

01-1966-CD  
FREDERICK A. WISOR etux -vs- LEONARD MONROE BURD

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

Lap over margin

FILED

DEC 05 2011

580 pm by city

6/3/43

William A. Shaw

Prothonotary

1 cc to Sheriff

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

No. 01 - 1966 - CD

Type of Pleading:

Complaint

Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

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

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

**FILED**

DEC 05 2001

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

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
                    Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
                    Defendant.

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No. 01 -1966 - CD

NOTICE

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

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

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURT HOUSE  
Market and Second Streets  
Clearfield, PA 16830

(814) 765-2641

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
                    Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
                    Defendant.

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No. 01 - 1966 - CD

COMPLAINT

NOW COME the Plaintiffs, Frederick A. Wisor and Irene Wisor, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiff, Frederick A. Wisor, is a sui juris, adult individual who resides at 433 Spruce Street, Clearfield, Pennsylvania 16830.

2. That the Plaintiff, Irene Wisor, is a sui juris, adult individual who resides at 433 Spruce Street, Clearfield, Pennsylvania 16830.

3. That the Defendant, Leonard Monroe Burd, is a sui juris, adult individual who resides at 840 Moose Run Road, Bellefonte, Pennsylvania 16823.

COUNT I

Frederick A. Wisor v. Leonard Monroe Burd

4. That on or about February 20, 2001 at approximately 1:55 p.m., E.S.T., the Plaintiff, Frederick A.

Wisor, was a passenger in the right front seat of a 1995 Chevrolet Roadtrek 120 motor home bearing Pennsylvania Registration No. HF45957 owned and operated by Benson Lingle.

5. That on or about the said day and at or about the said time, the Defendant, Leonard Monroe Burd, was the operator of a 1997 Dodge Dakota bearing Pennsylvania Registration No. YF51909 and owned by the Plaintiff and Kathleen Burd.

6. That on or about the said day and at or about the said time, it was daylight, there were no adverse weather conditions and the roads were dry.

7. That State Route 220 is a two-lane, macadam roadway which proceeds in a generally north-south direction in the Township of Worth, Centre County, Pennsylvania, approximately 750 feet south of Port Matilda Borough.

8. That on or about the said day and at or about the said time, the vehicle in which the Plaintiff, Frederick A. Wisor, was a passenger was proceeding south on State Route 220.

9. That on or about the said day and at or about the said time, the Defendant, Leonard Monroe Burd, was proceeding north on State Route 220.

10. That on or about the said day and at or about the said time, the Defendant, Leonard Monroe Burd, suddenly and without warning drove his vehicle onto the southbound lane of

travel which was lawfully occupied by the vehicle in which the Plaintiff, Frederick A. Wisor, was a passenger.

11. That on or about the said day and at or about the said time, the driver of the vehicle in which the Plaintiff, Fredrick A. Wisor, was a passenger, attempted to drive his vehicle onto the northbound lane of travel in order to avoid a collision with the Defendant.

12. That on or about the said day and at or about the said time, the Defendant then drove his vehicle back onto the northbound lane of travel where he was struck by the vehicle in which the Plaintiff, Frederick A. Wisor, was a passenger.

13. That as a result of the collision described in Paragraph 12 hereof which is incorporated herein by reference, the Plaintiff, Frederick A. Wisor, was thrown generally forward and backward within the vehicle in which he was a passenger causing the numerous and serious injuries hereinafter set forth.

14. That the Defendant, Leonard Monroe Burd, was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries received by the Plaintiff, Frederick A. Wisor, as follows:

A. The Defendant, Leonard Monroe Burd,  
failed to have his vehicle under proper control;

B. The Defendant, Leonard Monroe Burd, failed to maintain a proper lookout;

C. The Defendant, Leonard Monroe Burd, violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3714, 75 Pa.C.S.A. Section 3714, and supplements thereto, in that he operated his vehicle upon State Route 220 with careless disregard for the safety of the Plaintiff, Frederick A. Wisor.

