

02-145-CD
WILLIAM F. CLARK -vs- DENNIS ALLEN ROBBINS et al

Date		Judge
01/30/2002	Filing: Civil Complaint Paid by: Cashier, Geoffrey S. Esq (attorney for Clark, William E.) Receipt number: 1837418 Dated: 01/30/2002 Amount: \$80.00 (Check) Two CC Sheriff	No Judge ✓
02/19/2002	Praeipe For Appearance, on behalf of Lynn Robbins, individually and, t/d/b/a Robbins Lumber Company, filed by s/William W. Guthrie, Esq. no cc	No Judge ✓
	Notice of Service of Interrogatories and Request for Production Directed to Defendants, upon John A. Statler, Esq. Filed by s/Geoffrey S. Cashier no cc	No Judge ✓
03/06/2002	Answer of Defendant Dennis Allen Robbins to Plaintiff's Complaint Including New Matter. Filed by s/John A. Statler, Esq. Verification. s/Dennis Allen Robbins Certificate of Service 1 cc to atty	No Judge ✓
03/11/2002	Certificate of Service, Plaintiff's Answers to Interrogatories upon John A. Statler, Esq. Filed by s/Geoffrey S. Cashier, Esq. no cc	No Judge ✓
03/22/2002	Stipulation. Filed by s./Todd Berkey, Esq. Certificate of Service	No Judge ✓
03/25/2002	Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge ✓
04/03/2002	Reply to New Matter. Filed by s/Geoffrey S. Cashier, Esq. Verification s/William E. Clark Certificate of Service no cc	No Judge ✓
04/22/2002	Notice of Deposition, filed by Atty. Berkey no cert. copies.	No Judge ✓
04/24/2002	Certificate Prerequisite to Service of Subpoenas Pursuant to Rule 4009.22. Filed by s/John A. Statler, Esq. Certificate of Service no cc	No Judge ✓
05/08/2002	Certificate Prerequisite To Service Of Subpoenas Pursuant to Rule 4009.22. Filed by s/John A. Statler, Esquire Certificate of Service no cc	No Judge ✓
07/18/2002	Praeipe For Trial List. filed by s/Geoffrey S. Cashier, Esq. Certificate of Service no cc XCopy to CA	No Judge ✓
07/31/2002	Defendant's Motion for Trial Continuance, filed by Atty. Statler 1 cc to Atty.	John K. Reilly Jr. ✓
08/01/2002	ORDER, NOW, this 1st day of August, 2002, re: Motion for Continuance is GRANTED, continued until call of the list scheduled for January 2, 2003. by the Court, s/JKR,JR.,P.J. 1 cc Atty Statler 1 cc Atty Cashier	John K. Reilly Jr. ✓

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff,

vs.

DENNIS ALLEN ROBBINS and
LYNN ROBBINS, individually and,
t/d/b/a ROBBINS LUMBER
COMPANY,

Defendants.

CIVIL DIVISION

No. 02-145-CD

COMPLAINT IN A CIVIL ACTION

Filed on behalf of: Plaintiff, WILLIAM E.
CLARK

Counsel of record for this party:
TODD BERKEY, ESQUIRE
E-mail address: tberkey@edgarsnyder.com
PA I.D. No. 43689
EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925
(412) 394-1000

GEOFFREY S. CASH, ESQUIRE
E-mail address: gcasher@edgarsnyder.com
PA I.D. No. 35309
EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539
(814) 472-9000

Firm No. 1605

JURY TRIAL DEMANDED

FILED

JAN 30 2002

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 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 OR KNOW A LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

LAWYER REFERRAL SERVICE - Court Administrator's Office
1 North Second Street
Clearfield, PA 16830

Telephone (814) 765-2641, Ext: 50

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,)	CIVIL DIVISION
)	
Plaintiff,)	No.:
)	
vs.)	
)	
DENNIS ALLEN ROBBINS, and)	
LYNN ROBBINS, individually, and)	
t/d/b/a ROBBINS LUMBER)	
COMPANY,)	
)	
Defendants.)	

COMPLAINT IN A CIVIL ACTION

AND NOW, comes the Plaintiff, WILLIAM E. CLARK, by and through his attorneys, EDGAR SNYDER & ASSOCIATES, LLC and TODD BERKEY, ESQUIRE, and GEOFFREY S. CASHER, ESQUIRE, and sets forth the following Complaint in a Civil Action:

1. Plaintiff, WILLIAM E. CLARK, is an adult individual who currently resides at R.D. #1, Box 301, Olanta, Clearfield County, Pennsylvania 16863.
2. Defendant, DENNIS ALLEN ROBBINS, is an adult individual with a last current known address of R.D. #1, Box 37, Olanta, Clearfield County, Pennsylvania 16863.
3. Defendant, LYNN ROBBINS, is an adult individual with a last current known address of R.D. #1, Olanta, Clearfield County, Pennsylvania 16863.
4. Defendant, ROBBINS LUMBER COMPANY, is a business, owned and operated by LYNN ROBBINS, which is licensed to conduct and transact business in the Commonwealth of Pennsylvania, County of Clearfield, which has a principal place of business located at R. D. #1, Olanta, Clearfield County, Pennsylvania 16863.

5. The events hereinafter complained of occurred on or about Friday, August 17, 2001 at approximately 1:10 p.m. in or about the municipality or locality known as Knox Township, Clearfield County, Pennsylvania.

6. At all times material hereto, there existed in said municipality a certain public thoroughfare known as Township Route 565 (Clark Street) which extended in a general north/south direction.

7. At all times material hereto, defendant, DENNIS ALLEN ROBBINS, was the operator and in exclusive possession and control of a certain 1990 Toyota pick-up truck.

8. At all times material hereto, defendant, DENNIS ALLEN ROBBINS, was operating said pick-up truck on and along Township Route 565 in a southerly direction.

9. At all times material hereto, defendant, DENNIS ALLEN ROBBINS, was operating said pick-up truck within the course and scope of his employment with ROBBINS LUMBER COMPANY and was operating said pick-up truck with the direct consent, authority and permission of ROBBINS LUMBER COMPANY.

10. At all times material hereto, plaintiff, WILLIAM CLARK, was the operator and in exclusive possession and control of a certain 1991 Chevrolet Cavalier automobile.

11. At all times material hereto, plaintiff was operating said Chevrolet Cavalier on and along Township Route 565 in a northerly direction.

12. At all times material hereto, defendant, DENNIS ALLEN ROBBINS, did so negligently, carelessly and recklessly operate said pick-up truck so as to loose control of said pick-up truck while attempting to negotiate a lefthand curve in the roadway thereby causing defendant's vehicle to cross the center line of said roadway thereby further causing defendant's vehicle to collide violently

with the vehicle being operated by the plaintiff in a head-on fashion.

