for the safety of its business invitees and is liable for damages caused by its negligence.

WHEREFORE, Defendant's New Matter should be dismissed with prejudice.

Respectfully submitted,



David J. Hopkins, Esquire

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

DORA L. CRAIG,

Plaintiff

vs.

No. 01- 1936 CD

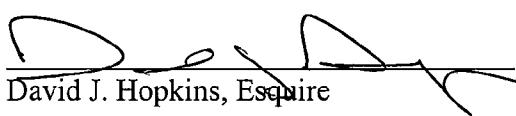
SHEETZ, INCORPORATED,

Defendant

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing Answer to New Matter, filed on behalf of the Plaintiff, was forwarded on the 22 day of January, 2002, by U.S. mail, postage prepaid, to all counsel of record, addressed as follows:

Alexander P. Bicket, Esquire  
Zimmer Kunz  
3300 USX Tower  
Pittsburgh, PA 15219

  
David J. Hopkins, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DORA L. CRAIG,

CIVIL DIVISION

Plaintiff,

NO.: 01-1936 C.D.

v.

SHEETZ, INCORPORATED,

**NOTICE OF SERVICE OF DISCOVERY  
DIRECTED TO PLAINTIFF**

Defendant.

Filed on behalf of Defendant

**JURY TRIAL DEMANDED**

Counsel of Record for this party:  
**ALEXANDER P. BICKET, ESQUIRE**  
Pa. I.D.#53428

**ZIMMER KUNZ, PLLC**  
Firm #920  
3300 USX Tower  
Pittsburgh, PA 15219

(412) 281-8000

**FILED**

MAR 06 2002  
M/10:46/nc  
William A. Shaw  
Prothonotary

**NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR**  
**PRODUCTION OF DOCUMENTS DIRECTED TO PLAINTIFF**

NOTICE is hereby given to the court, that on the 4th day of  
March, 2002, the original First Set of Interrogatories and First Request for  
Production of Documents Directed to Plaintiff, were served upon Plaintiff's counsel, David J.  
Hopkins, Esquire, by United States mail, first class, postage fully prepaid at his office located  
at 900 Beaver Drive, DuBois, Pennsylvania 15801.

ZIMMER KUNZ, PLLC

ALEXANDER P. BICKET, ESQUIRE  
Attorney for Defendant, Sheetz, Inc.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within NOTICE OF SERVICE OF DISCOVERY was forwarded to counsel below named by United States Mail on the 4th day of March, 2002

David J. Hopkins, Esquire  
900 Beaver Drive  
DuBois, Pennsylvania 15801

ZIMMER KUNZ, PLLC

ALEXANDER P. BICKET, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DORA L. CRAIG,

Plaintiff

v.

SHEETZ, INCORPORATED,

Defendant.

**JURY TRIAL DEMANDED**

CIVIL DIVISION

No. 01-1936-CD

**PRAECIPE FOR SUBSTITUTION OF  
APPEARANCE**

Filed on behalf of:  
Defendant, SHEETZ, INCORPORATED

Counsel of Record for this party:  
**Daniel E. Krauth, Esquire**  
Pa. I.D. #59674

**ZIMMER KUNZ  
PROFESSIONAL LIMITED LIABILITY  
COMPANY**  
Firm #920  
3300 USX Tower  
Pittsburgh, PA 15219

(412) 281-8000

**FILED**

MAY 16 2002

ml10271ncc  
William A. Shaw  
Prothonotary

**PRAECIPE FOR SUBSTITUTION OF APPEARANCE**

TO: PROTHONOTARY OF CLEARFIELD COUNTY

Kindly substitute the name of **DANIEL E. KRAUTH, ESQUIRE** of the law firm  
of **ZIMMER KUNZ PROFESSIONAL LIMITED LIABILITY COMPANY** as counsel of record  
for the Defendant, **SHEETZ, INCORPORATED** in the above-captioned action.

**ZIMMER KUNZ  
PROFESSIONAL LIMITED LIABILITY COMPANY**

BY: \_\_\_\_\_

**Daniel E. Krauth, Esquire**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within PRAECIPE FOR  
SUBSTITUTION OF APPEARANCE was forwarded to counsel below named by United  
States Mail on the 21<sup>ST</sup> day of March, 2002, as follows:

David J. Hopkins, Esquire  
900 Beaver Drive  
DuBois, PA 15801

ZIMMER KUNZ  
PROFESSIONAL LIMITED LIABILITY COMPANY

By: 

**FILED****COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA** DEC 12 2003  
**CIVIL TRIAL LISTING**William A. Shaw  
Prothonotary/Clerk of Courts**CERTIFICATE OF READINESS****TO THE PROTHONOTARY**

No. 01-1936

DATE PRESENTED December 12, 2003CASE NUMBER      TYPE TRIAL REQUESTED      ESTIMATED TRIAL TIME

Date Complaint       Jury       Non-Jury  
Filed: 11/30/01       Arbitration      2 days/hours

**PLAINTIFF(S)**

DORA L. CRAIG            Check block if a Minor  
DEFENDANT(S)      is a Party to the Case

SHEETZ, INCORPORATED     

ADDITIONAL DEFENDANT(S)     