D. The Defendant, Leonard Monroe Burd, violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3731, 75 Pa.C.S.A. Section 3731, and supplements thereto, in that he operated his vehicle upon State Route 220 while under the influence of alcohol to a degree which rendered him incapable of safe driving.

E. That the Defendant, Leonard Monroe Burd, violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3736, 75 Pa.C.S.A. Section 3736, and supplements thereto, in that he operated his vehicle upon State Route 220 in willful or wanton disregard for the safety of the person of the Plaintiff, Frederick A. Wisor.

F. That the Defendant, Leonard Monroe Burd, violated the Motor Vehicle Code of 1976, June 17, P.L.



Section 3309, 75 Pa.C.S.A. Section 3309, and supplements thereto, in that he failed to operate his vehicle upon State Route 220 within a single lane and moved from said lane of travel without having first ascertained that said movement could be made with safety.

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

15. That as a result of the negligence, carelessness and recklessness of the Defendant, Leonard Monroe Burd, as set forth in Paragraph 14 hereof and incorporated herein by reference, the Plaintiff, Frederick A. Wisor, received serious and extensive injuries which may and probably will be permanent as follows:

- A. Dislocated hip;
- B. Bruises and contusions about the body;
- C. Sprain cervical spine;
- D. Sprain lumbar spine;
- E. Exacerbation arthritic right and left shoulders.

16. That the Plaintiff, Frederick A. Wisor, has been required to expend sums for the treatment of the injuries referred to in Paragraph 15 hereof and will continue to incur

medical services for an indefinite period of time in the future for the treatment of those injuries.

17. That as a result of the injuries referred to in Paragraph 15 hereof which is incorporated herein by reference, the Plaintiff, Frederick A. Wisor, suffers serious and permanent physical impairment which substantially prohibits his ability to engage in the normal and usual functions which he enjoyed prior to the accident, including but not limited to his household duties, hobbies and social relationships.

18. That the Plaintiff, Frederick A. Wisor, claims a reasonable amount for the following:

A. A reasonable amount for pain and suffering; past, present and future;

B. Cost of replacing household services;

C. Privation and inconvenience due to the injuries and treatment, past, present and future;

D. Impairment of earning power;

E. Mental anguish and depression resulting from the accident;

F. Other damages allowable by law.

WHEREFORE, Plaintiff, Frederick A. Wisor, claims unliquidated damages in an amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars. Jury Trial Demanded.

COUNT II

Irene Wisor v. Leonard Monroe Burd

19. That the Plaintiff, Irene Wisor, incorporates Paragraphs 1 through 18 of this Complaint by reference and makes them a part hereof.

20. That the Plaintiff, Irene Wisor, is the wife of Frederick A. Wisor, having been married to the said Frederick A. Wisor on June 16, 1956.

21. That the Plaintiff, Irene Wisor, has resided with her husband, Frederick A. Wisor, since the date of the parties' marriage and has continued to reside with him up to and include the time of the filing of this Complaint.

22. That as a result of the injuries suffered by the Plaintiff, Frederick A. Wisor, the Plaintiff, Irene Wisor, has been denied the society of her husband and shall continue to be denied his society for an indefinite period of time in the future.

WHEREFORE, Plaintiff, Irene Wisor, claims unliquidated damages in an amount in excess of Twenty-Five Thousand (\$25,000.00) Dollars. Jury Trial Demanded.

COUNT III

Frederick A. Wisor and Irene Wisor  
v. Leonard Monroe Burd  
Exemplary Damages

23. That the Plaintiffs incorporate Paragraphs 1 through 22 of this Complaint by reference and make them a part hereof.

24. That at the time of the accident, the Defendant, Leonard Monroe Burd, had certain material inside his vehicle including female undergarments, two plastic prosthetic breasts and a Forum adult magazine.

25. That at the time of the accident and immediately thereafter, the Defendant, Leonard Monroe Burd, was observed to have had his trousers unzipped.