13. At all times material hereto, as a direct and proximate result of the hereinabove described collision, plaintiff, WILLIAM E. CLARK, was caused to be thrown about and against the various interior parts of said automobile and to suffer and sustain the serious and severe injuries, as hereinafter more fully set forth.

14. The injuries and damages hereinafter set forth were caused solely by and were the direct and proximate result of the negligence, carelessness and recklessness of the defendant, DENNIS ALLEN ROBBINS, as aforesaid generally, and in the following particulars:

- a. in operating said defendant's pick-up truck at a high, dangerous and excessive rate of speed;
- b. in operating said defendant's pick-up truck at an excessive rate of speed under the circumstances;
- c. in failing to keep and maintain a proper and adequate lookout ahead for vehicles which were traveling in a northerly direction on Township Route 565;
- d. in failing to keep and maintain said defendant's pick-up truck under proper and adequate control at all times material hereto;
- e. in failing to stop, slow or turn said defendant's pick-up truck aside when defendant knew or by the exercise of reasonable care defendant should have known that if said vehicle were permitted to proceed, a collision would result;
- f. in operating said defendant's pick-up truck into the northbound lane of Township Route 565;
- g. in failing to sound a horn, signal or other warning device prior in time to crossing the center line into the plaintiff's lane of travel;
- h. in operating said defendant's pick-up truck into a collision with the said automobile of the plaintiff;
- i. in causing defendant's pick-up truck to travel over the center line and into the opposite lane of travel;

- j. in failing to keep defendant's pick-up truck in its own proper lane of travel, that being the southbound lane of travel;
- k. in attempting to operate defendant's pick-up truck in the northbound lane of said thoroughfare;
- l. in attempting bear directly into the lane of traffic then and there being occupied by plaintiff's moving vehicle;
- m. in failing to make and give a proper and adequate signal of defendant's intention to cross into the lane of traffic then and there being occupied by plaintiff's moving vehicle;
- n. in violating the ordinances of Knox Township and the laws and statutes of the Commonwealth of Pennsylvania;
- o. in knowingly exposing the plaintiff to a risk of great personal harm;
- p. in failing to keep and maintain a proper and adequate lookout for other vehicles traveling on said roadway;
- q. in veering, swerving and turning said defendant's pick-up truck so as to cause and permit the same to go upon its left and improper side of said thoroughfare;
- r. in operating defendant's pick-up truck on the wrong side of the roadway.

15. As a direct and proximate result of the aforesaid defendant's negligence, plaintiff, WILLIAM E. CLARK, sustained the following and severe injuries, some or all of which may be permanent in nature:

- a. grade III concussion;
- b. right rib fractures;
- c. left humeral head fracture;
- d. left posterior column acetabular fracture;
- e. left superior pubic ramus fracture;
- f. left anterior pubic ramus fracture;

- g. loss of consciousness;
- h. temporary loss of bowel and bladder function;
- i. severe lacerations and bruising;
- j. other serious and severe injuries, the extent of which are unknown at the present time.

16. As a result of said aforesaid injuries, plaintiff, WILLIAM E. CLARK, has been damaged as follows:

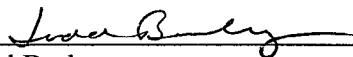
- a. he has been and will be required to expend large sums of money for surgical and medical attention, hospitalization, medical supplies, surgical appliances, medicines and services of nurses;
- b. he has suffered and will suffer great pain, inconvenience, embarrassment, mental anguish, and loss of enjoyment of life;
- c. his general health, strength and vitality have been impaired;
- d. he has been permanently disfigured.

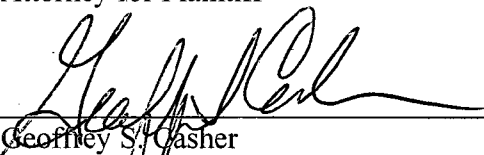
WHEREFORE, plaintiff, WILLIAM E. CLARK, claims damages of the defendants for a sum in excess of the arbitration limits of Clearfield County.

JURY TRIAL DEMANDED.

Respectfully submitted,

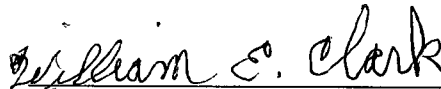
EDGAR SNYDER & ASSOCIATES, LLC

By 
Todd Berkey
Attorney for Plaintiff

By: 
Geoffrey S. Casher
Attorney for Plaintiff

VERIFICATION

I hereby verify that the foregoing averments of fact are true and correct and based upon my personal knowledge, information or belief. I understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.



WILLIAM E. CLARK

Date:

1-25-02

FILED

200

Sheriff

JAN 30 2002

Atty pd. 80.00

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff,

v.

DENNIS ALLEN ROBBINS and
LYNN ROBBINS, individually and,
t/d/b/a ROBBINS LUMBER
COMPANY,

Defendant.

CIVIL DIVISION

NO. 02-145-CD

JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

Filed on behalf of:

LYNN ROBBINS, individually and,
t/d/b/a ROBBINS LUMBER COMPANY,
Defendant

Counsel of Record for this Party:

William W. Guthrie, Esquire
Pa. I. D. 00190

WILLIAM W. GUTHRIE & ASSOCIATES
Firm #697

403 Frick Building
Pittsburgh, Pennsylvania 15219
(412) 562-0556

FILED

FEB 19 2002

7/8:53/NOCK
William A. Shaw
Prothonotary

PRAECIPE FOR APPEARANCE

TO: WILLIAM A. SHAW, PROTHONOTARY

KINDLY enter my Appearance on behalf of LYNN ROBBINS, individually
and, t/d/b/a ROBBINS LUMBER COMPANY, Defendant in the above captioned matter.

WILLIAM W. GUTHRIE & ASSOCIATES

BY


William W. Guthrie, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

No. 02-145-CD

Plaintiff

vs.