JURY DEMAND FILED BY:  
Plaintiff

DATE JURY DEMAND FILED:  
11/30/01

AMOUNT AT ISSUE      CONSOLIDATION      DATE CONSOLIDATION ORDERED

More than \$20,000.00      N/A  
&       yes  no

**PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.**

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:

  
David J. Hopkins, Esquire

FOR THE PLAINTIFF

TELEPHONE NUMBER

David J. Hopkins, Esquire

(814) 375-0300

FOR THE DEFENDANT

TELEPHONE NUMBER

Daniel E. Krauth, Esquire

(412) 281-8000

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

**FILED**

JAN 26 2004

DORA L. CRAIG,  
Plaintiff

\*

William A. Shaw  
Prothonotary/Clerk of Courts

vs.

\*

1936  
NO. 2001-194-C.D.

SHEETZ, Incorporated,  
Defendant

\*

\*

**ORDER**

NOW, this 22<sup>nd</sup> day of January, 2004, following Pre-Trial Conference with counsel for the parties as set forth above, it is the ORDER of this Court as follows:

1. Jury Selection will be held on January 29, 2004 commencing at 9:00 a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

2. Jury Trial is hereby scheduled for April 20, 2004 and April 21, 2004 commencing at 9:00 a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

3. Any party making objections relative the testimony to be provided by any witness in the form of a deposition at the time of Trial shall submit said objections to the Court, in writing, no later than thirty (30) days prior to the commencement of Trial. All objections shall reference specific page and line numbers within the deposition(s) in question along with that party's brief relative same. The opposing party shall submit its brief in opposition to said objections no later than fifteen (15) days prior to the commencement of Trial.

4. Any party filing any Motion or Petition regarding limitation or exclusion of evidence or testimony to be presented at time of trial, including but not limited to Motions in Limine, shall file the same no more than thirty (30) days prior to the trial date. The party's Petition or Motion shall be accompanied by an appropriate brief. The responding party thereto shall file its Answer and submit appropriate response brief no later than fifteen (15) days prior to trial.

5. The parties have agreed to stipulate to the authenticity of any medical records which have been exchanged during the discovery process.

By the Court,



---

FREDRIC J. AMMERMAN  
President Judge

FILED acc Atty Hopkins  
01/9/00812 C.C. Atty Bickett  
JAN 26 2004

William A. Shaw  
Prothonotary/Clerk of Courts

THE HOPKINS LAW FIRM

900 Beaver Drive, DuBois, Pennsylvania 15801  
VOICE: (814) 375-0306 FAX: (814) 375-5035

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

DORA L. CRAIG, :  
Plaintiff :  
vs. : No. 01- 1936 CD  
SHEETZ, INCORPORATED, :  
Defendant :  
Type of Pleading: Praecipe to Discontinue  
: Filed on behalf of: Dora L. Craig,  
: Plaintiff.  
: Counsel of Record for this party:  
: DAVID J. HOPKINS, ESQUIRE  
: Attorney at Law  
: Supreme Court No. 42519  
: 900 Beaver Drive  
: DuBois, Pennsylvania 15801  
: (814) 375-0300

FILED

MAR 03 2004

William A. Shaw  
Prothonotary

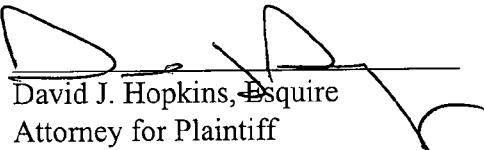
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

DORA L. CRAIG, :  
Plaintiff :  
:  
vs. : No. 01- 1936 CD  
:  
SHEETZ, INCORPORATED, :  
Defendant :  
:

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Kindly mark the above captioned civil action settled and discontinued.

  
David J. Hopkins, Esquire  
Attorney for Plaintiff

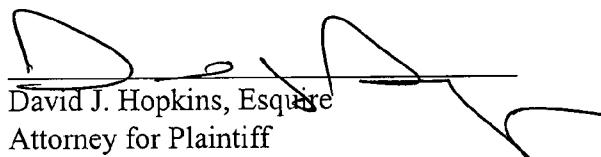
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
(CIVIL DIVISION)

DORA L. CRAIG, :  
Plaintiff :  
: vs. : No. 01- 1936 CD  
: :  
SHEETZ, INCORPORATED, :  
Defendant :  
:

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Praeclipe to  
Discontinue, filed on behalf of the Plaintiff, was forwarded on the 1<sup>st</sup> day of March, 2004, by  
U.S. Mail, first class, postage prepaid, to all counsel of record, addressed as follows:

Daniel E. Krauth, Esquire  
Zimmer Kunz  
3300 USX Tower  
Pittsburgh, PA 15219

  
David J. Hopkins, Esquire  
Attorney for Plaintiff

**FILED**

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MAR 03 2004  
*[Handwritten signature]*

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

**Dora L. Craig**

Vs. **No. 2001-01936-CD**  
**Sheetz, Incorporated**

**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 March 3, 2004, marked:

Discontinued, Settled, and Ended.

Record costs in the sum of \$120.69 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 March A.D. 2004.

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William A. Shaw, Prothonotary