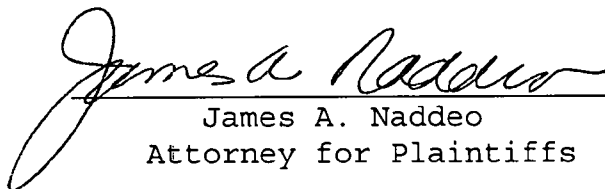
26. That at the time of the accident and just prior to impact, the Defendant, Leonard Monroe Burd, was observed in the act of manually stimulating his genitals.

27. That the actions of the Defendant, Leonard Monroe Burd, as aforesaid were reasonably foreseeable to result in a significant likelihood of causing serious bodily harm to others.

28. That the actions of Defendant, Leonard Monroe Burd, exhibited a reckless indifference to the rights of others and conscience action to deliberate disregard of them in that his conduct was outrageous under the circumstances then and there present.

29. That the Defendant, Leonard Monroe Burd, is liable to the Plaintiffs for exemplary damages in respect to the injuries suffered by Plaintiff, Frederick A. Wisor, which injuries were the direct and proximate cause of Defendant's conduct.

WHEREFORE, Plaintiffs demand judgment against the Defendant for a sum in excess of Twenty-Five Thousand (\$25,000.00) Dollars.

  
James A. Naddeo  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

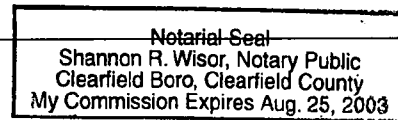
COUNTY OF CLEARFIELD )

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



Frederick A. Wisor

SWORN and SUBSCRIBED before me this 4th day of December, 2001.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

FREDERICK A. WISOR and  
IRENE WISOR, husband and wife,

Plaintiffs

vs.

No. 01-1966 CD

LEONARD MONROE BURD,

Defendant

ENTRY OF APPEARANCE

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

DEMAND FOR JURY TRIAL

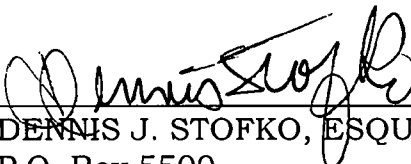
Pursuant to Rule 1007.1 of the Pennsylvania Rules of Civil Procedure, as amended, a Jury Trial is demanded on all issues raised by the pleadings in this action.

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

**FILED**

DEC 28 2001

mll3/110cc  
William A. Shaw  
Prothonotary

  
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

FREDERICK A. WISOR and  
IRENE WISOR, husband and wife,

Plaintiffs

vs.

No. 01-1966 CD

LEONARD MONROE BURD,

ANSWER AND NEW MATTER

Defendant

Counsel of record for this party:  
Dennis J. Stofko, Esquire  
P.O. Box 5500  
Johnstown, Pa. 15904  
814 262-0064  
ID 27635

TO THE PLAINTIFFS:

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

**FILED**

JAN 10 2002

William A. Shaw  
Prothonotary



ANSWER AND NEW MATTER

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

1. Admitted.

2. Admitted.

3. Admitted.

4. Denied. After reasonable investigation, Defendant is 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.

5. Admitted.

6. Admitted.

7. Admitted.

8. Denied. After reasonable investigation, Defendant is 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.

9. Admitted.

10. Denied. Paragraph 10 contains a conclusion of law to which no responsive pleading is required.

11. Denied. After reasonable investigation, Defendant is 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.

12. Denied. After reasonable investigation, Defendant is 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.

13. Denied. After reasonable investigation, Defendant is 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.

14. Denied. Paragraph 14 contains conclusions of law to which no responsive pleading is required.

15. Denied. After reasonable investigation, Defendant is 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.

16. Denied. After reasonable investigation, Defendant is 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.

17. Denied. After reasonable investigation, Defendant is 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.

18. Denied. After reasonable investigation, Defendant is 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, Defendant requests Plaintiffs' Complaint be dismissed.

19. Denied. See previous Answers.

20. Denied. After reasonable investigation, Defendant is 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.

21. Denied. After reasonable investigation, Defendant is 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.

22. Denied. After reasonable investigation, Defendant is 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, Defendant requests Plaintiffs' Complaint be dismissed.