DENNIS ALLEN ROBBINS and
LYNN ROBBINS, individually and,
t/d/b/a ROBBINS LUMBER
COMPANY,

Defendants

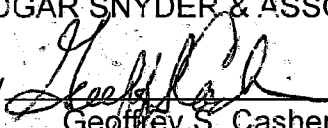
**NOTICE OF SERVICE OF INTERROGATORIES
AND REQUEST FOR PRODUCTION DIRECTED TO DEFENDANT[S]**

I hereby certify that on this 15TH day of FEBRUARY, 2002, the original Interrogatories Directed To Defendant[s], the original Request For Production, and one (1) copy of the Notice of Service of Interrogatories and Request For Production were mailed by First Class Mail, postage prepaid, to counsel for Defendant[s] at the following address:

John A. Statler, Esquire
GOLDBERG, KATZMAN & SHIFMAN, P.C.
320 Market Street, Strawberry Square
P. O. Box 1268
Harrisburg PA 17108-1268

EDGAR SNYDER & ASSOCIATES, LLC

By


Geoffrey S. Casher
Attorney for Plaintiff

FILED

FEB 19 2002

mjs41ncc
William A. Shaw
Prothonotary

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendant Dennis Allen Robbins

WILLIAM E. CLARK,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
V.	:	CIVIL ACTION - LAW
	:	
DENNIS ALLEN ROBBINS and	:	NO. 02-145-CD
LYNN ROBBINS, Individually and	:	
t/d/b/a ROBBINS LUMBER COMPANY,	:	JURY TRIAL DEMANDED
Defendants	:	

NOTICE TO PLEAD

TO: WILLIAM E. CLARK, Plaintiff
c/o TODD BERKEY, ESQUIRE
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925
Attorney for Plaintiff

FILED

MAR 06 2002

M / 1:00 (was)
William A. Shaw
Prothonotary

L. C. H. to ARTT

Handwritten initials

YOU ARE REQUIRED to plead to the within Answer With New Matter within twenty

(20) days of service hereof or a default judgment may be entered against you.

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: 

John A. Statler, Esquire
Attorney I. D. No. 43812
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161
Attorney for Defendant Dennis Allen Robbins

DATE: 2/28/02

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendant Dennis Allen Robbins

WILLIAM E. CLARK,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL ACTION - LAW
	:	
DENNIS ALLEN ROBBINS and	:	NO. 02-145-CD
LYNN ROBBINS, Individually and	:	
t/d/b/a ROBBINS LUMBER COMPANY,	:	JURY TRIAL DEMANDED
Defendants	:	

**ANSWER OF DEFENDANT DENNIS ALLEN ROBBINS
TO PLAINTIFF'S COMPLAINT INCLUDING NEW MATTER**

AND NOW, comes the Defendant, Dennis Allen Robbins, by his attorneys, Goldberg, Katzman and Shipman, P.C., who files the following Answer and New Matter in response to the Plaintiff's Complaint:

1. Denied. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth or falsity of the averments in this paragraph and, therefore, denies the same and demands strict proof at time of trial if deemed material.

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

7. Admitted.

8. Admitted.

9. Denied. It is specifically denied that Dennis A. Robbins was operating his pickup truck in the course and scope of any employment with Robbins Lumber Company. It is further denied that Dennis A. Robbins was operating the pickup truck with the direct consent, authority and permission of Robbins Lumber Company.

10. Admitted.

11. Admitted.

12. The averments in this paragraph constitute conclusions of law to which no response is required. In the event a response is deemed to be required, it is admitted that there was a collision between the Robbins and Clark vehicles. It is denied that Dennis Robbins' vehicle crossed the center line of the roadway.

13. Denied. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth or falsity of the averments in this paragraph and, therefore, denies the same and demands strict proof at time of trial if deemed material.

14. The averments in this paragraph constitute conclusions of law to which no response is required. In the event a response is deemed to be required, it is denied that the injuries and damages claimed by the Plaintiff were caused solely by and were the direct and proximate result of any negligence, carelessness and recklessness of Defendant Dennis Allen Robbins. By way of further answer, it is denied that Defendant Robbins was negligent, careless and reckless:

- a. in operating the pickup truck at a high, dangerous and excessive rate of speed;
- b. in operating the pickup truck at an excessive rate of speed under the circumstances;

- c. in failing to keep and maintain a proper and adequate lookout ahead for vehicles which were traveling in a northerly direction on Township Route 565;
- d. in failing to keep and maintain said pickup truck under proper and adequate control at all times material hereto;
- e. in failing to stop, slow or turn the pickup truck aside when Defendant knew or by the exercise of reasonable care should have known that if said vehicle was permitted to proceed, a collision would result;
- f. in operating said pickup truck into the northbound lane of Township Route 565;
- g. in failing to sound a horn, signal or other warning device prior in time to crossing the center line into the Plaintiff's lane of travel;
- h. in operating said pickup truck into a collision with the said automobile of the Plaintiff;
- i. in causing Defendant's pickup truck to travel over the center line and into the opposite lane of travel;
- j. in failing to keep Defendant's pickup truck in its proper lane of travel;
- k. in attempting to operate Defendant's pickup truck in the northbound lane of said thoroughfare;

- l. in attempting to bear directly into the lane of traffic then and there being occupied by Plaintiff's moving vehicle;
- m. in failing to make and give a proper and adequate signal of Defendant's intention to cross into the lane of traffic then and there being occupied by Plaintiff's moving vehicle;
- n. in violating the ordinances of Knox Township and the laws and statutes of the Commonwealth of Pennsylvania;
- o. in knowingly exposing the Plaintiff to a risk of great personal harm;
- p. in failing to keep and maintain a proper and adequate lookout for other vehicles traveling on said roadway;
- q. in veering, swerving and turning said pickup truck so as to cause and permit the same to go upon its left and improper side of said thoroughfare;
- r. in operating Defendant's pickup truck on the wrong side of the highway.

15. The averments in this paragraph constitute conclusions of law to which no response is required. In the event a response is deemed to be required, Defendant Dennis A. Robbins denies that he was negligent. By way of further answer, Defendant is without information sufficient to form a belief as to the truth or falsity of the averments concerning the

nature and extent of the Plaintiff's alleged injuries and their causal relation to this accident and, therefore, denies the same and demands strict proof at time of trial if deemed material.

16. Denied. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth or falsity of the averments concerning the nature and extent of the Plaintiff's alleged injuries and damages and their causal relation to this accident and, therefore, denies the same and demands strict proof at time of trial if deemed material.

WHEREFORE, Defendant Dennis Allen Robbins respectfully requests that the Plaintiff's Complaint be dismissed and that judgment be entered in favor of the Defendant and against the Plaintiff.

NEW MATTER

By way of additional answer and reply, Defendant raises the following New Matters:

17. Some or all of the Plaintiff's claims are barred in whole or in part and/or are limited by the provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law, 75 Pa. C.S.A. §1701, *et seq.* and especially by §§1705 and 1722 of that law.

18. Some or all of the Plaintiff's claims are barred in whole or in part and/or are limited by the provisions of the Pennsylvania Comparative Negligence Act and/or by the Doctrine of Comparative/Contributory Negligence.

19. Plaintiff William E. Clark was negligent and careless in the operation of his automobile in that he:

- a. failed to yield the right of way;
- b. failed to keep his vehicle in the proper lane of travel;
- c. failed to keep his vehicle to the far right side of the roadway;
- d. failed to keep alert and maintain a proper lookout for other vehicles;
- e. operated his vehicle at a speed too fast for the roadway.
- f. failed to exercise reasonable care in the operation of his vehicle; and
- g. failed to avoid the collision with the Robbins vehicle.

20. The negligence and carelessness of the Plaintiff, as aforesaid, was a substantial factor in the happening of the accident.

WHEREFORE, Defendant Dennis Allen Robbins respectfully requests that the Plaintiff's Complaint be dismissed and that judgment be entered in favor of the Defendant and against the Plaintiff.

Respectfully submitted,

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: 

John A. Statler, Esquire
Attorney I. D. No. 43812

320 Market Street
P. O. Bcx 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorneys for Defendant Dennis Allen Robbins

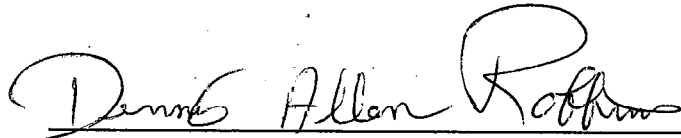
DATE: 2/28/02

74992.1

VERIFICATION

I, DENNIS ALLEN ROBBINS, hereby acknowledge that I am a Defendant in this action; that I have read the foregoing document; and that the facts stated therein are true and correct to the best of my knowledge, information and belief.

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


DENNIS ALLEN ROBBINS

DATE: 2-21-02

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that I served a true and correct copy of the foregoing document upon all parties or counsel of record by depositing a copy of same in the United States Mail at Harrisburg, Pennsylvania, with first-class postage prepaid on the 28th day of February, 2002, addressed to the following:

Todd Berkey, Esquire
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925

Respectfully submitted,

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: 

John A. Statler, Esquire
Attorney I. D. No. 43812

320 Market Street
P. O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorneys for Defendant Dennis Allen Robbins

FILED

MAR 06 2002

William A. Shaw
Prothonotary

02-145-00

CERTIFICATE OF SERVICE


I hereby certify that a true and correct copy of the within **PLAINTIFF'S ANSWERS TO INTERROGATORIES** was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 8th day of MARCH, 2002:

John A. Statler, Esquire
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P. O. Box 1268
Harrisburg, PA 17108-4161



GEOFFREY S. CASHER, ESQUIRE
Attorney for Plaintiff

FILED

MAR 11 2002
m | 1131 noce
William A. Shaw
Prothonotary 

Geoffrey S. Casher, Esquire
E-mail: gcasher@edgarsnyder.com

Other Offices In: Pittsburgh
Altoona • Erie • Johnstown

March 8, 2002

William A. Shaw, Prothonotary
Clearfield County Courthouse
1 North Second Street
Clearfield PA 16830

Re: William E. Clark vs. Dennis Allan Robbins
Docket No: 02-145-CD
Our File No: 325169

Dear Mr. Shaw:

Please find enclosed for filing in the above matter Certificate of Service of Answers to Interrogatories Directed to Plaintiff. As indicated by the Certificate of Service, a true and correct copy has been sent to all counsel of record.

Thank you in advance for your anticipated attention to this matter.

Very truly yours,

Geoffrey S. Casher

Geoffrey S. Casher

GSC/pjm
Enclosure

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff,

vs.

DENNIS ALLEN ROBBINS and LYNN
ROBBINS, individually and, t/d/b/a
ROBBINS LUMBER COMPANY,

Defendants.

CIVIL DIVISION

No. 02-145 CD

STIPULATION

Filed on behalf of: Plaintiff, WILLIAM E.
CLARK

Counsel of record for this party:

TODD BERKEY, ESQUIRE

E-mail address: tberkey@edgarsnyder.com

PA I.D. No. 43689

EDGAR SNYDER & ASSOCIATES, LLC

Gulf Tower, Sixteenth Floor

707 Grant Street

Pittsburgh, PA 15219-1925

(412) 394-1000

GEOFFREY S. CASHER, ESQUIRE

E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC

100 West High Street

Ebensburg, PA 15931-1539

(814) 472-9000

Firm No. 1605

JURY TRIAL DEMANDED

FILED

MAR 22 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,)	CIVIL DIVISION
)	
Plaintiff,)	No.: 02-145 CD
)	
vs.)	
)	
DENNIS ALLEN ROBBINS, and)	
LYNN ROBBINS, individually, and)	
t/d/b/a ROBBINS LUMBER)	
COMPANY,)	
)	
Defendants.)	

STIPULATION

By way of agreement and stipulation, the parties hereto agree and stipulate to the following:

1. The parties agree to dismiss Lynn Robbins, individually and Lynn Robbins, t/d/b/a Robbins Lumber Company as defendants in this action.
2. The parties agree to add Dennis Allen Robbins, t/d/b/a Robbins Hardwood Transfer as a defendant in this action.

Therefore, the new caption in this action filed at 02-145 CD, Court of Common Pleas of Clearfield County, Pennsylvania will read as follows:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,)	CIVIL DIVISION
)	
Plaintiff,)	No.: 02-145 CD
)	
vs.)	
)	
DENNIS ALLEN ROBBINS,)	
individually, and DENNIS ALLEN)	

ROBBINS, t/d/b/a ROBBINS)
HARDWOOD TRANSFER,)
)
Defendants.)

3. The parties hereby agree to dismiss paragraph nos. 3, 4 and 9 from plaintiff's Complaint.

4. The parties agree to add the following two paragraphs to plaintiffs' Complaint:

New Paragraph No. 3:

3. Defendant, DENNIS ALLEN ROBBINS, t/d/b/a ROBBINS HARDWOOD TRANSFER is an adult individual who owns and operates a business establishment known as ROBBINS HARDWOOD TRANSFER and said business establishment has a former address of R.D. #1, Box 37, Olanta, Clearfield County, Pennsylvania 16863.

New Paragraph No. 9:

9. At all times material hereto, defendant, DENNIS ALLEN ROBBINS, was operating said hereinabove-described motor vehicle within the course and scope of his employ with ROBBINS HARDWOOD TRANSFER and was operating said motor vehicle with the direct consent, authority and permission of ROBBINS HARDWOOD TRANSFER.