23. Denied. See previous Answers.

24. Admitted.

25. Denied. After reasonable investigation, Defendant is 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.

26. Denied. It is specifically denied that at any time material herein the Defendant was in any way manually stimulating his genitals.

27. Denied. Paragraph 27 contains a conclusion of law to which no responsive pleading is required.

28. Denied. Paragraph 28 contains a conclusion of law to which no responsive pleading is required.

29. Denied. Paragraph 29 contains a conclusion of law to which no responsive pleading is required.


WHEREFORE, Defendant requests Plaintiffs' Complaint be dismissed.

NEW MATTER

30. The accident described in Plaintiffs' complaint occurred on September 20, 2001 which date was subsequent to the effective date of the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa. CSA Chapter 17.

31. 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, Defendant requests judgment on his behalf.

  
DENNIS J. STOFKO, Attorney for  
Defendant

I, Leonard Monroe Burd, do hereby swear or affirm that the facts set forth in the Answer and New Matter are correct to the best of my knowledge, information and belief.

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

Leonard M Burd  
Leonard Monroe Burd

Dated: 1/05/02

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

Sheriff Docket # 11830

WISOR, FREDERICK A. & IRENE

01-1966-CD

VS.

BURD, LEONARD MONROE

COMPLAINT

**SHERIFF RETURNS**

NOW DECEMBER 6, 2001, DENNY NAU, SHERIFF OF CENTRE COUNTY WAS  
DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO  
SERVE THE WITHIN COMPLAINT ON LEONARD MONROE BURD, DEFENDANT.

NOW DECEMBER 13, 2001 SERVED THE WITHIN COMPLAINT ON LEONARD M.  
BURD BY DEPUTIZING THE SHERIFF OF CENTRE COUNTY. THE RETURN OF  
SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

**Return Costs**

Cost	Description
27.89	SHFF. HAWKINS PAID BY: ATTY.
27.00	SHFF. NAU PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.
<u>64.89</u>	

**FILED**

012:15  
JAN 16 2002

William A. Shaw  
Prothonotary

Sworn to Before Me This

16 Day Of Jan 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 Harris*

Chester A. Hawkins  
Sheriff

11830

# SHERIFF'S OFFICE

## CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

<b>SHERIFF SERVICE</b> <b>PROCESS RECEIPT, AND AFFIDAVIT OF RETURN</b>	INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. please type or print legibly. Do Not detach any copies.
---	--

1. Plaintiff(s) <i>Frederick &amp; Irene Wisore</i>	2. Case Number <i>01-1966-CD</i>
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3. Defendant(s) <i>Leonard M. Burd</i>	4. Type of Writ or Complaint: <i>Complaint</i>
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SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. <i>Leonard M. Burd</i> 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <i>840 Moose Run Rd., Bellefonte, PA</i>
------------------	---

7. Indicate unusual service: ☐ Reg Mail ☐ Certified Mail ☐ Deputize ☐ Post ☐ Other

Now, \_\_\_\_\_ 20\_\_\_\_, I SHERIFF OF CENTRE COUNTY, PA., do hereby deputize the Sheriff of \_\_\_\_\_ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. \_\_\_\_\_  
Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator	10. Telephone Number	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE			
13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date

**TO BE COMPLETED BY SHERIFF**

16. Served and made known to *Leonard M. Burd*, on the *13* day of *December*, 20 *01*, at *1043* o'clock, *A* m., at *840 Moose Run Rd., Bellefonte*, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

- ☒ Defendant(s) personally served.
- ☐ Adult family member with whom said Defendant(s) resides(s). Relationship is \_\_\_\_\_
- ☐ Adult in charge of Defendant's residence.
- ☐ Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- ☐ Agent or person in charge of Defendant's office or usual place of business.
- ☐ \_\_\_\_\_ and officer of said Defendant company.
- ☐ Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

- ☐ Moved ☐ Unknown ☐ No Answer ☐ Vacant ☐ Other \_\_\_\_\_

Remarks:

Advance Costs	Docket	Service	Sur Charge	Affidavit	Mileage	Postage	Misc.	Total Costs	Costs Due or Refund
<i>75.00</i>	<i>9.00</i>	<i>9.00</i>	<i>—</i>	<i>250.00</i>	<i>6.00</i>	<i>.50</i>	<i>—</i>	<i>27.00</i>	<i>48.00</i>

17. AFFIRMED and subscribed to before me this <i>17</i> day of <i>December</i> , 20 <i>01</i> <i>Corinne Peters</i> Notary Public	18. Signature of Dep. Sheriff <i>Eric S. [Signature]</i>	19. Date <i>12/14/01</i>
	21. Signature of Sheriff	22. Date

Notarial Seal Corinne Peters, Notary Public Bellefonte Boro, Centre County My Commission Expires Sept 5, 2005	SHERIFF OF CENTRE COUNTY Amount Pd. _____ Page _____
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24. LACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE	25. Date Received
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SHERIFF'S OFFICE WORK SHEET

# 2170

Deputy assigned E.A. Date assigned Dec. 11<sup>th</sup>.01 Last Day JAN. 2<sup>nd</sup>

DEFENDANT (S) LEONARD MONROE BURD Type of Writ COMPLAINT

address 840 MOOSE RUN ROAD Order # 01-1966-CD

Bellefonte Page # 186B-AA

PLAINTIFF FREDERICK + FRANK WISOR Date Served \_\_\_\_\_

Action Taken

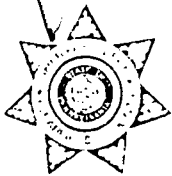
Date/Time

Served Leonard personally

12/13/01 @ 1043

Miscellaneous Information





CHESTER A. HAWKINS  
SHERIFF

# Sheriff's Office Clearfield County

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

#2170  
OFFICE (814) 765-2641  
AFTER 4:00 P.M. (814) 765-1533  
CLEARFIELD COUNTY FAX  
(814) 765- 5915

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

FREDERICK A. WISOR &  
IRENE WISOR

VS

LEONARD MONROE BURD

TERM & NO. 01-1966-CD

**SERVE BY:** 1/4/02

or

**HEARING DATE:**

**DOCUMENT TO BE SERVED:**  
COMPLAINT

**MAKE REFUND PAYABLE TO:** JAMES A. NADDEO, Attorney

**SERVE:** LEONARD MONROE BURD

**ADDRESS:** 840 Moose Run Road, Bellefonte, Pa.

.....  
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 CENTRE County Pennsylvania to execute this writ.

This Deputation being made at the request and risk of the Plaintiff this 6th day of DECEMBER 2001.

Respectfully,

  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

pg. 1868-AA  
pd. 75.0

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

No. 01 - 1966 - CD

Type of Pleading:

Certificate of Service

Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

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

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

**FILED**

JAN 24 2002  
01/10:55/ noc c  
William A. Shaw  
Prothonotary

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
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LEONARD MONROE BURD,  
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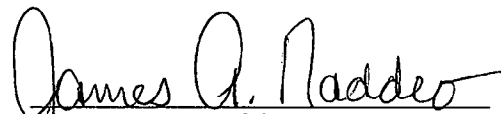
No. 01 - 1966 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Interrogatories Addressed to Defendant filed in the above-captioned action was served on the following person and in the following manner on the 24th day of January, 2002:

First-Class Mail, Postage Prepaid

Dennis J. Stofko, Esquire  
969 Eisenhower Boulevard, Suite E  
PO Box 5500  
Johnstown, PA 15904

  
James A. Naddeo  
Attorney for Plaintiffs

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

Lap over margin

FILED

010:4730  
FEB 01 2002

William A. Shaw  
Prothonotary

1cc  
Att  
f  
KES

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

No. 01 - 1966 - CD

Type of Pleading:

ANSWER TO NEW MATTER

Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

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

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

**FILED**

FEB 01 2002

William A. Shaw  
Prothonotary

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

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No. 01 - 1966 - CD

ANSWER TO NEW MATTER

NOW COME the Plaintiffs, Frederick A. Wisor and Irene Wisor, and by their attorney, James A. Naddeo, Esquire, set forth the following Answer to Defendant's New Matter:

1. Paragraph 30 states a conclusion of law to which no answer is required.

2. Paragraph 31 states a conclusion of law to which no answer is required.

WHEREFORE, Plaintiffs demand judgment as set forth in their Complaint.