5. The parties agree to amend Paragraph Nos. 3 and 9 of the Answer of Defendant, DENNIS ALLEN ROBBINS, to Plaintiff's Complaint, including New Matter as follows:

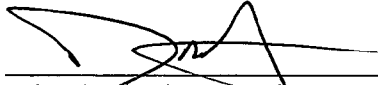
New Paragraph No. 3:

3. Admitted with clarification. Although Defendant, DENNIS ALLEN ROBBINS, owns and operates a business known as ROBBINS HARDWOOD

TRANSFER, he was not working for that business at the time of the August 17, 2001 accident.

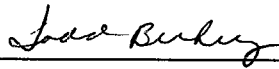
New Paragraph No. 9:

9. Denied. It is specifically denied that at the time of the August 17, 2001 accident, Defendant, DENNIS ALLEN ROBBINS, was operating the vehicle in the course and scope of any employment with ROBBINS HARDWOOD TRANSFER or with the direct consent, authority and permission of ROBBINS HARDWOOD TRANSFER.



John A. Statler, Esquire
Attorney for Defendants,
Dennis Allen Robbins,
individually and t/d/b/a
Robbins Hardwood Transfer

Date: 3/15/02



Todd Berkey, Esquire
Attorney for Plaintiff, William E. Clark

Date: 3-12-02

CERTIFICATE OF SERVICE

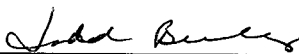
I hereby certify that a true and correct copy of the within Stipulation to Amend Caption and to Add Paragraphs to Complaint was served on all Counsel listed below, by First Class Mail, postage prepaid at Pittsburgh, PA, on this 12th day of March, 2002:

John A. Statler, Esquire
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street, Strawberry Square
P. O. Box 1268
Harrisburg, Pennsylvania 17108-1268

William W. Guthrie, Esquire
403 Frick Building
437 Grant Street
Pittsburgh PA 15219

Jack F. Robinson, Jr.
Bituminous Insurance Companies
Foster Plaza 5
651 Holiday Drive
Pittsburgh, PA 15220-2757

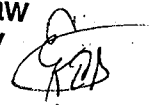
Geoffrey Casher, Esquire
EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931



Todd Berkey, Esquire
Attorney for Plaintiff

FILED

MAR 22 2002
w/12:50/45
William A. Shaw
Prothonotary



In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12037

CLARK, WILLIAM E.

02-145-CD

VS.

ROBBINS, DENNIS ALLEN & LYNN ROBBINS I/a/t/d/b/a ROBBINS LUMBER

COMPLAINT

SHERIFF RETURNS

NOW JANUARY 31, 2002 AT 1:37 PM EST SERVED THE WITHIN COMPLAINT
ON DENNIS ALLEN ROBBINS ind & t/d/b/a ROBBINS LUMBER COMPANY,
DEFENDANT AT EMPLOYMENT, ROBBINS LUMBER CO., RD#1
OLANTA, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DENNIS
ALLEN ROBBINS A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT
AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: MORGILLO/MARSHALL

NOW JANUARY 31, 2002 AT 1:37 PM EST SERVED THE WITHIN COMPLAINT
ON LYNN ROBBINS ind & t/d/b/a ROBBINS LUMBER COMPANY, DEFENDANT
AT EMPLOYMENT, ROBBINS LUMBER CO., RD#1, OLANTA, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO DENNIS A. ROBBINS A TRUE AND ATTESTED
COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS
THEREOF.
SERVED BY: MORGILLO/MARSHALL

Return Costs

Cost	Description
31.15	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED

MAR 25 2002
01930 am
William A. Shaw
Prothonotary

Sworn to Before Me This

25th Day Of March 2002
Jacqueline Kestrick
Deputy Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS ALLEN
ROBBINS, t/d/b/a ROBBINS
HARDWOOD TRANSFER,

Defendants

CIVIL DIVISION

No. 02-145-CD

REPLY TO NEW MATTER

Filed on behalf of:
PLAINTIFF

Counsel of record for this party:

TODD BERKEY, ESQUIRE
PA I.D. No. 43689

GEOFFREY S. CASHER, ESQUIRE
PA I.D. No. 35309

Firm No. 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

FILED

APR 03 2002

011042/rocc
William A. Shaw
Prothonotary

KEB

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

CIVIL DIVISION

Plaintiff

No. 02-145-CD

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS ALLEN
ROBBINS, t/d/b/a ROBBINS
HARDWOOD TRANSFER,

Defendants

REPLY TO NEW MATTER

AND NOW, comes the Plaintiff, WILLIAM E. CLARK, by and through his attorneys, EDGAR SNYDER & ASSOCIATES, LLC, and files the following Reply to New Matter of Defendant, DENNIS ALLEN ROBBINS:

17. Denied. This new matter contains conclusions of law to which no response is required. To the extent an answer is required, all allegations and averments contained in this paragraph are denied and strict proof is required and demanded at trial.

18. Denied. This new matter contains conclusions of law to which no response is required. To the extent an answer is required, all allegations and averments contained in this paragraph are denied and strict proof is required and demanded at trial.

19. Denied. It is denied that the Plaintiff, WILLIAM E. CLARK, was negligent or careless in the operation of his vehicle and, further, that:

a. It is denied that he failed to yield the right of way, and it is further averred that he, at all times, was driving his vehicle in a reasonable and prudent manner

in his appropriate lane of traffic;

b. It is denied that he failed to yield the right of way, and it is further averred that he, at all times, was driving his vehicle in a reasonable and prudent manner in his appropriate lane of traffic;

c. Denied. It is denied that WILLIAM E. CLARK failed to keep his vehicle to the right side of the roadway, and to contrary, WILLIAM E. CLARK attempted to avoid said accident by driving to the far right berm and despite said action, the Defendant struck his vehicle in a negligent and careless manner. Said allegations in this New Matter is denied and strict proof is demanded at trial;

d. Denied. It is denied that WILLIAM E. CLARK failed to keep alert and maintain a proper lookout for other vehicles, to the contrary, WILLIAM E. CLARK drove his vehicle in a reasonable and prudent manner, keeping keenly alert of other vehicles coming at him and maintained his proper lookout, and in fact, tried to take evasive maneuvers to avoid the collision. Strict proof of this allegation is demanded at trial.

e. Denied. It is denied that WILLIAM E. CLARK operated his vehicle at a speed too fast for the roadway and strict proof is demanded at trial. To the contrary, WILLIAM E. CLARK drove his vehicle in a reasonable and prudent manner and in a safe and careful manner.

f. Denied. It is denied that WILLIAM E. CLARK failed to exercise reasonable care in the operation of his vehicle and, to the contrary, drove his vehicle in a reasonable and prudent manner. Strict proof of this new matter and allegation is demanded at trial.

g. Denied. It is denied that WILLIAM E. CLARK was negligent or careless in any manner in his failure to avoid the collision with the ROBBINS vehicle. To

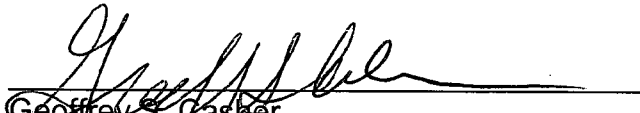
the contrary, the ROBBINS vehicle was driven in a careless and negligent manner causing his vehicle to strike that of WILLIAM E. CLARK. WILLIAM E. CLARK, to the contrary, drove his vehicle in a reasonable and prudent manner and strict proof of the allegations of this new matter are demanded at trial.