James A. Naddeo  
James A. Naddeo  
Attorney for Plaintiffs

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

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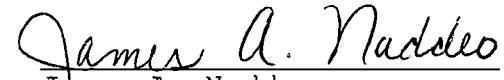
No. 01 - 1966 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiffs' Answer to New Matter filed in the above-captioned action was served on the following person and in the following manner on the 1<sup>st</sup> day of February, 2002:

First-Class Mail, Postage Prepaid

Dennis J. Stofko, Esquire  
969 Eisenhower Boulevard, Suite E  
PO Box 5500  
Johnstown, PA 15904

  
James A. Naddeo  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA)

ss.

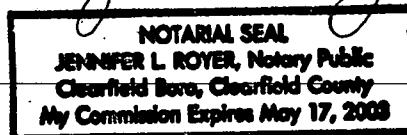
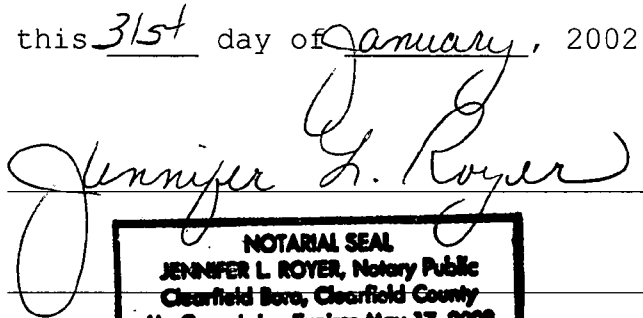
COUNTY OF CLEARFIELD )

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



Frederick A. Wisor

SWORN and SUBSCRIBED before me this 31<sup>st</sup> day of January, 2002.





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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

No. 01 - 1966 - CD

Type of Pleading:

**CERTIFICATE OF SERVICE**

Filed on behalf of:  
Plaintiffs

Counsel of Record for  
this party:

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

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

**FILED**

MAR 15 2002

01/04/21/00cc  
William A. Shaw  
Prothonotary

RES

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
                    Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
                    Defendant.

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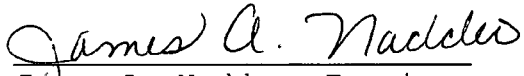
No. 01 - 1966 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, Attorney for Plaintiffs do  
hereby certify that a true and correct copy of Notice of  
Deposition of Leonard Monroe Burd in the above matter was served  
by first-class mail, postage prepaid, upon the following:

Dennis J. Stofko, Esquire  
969 Eisenhower Boulevard, Suite E  
P.O. Box 5500  
Johnstown, PA 15904

Said Notice of Deposition was mailed this 15th day of  
March, 2002.

  
James A. Naddeo, Esquire  
Attorney for Plaintiff

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

Lap over margin

**FILED**

APR 18 2002

William A. Shaw  
Prothonotary



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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

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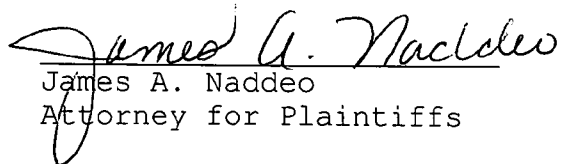
No. 01 - 1966 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiff's Answers to Interrogatories and Plaintiff's Answer to Request for Production of Documents in the above-captioned action were served on the following person and in the following manner on the 18th day of April, 2002:

First-Class Mail, Postage Prepaid

Dennis J. Stofko, Esquire  
969 Eisenhower Boulevard, Suite E  
P.O. Box 5500  
Johnstown, PA 15904

  
James A. Naddeo  
Attorney for Plaintiffs

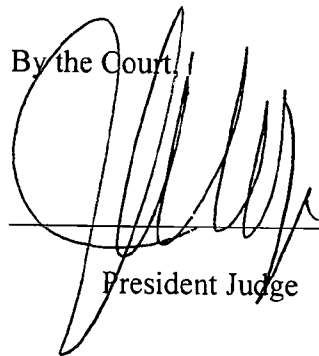
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

FREDERICK A. WISOR and IRENE :  
WISOR, husband and wife :  
-VS- : No. 01 - 1966 - CD  
LEONARD MONROE BURD, :  
an individual :

**ORDER**

NOW, this 27<sup>th</sup> day of November, 2002, following status conference in the above-captioned matter, it is the ORDER of this Court that all discovery, including Defendant's independent medical examination and reports thereof, shall be concluded within sixty (60) days from date hereof.

By the Court,



President Judge

**FILED**

NOV 27 2002

William A. Shaw  
Prothonotary

**FILED**

01/10/11  
NOV 27 2002

William A. Shaw  
Prothonotary

1cc Atty Naddes  
1cc Atty Stofko  
~~1cc Atty~~

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

Lap over margin

FILED

None

0110:5148X  
MAR 18 2003

copy to C/A

William A. Shaw  
Prothonotary



William A. Shaw  
Prothonotary

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

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No. 01 - 1966 - CD

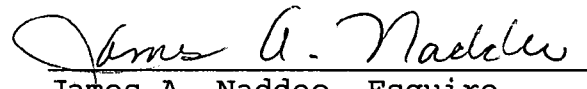
**PRAECIPE TO LIST FOR TRIAL**

TO THE PROTHONOTARY:

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

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

Date: March 18, 2003

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

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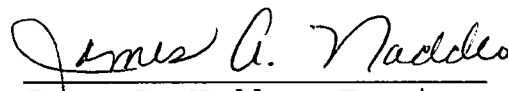
No. 01 - 1966 - CD

**CERTIFICATE OF SERVICE**

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praecept to List for Trial filed in the above-captioned action was served on the following person and in the following manner on the 18th day of March, 2003:

First-Class Mail, Postage Prepaid

Dennis J. Stofko, Esquire  
969 Eisenhower Boulevard, Suite E  
P.O. Box 5500  
Johnstown, PA 15904

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

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

Lap over margin

**FILED**

MAR 19 2003

William A. Shaw  
Prothonotary

9 Feb

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

FREDERICK A. WISOR and  
IRENE WISOR,  
husband and wife,  
Plaintiffs,

v.

LEONARD MONROE BURD,  
an individual,  
Defendant.

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No. 01 - 1966 - CD

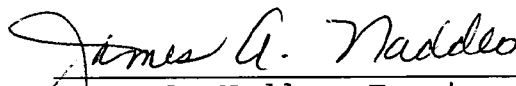
CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Notice of Taking Deposition of Mark A. Piasio, M.D., in the above-captioned action was served on the following person and in the following manner on the 19<sup>th</sup> day of March, 2003:

First-Class Mail, Postage Prepaid

Mark A. Piasio, M.D.  
145 Hospital Avenue, Suite 311  
DuBois, PA 15801

Dennis J. Stofko, Esquire  
969 Eisenhower Boulevard, Suite E  
P.O. Box 5500  
Johnstown, PA 15904

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

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

FREDERICK A. WISOR and  
IRENE WISOR, husband and wife,  
Plaintiffs

vs.

LEONARD MONROE BURD,  
Defendant

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NO. 2001-1966-C.D.

O R D E R

NOW, this 15<sup>th</sup> day of August, 2003, following Civil Pre-Trial Conference with counsel for both parties being present; the Court noting that the parties advised the Court that settlement may be reached in this matter, it is the ORDER of this Court that pending settlement, the above captioned action be continued to the next Term of Court.