20. Denied. This allegation is a conclusion of law, to which no response is required. To the extent an answer is required, the Plaintiff denies any averments or allegations that he was negligent or careless and incorporates his complaint herein as if set forth in full, by way of further answer.

WHEREFORE, the Plaintiff, WILLIAM E. CLARK, respectfully requests that the judgment be entered in favor of the Plaintiff and against the Defendant, together with the costs therein.

Respectfully submitted:

EDGAR SNYDER & ASSOCIATES, LLC


Geoffrey S. Casher
Attorney for Plaintiff

VERIFICATION

I, WILLIAM E. CLARK, Plaintiff herein, hereby verify that the averments of fact contained in the foregoing Reply to New Matter are true and correct and based upon my personal knowledge, information or belief. I understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.

William E. Clark
William E. Clark

Date:

3-18-02

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Reply to New Matter was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 2nd day of APRIL, 2002:

John A. Statler, Esquire
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street, Strawberry Square
P. O. Box 1268
Harrisburg PA 17108-1268



Geoffrey S. Casher
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS ALLEN
ROBBINS, t/d/b/a ROBBINS
HARDWOOD TRANSFER,

Defendants

CIVIL DIVISION

No. 02-145-CD

NOTICE OF DEPOSITION

Filed on behalf of:
PLAINTIFF

Counsel of record for this party:

TODD BERKEY, ESQUIRE
PA I.D. No. 43689

GEOFFREY S. CASHER, ESQUIRE
PA I.D. No. 35309

Firm No. 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

FILED

APR 22 2002

m/8:30/ug *Final*
William A. Shaw
Prothonotary

No Cert. Copy

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

CIVIL DIVISION

Plaintiff

No. 02-145-CD

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS ALLEN
ROBBINS, t/d/b/a ROBBINS
HARDWOOD TRANSFER,

Defendants

NOTICE OF DEPOSITION

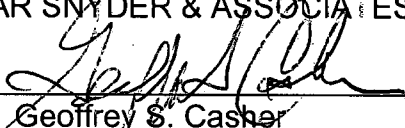
To: John A. Statler, Esquire

PLEASE TAKE NOTICE that the Plaintiff, WILLIAM E. CLARK, by his Attorneys, EDGAR SNYDER & ASSOCIATES, LLC, will take the deposition of DENNIS ALLEN ROBBINS, pursuant to Rule 4007, et seq., of the Pennsylvania Rules of Civil Procedure, as amended, before a court reporter duly authorized to administer oaths, on **May 30, 2002**, at **2:00 p.m.**, at the offices of **Sargent's Court Reporting Service, Inc., 106 North Second Street, First Floor, Clearfield, Pennsylvania 16830**, at which time and place you are invited to appear and take such part as shall be fitting and proper.

The deposition shall be taken before a Notary Public employed by Sargent's Court Reporting Service, Inc.

EDGAR SNYDER & ASSOCIATES, LLC

By

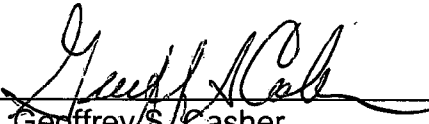

Geoffrey S. Casher
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above **NOTICE OF DEPOSITION** was served on all Counsel of Record by First Class Mail, postage prepaid, on this 19th day of April, 2002.

EDGAR SNYDER & ASSOCIATES, LLC

By


Geoffrey S. Casher
Attorney for Plaintiff

FILED

APR 22 2002

William A. Shaw
Prothonotary

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendants

WILLIAM E. CLARK,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL ACTION - LAW
	:	
DENNIS ALLEN ROBBINS, Individually,	:	NO. 02-145-CD
and DENNIS ALLEN ROBBINS t/d/b/a	:	
ROBBINS HARDWOOD TRANSFER,	:	JURY TRIAL DEMANDED
Defendants	:	

**CERTIFICATE PREREQUISITE TO SERVICE
OF SUBPOENAS PURSUANT TO RULE 4009.22**

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendants hereby certify that:

- 1) A Notice of Intent to serve the subpoenas, with a copy of the subpoenas attached thereto, was mailed or delivered to each party at least twenty days prior to the date on which the subpoenas were sought to be served;
- 2) A copy of the Notice of Intent, including the proposed subpoenas, is attached to this certificate;
- 3) No objection to the subpoenas has been received; and
- 4) The subpoenas to be served are identical to the subpoenas attached to the Notice of Intent.

By: _____

John A. Statler, Esquire
Attorney I.D. No. 43812
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

FILED

DATE: 4/22/02

APR 24 2002
m/l/s/nocc
William A. Shaw
Prothonotary

CS

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendants

WILLIAM E. CLARK,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL ACTION - LAW
	:	
DENNIS ALLEN ROBBINS, Individually,	:	NO. 02-145-CD
and DENNIS ALLEN ROBBINS t/d/b/a	:	
ROBBINS HARDWOOD TRANSFER,	:	JURY TRIAL DEMANDED
Defendants	:	

**NOTICE OF INTENT TO SERVE SUBPOENAS TO
PRODUCE DOCUMENTS AND THINGS FOR
DISCOVERY PURSUANT TO RULE 4009.21**

TO: WILLIAM E. CLARK, Plaintiff
c/o TODD BERKEY, ESQUIRE
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925
Attorney for Plaintiff

PLEASE TAKE NOTICE that Defendants Dennis Allen Robbins, Individually, and Dennis Allen Robbins t/d/b/a Robbins Hardwood Transfer intend to serve subpoenas identical to the ones attached to this notice. You have twenty (20) days from the date listed below in which to file on record and serve upon the undersigned an objection to the subpoenas. If no objection is made, the subpoenas may be served.

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: _____

John A. Statler, Esquire
Attorney for Defendants

Date: 4/2/02

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

William E. Clark
Plaintiff(s)

Vs.

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

No. 2002-00145-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22

TO: DR. DONALD CONRAD

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See Attached.