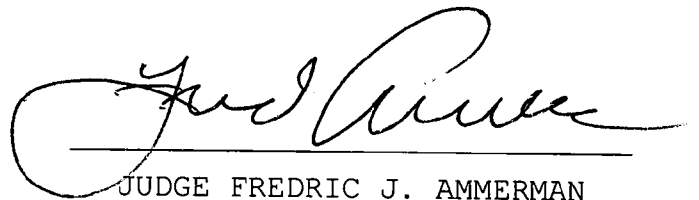
The Court Administrator is directed to schedule this matter for the next Term of Court and Civil Call.

By the Court,

**FILED**

**AUG 15 2003**

William A. Shaw  
Prothonotary/Clerk of Courts

  
JUDGE FREDRIC J. AMMERMAN

FILED

013:116-BH  
AUG 15 2003 EKH

William A. Shaw  
Prothonotary/Clerk of Courts

2 certified copies to James A. Naddeo, Esquire  
2 certified copies to Dennis j. Stofko, Esquire  
1 copy to Judge Ammerman  
1 ~~copy to Judge Ammerman~~ copy to CA



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

FREDERICK A. WISOR and  
IRENE WISOR, husband and wife,

Plaintiffs

vs.

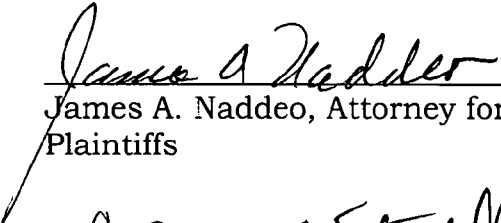
No. 01-1966 CD

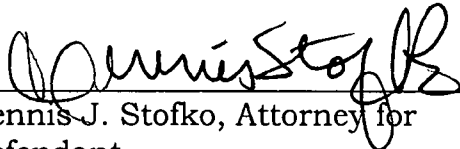
LEONARD MONROE BURD,

Defendant

PRAECIPE

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

  
James A. Naddeo, Attorney for  
Plaintiffs

  
Dennis J. Stofko, Attorney for  
Defendant

**FILED**

SEP 18 2003

William A. Shaw  
Prothonotary

**FILED**

~ 1:36 PM

1CC

*Cont to Amy Stapp  
Copy to CA*

SEP 18 2003

William A. Shaw  
Prothonotary

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

**CIVIL DIVISION**

**Frederick A. Wisor  
Irene Wisor**

**Vs.  
Leonard Monroe Burd**

**No. 2001-01966-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 September 18, 2003, marked:

Discontinued, settled and ended.

Record costs in the sum of \$144.89 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 18th day of September A.D. 2003.

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William A. Shaw, Prothonotary

Civil Court, Voir Dire Session	Order, Jury Commissioners to summon 150 Traverse Jurors for Civil Court, Special Voir Dire Session on Oct. 7, 2003	May 14, 2003	11	458-A
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Civil Procedure-Amendments to	Order, amendments adopted to the rules of civil procedure	Nov. 9, 1994	11	439
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Civil Rules Committee	Civil Rules Committee of the 46th Judicial District shall be as follows: Attys Belin (Chairman), Kriner (Secretary), Bell, Jones, Sughrue, Seaman, and Naddeo	July 10, 1992	11	424
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Civil Rules Committee Clfd. Co.	Appointed Members of Civil Rules Committee of Clearfield County for 2 years	May 5, 1994	11	434
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Clark, William F.	Order, Kenneth A. Bundy appointed Judge of Election, Third Ward of City of DuBois; William F. Clark resigned	Oct. 29, 1991	11	011
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Claus, Lawrence N.	Letter of Designation from Thomas W. Gorbett, Jr., Attorney General of PA regarding authorization to sign criminal informations or indictments	Oct. 20, 1995	11	535
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Clearfield Area School	Clearfield Area School District, Act 511 Taxes, 2/27/90	Feb. 27, 1990	11	317
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Clearfield Area School	Clearfield Area School District, Act 511 Taxes	Jan. 11, 1991	11	318
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Clearfield Area School District	Clearfield Area School District, Audit Report, filed 1/12/92	Jan. 12, 1992	11	318
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