(Address)

Goldberg, Katzman & Shipman, P.C., P.O. Box 1268, Harrisburg, PA 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire

ADDRESS: Goldberg, Katzman, & Shipman, P.C.

~~320 Market Street,~~ P.O. Box 1268, Harrisburg, PA 17108-1268

TELEPHONE: (717) 234-4161

SUPREME COURT ID # 43812

ATTORNEY FOR: Defendants

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division

DATE: Monday, April 01, 2002
Seal of the Court


Deputy

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

William E. Clark
Plaintiff(s)

Vs.

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

No. 2002-00145-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22

TO: WESTERN PENNSYLVANIA ORTHOPEDICS, INC.

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See Attached.

(Address)

Goldberg, Katzman & Shipman, P.C., P.O. Box 1268, Harrisburg, PA 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days
after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire
ADDRESS: Goldberg, Katzman & Shipman, P.C.
320 Market Street
P.O. Box 1268, Harrisburg, PA 17108-1268
TELEPHONE: (717) 234-4161
SUPREME COURT ID # 43812
ATTORNEY FOR: Defendants

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Monday, April 01, 2002
Seal of the Court


Deputy

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

William E. Clark
Plaintiff(s)

*

Vs.

*

No. 2002-00145-CD

*

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22**

TO: CONEMAUGH MEMORIAL HOSPITAL

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See Attached.

(Address)

Goldberg, Katzman & Shipman, P.C., P.O. Box 1268, Harrisburg, PA 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire

ADDRESS: Goldberg, Katzman & Shipman, P.C.

320 Market Street

P.O. Box 1268, Harrisburg, PA 17108-1268

TELEPHONE: (717) 234-4161

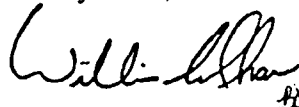
SUPREME COURT ID # 43812

ATTORNEY FOR: Defendants

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, April 01, 2002
Seal of the Court

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

William E. Clark
Plaintiff(s)

Vs.

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

No. 2002-00145-CD

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22**

TO: DUBOIS REGIONAL MEDICAL CENTER
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See Attached.

(Address)

Goldberg, Katzman & Shipman, P.C., P.O. Box 1268, Harrisburg, PA 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

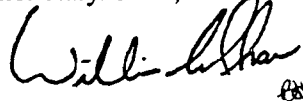
If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire
ADDRESS: Goldberg, Katzman & Shipman, P.C.
320 Market Street
P.O. Box 1268, Harrisburg, PA 17108-1268
TELEPHONE: (717) 234-4161
SUPREME COURT ID # 43812
ATTORNEY FOR: Defendants

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, April 01, 2002
Seal of the Court

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

William E. Clark
Plaintiff(s)

Vs.

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

No. 2002-00145-CD

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22**

TO: CLEARFIELD HOSPITAL

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

See Attached.

(Address)

Goldberg, Katzman & Shipman, P.C., P.O. Box 1268, Harrisburg, PA 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire
~~Goldberg, Katzman & Shipman, P.C.~~
ADDRESS: 320 Market Street
~~P.O. Box 1268, Harrisburg, PA 17108-1268~~
TELEPHONE: (717) 234-4161
SUPREME COURT ID # 43812
ATTORNEY FOR: Defendants

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Monday, April 01, 2002
Seal of the Court


Deputy

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that I served a true and correct copy of the foregoing document upon all parties or counsel of record by depositing a copy of same in the United States Mail at Harrisburg, Pennsylvania, with first-class postage prepaid on the 22nd day of April, 2002, addressed to the following:

Todd Berkey, Esquire
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925

Respectfully submitted,

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: 

John A. Statler, Esquire
Attorney I. D. No. 43812

320 Market Street
P. O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorneys for Defendant Dennis Allen Robbins

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendants

WILLIAM E. CLARK,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL ACTION - LAW
	:	
DENNIS ALLEN ROBBINS, Individually,	:	NO. 02-145-CD
and DENNIS ALLEN ROBBINS t/d/b/a	:	
ROBBINS HARDWOOD TRANSFER,	:	JURY TRIAL DEMANDED
Defendants	:	

**CERTIFICATE PREREQUISITE TO SERVICE
OF SUBPOENAS PURSUANT TO RULE 4009.22**

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendants hereby certify that:

- 1) A Notice of Intent to serve the subpoenas, with a copy of the subpoenas attached thereto, was mailed or delivered to each party at least twenty days prior to the date on which the subpoenas were sought to be served;
- 2) A copy of the Notice of Intent, including the proposed subpoenas, is attached to this certificate;
- 3) No objection to the subpoenas has been received; and
- 4) The subpoenas to be served are identical to the subpoenas attached to the Notice of Intent.

By: _____

John A. Statler, Esquire
Attorney I.D. No. 43812
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

DATE: 5/6/02

FILED

MAY 08 2002

m1134/100cc
William A. Shaw
Prothonotary *WAS*

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendants

WILLIAM E. CLARK,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	CIVIL ACTION - LAW
	:	
DENNIS ALLEN ROBBINS, Individually,	:	NO. 02-145-CD
and DENNIS ALLEN ROBBINS t/d/b/a	:	
ROBBINS HARDWOOD TRANSFER,	:	JURY TRIAL DEMANDED
Defendants	:	

**NOTICE OF INTENT TO SERVE SUBPOENAS TO
PRODUCE DOCUMENTS AND THINGS FOR
DISCOVERY PURSUANT TO RULE 4009.21**

TO: WILLIAM E. CLARK, Plaintiff
c/o TODD BERKEY, ESQUIRE
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925
Attorney for Plaintiff

PLEASE TAKE NOTICE that Defendants Dennis Allen Robbins, Individually, and Dennis Allen Robbins t/d/b/a Robbins Hardwood Transfer intend to serve subpoenas identical to the ones attached to this notice. You have twenty (20) days from the date listed below in which to file on record and serve upon the undersigned an objection to the subpoenas. If no objection is made, the subpoenas may be served.

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: _____

John A. Statler, Esquire
Attorney for Defendants

Date: 5/15/02

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

William E. Clark
Plaintiff(s)

Vs.

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

No. 2002-00145-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22

TO: MOUNTAIN LAUREL NURSING HOME

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:
See Attached.

Goldberg, Katzman & Shipman, P.C., 320 Market Street, P.O. Box 1268, Harrisburg, PA
(Address) 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days
after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire

ADDRESS: Goldberg, Katzman & Shipman, P.C.

320 Market Street, P.O. Box 1268, Harrisburg, PA 17108-1268

TELEPHONE: (717) 234-4161

SUPREME COURT ID # 43812

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, April 01, 2002
Seal of the Court

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

William E. Clark
Plaintiff(s)

Vs.

Dennis Allen Robbins and
Lynn Robbins, individually and,
t/d/b/a Robbins Lumber Company
Defendant(s)

*

*

*

No. 2002-00145-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO RULE
4009.22

TO: HEALTHSOUTH REHABILITATION

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce
the following documents or things:

See Attached.

Goldberg, Katzman & Shipman, P.C., 320 Market Street, P.O. Box 1268, Harrisburg, PA
(Address) 17108-1268

You may deliver or mail legible copies of the documents or produce things requested by this
subpoena, together with the certificate of compliance, to the party making this request at the address
listed above. You have the right to seek in advance the reasonable cost of preparing the copies or
producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days
after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: John A. Statler, Esquire

ADDRESS: Goldberg, Katzman & Shipman, P.C.

320 Market Street, P.O. Box 1268, Harrisburg, PA 17108-1268

TELEPHONE: (717) 234-4161

SUPREME COURT ID # 43812

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division

DATE: Monday, April 01, 2002
Seal of the Court



Deputy

Please produce copies of the following documents or things:

Copies of all medical records, medical reports, MRI reports, x-ray reports, office records, hospital records, correspondence, office notes, operative notes, physical therapy reports, and all other records pertaining to any care or treatment ever rendered to:

WILLIAM E. CLARK; DOB: 6/30/29; SSN: 159-24-2371.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the foregoing document upon all parties or counsel of record by depositing a copy of same in the United States Mail at Harrisburg, Pennsylvania, with first-class postage prepaid on the 6th day of May, 2002, addressed to the following:

Todd Berkey, Esquire
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925

Respectfully submitted,

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: _____

John A. Statler, Esquire
Attorney I. D. No. 43812

320 Market Street
P. O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorneys for Defendant Dennis Allen Robbins

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff

CIVIL DIVISION

No. 02-145-CD

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS ALLEN
ROBBINS, t/c/b/a ROBBINS
HARDWOOD TRANSFER,

Defendant

PRAECIPE FOR TRIAL LIST

Filed on behalf of:
PLAINTIFF

Counsel of record for this party:

TODD BERKEY, ESQUIRE
PA I.D. No. 43689

GEOFFREY S. CASHER, ESQUIRE
PA I.D. No. 35309

Firm No. 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

FILED

JUL 18 2002
m/10:48 NOCC
William A. Shaw
Prothonotary
Copy C
187

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff

CIVIL DIVISION

No. 02-145-CD

vs.

DENNIS ALLEN ROBBINS,
individual y and DENNIS ALLEN
ROBBINS, t/d/b/a ROBBINS
HARDWOOD TRANSFER,

Defendant

PRAECIPE FOR TRIAL LIST

Filed on behalf of:
PLAINTIFF

Counsel of record for this party:

TODD BERKEY, ESQUIRE
PA I.D. No. 43689

GEOFFREY S. CASHER, ESQUIRE
PA I.D. No. 35309

Firm No. 1605

EDGAR SNYDER & ASSOCIATES, LLC
Gulf Tower, Sixteenth Floor
707 Grant Street
Pittsburgh, PA 15219-1925

(412) 394-1000

FILED

JUL 18 2002

m/10:48/ noc
William A. Shaw
Prothonotary

Copy C
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187

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

CIVIL DIVISION

Plaintiff

No. 02-145-CD

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS ALLEN
ROBBINS, t/d/b/a ROBBINS
HARDWOOD TRANSFER,

Defendant

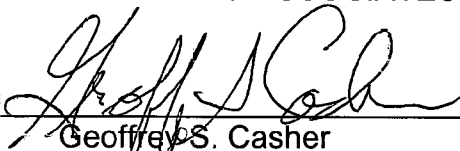
PRAECIPE TO PLACE CASE ON TRIAL LIST

To: Prothonotary of Clearfield County

Kindly place the within matter on the next available Civil Jury Trial List.

EDGAR SNYDER & ASSOCIATES, LLC

By

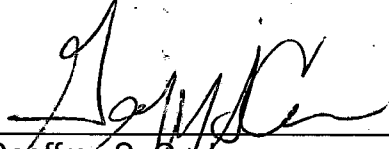


Geoffrey S. Casher
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Praecipe for Trial List was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 17th day of JULY, 2002:

John A. Statler, Esquire
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street, Strawberry Square
P. O. Box 1268
Harrisburg PA 17106-1268



Geoffrey S. Casher
Attorney for Plaintiff

John A. Statler, Esquire
Attorney I. D. No. 43812
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street
P.O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorney for Defendants

WILLIAM E. CLARK,
Plaintiff

v.

DENNIS ALLEN ROBBINS, Individually,
and DENNIS ALLEN ROBBINS t/d/b/a
ROBBINS HARDWOOD TRANSFER,
Defendants

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

: CIVIL ACTION - LAW

: NO. 02-145-CD

: JURY TRIAL DEMANDED

FILED

JUL 31 2002

DEFENDANT'S MOTION FOR TRIAL CONTINUANCE

William A. Shaw
Prethentary

AND NOW, comes the Defendant, Dennis Allen Robbins, by his attorneys, Goldberg, Katzman and Shipman, P.C. who moves this Honorable Court to continue the trial of this case based on the following:

1. This case arises out of an automobile accident that occurred on August 17, 2001.
2. The Plaintiff's Complaint was filed in late January 2002.
3. The depositions of William E. Clark (Plaintiff) and Dennis Allen Robbins (Defendant) were taken on May 30, 2002.

4. At his deposition, Mr. Clark testified that on May 6, 2002 he underwent nerve conduction studies on his left arm in Johnstown. He also testified that he was scheduled to be seen by his treating physician, Dr. Vena, on June 5, 2002 to discuss the results of these studies and the possible need for surgery. (See excerpts of deposition attached hereto as Exhibit "A").

5. At the conclusion of Mr. Clark's deposition, defense counsel orally requested that Plaintiff's counsel provide copies of the results of the nerve conduction studies as well as updated records and reports from Dr. Vena.

6. On July 18, 2002, defense counsel wrote to Plaintiff's counsel again requesting copies of these updated medical records/reports. (See correspondence attached hereto as Exhibit "B").

7. To date, Plaintiff's counsel had not furnished the requested medical records/reports to defense counsel.

8. On July 18, 2002, without first discussing this matter with defense counsel, Plaintiff's counsel unilaterally listed this case for trial for the Fall 2002 Trial Term.

9. Defendant seeks a continuance of the trial to obtain the current medical records/reports from Plaintiff's treating physician and to determine whether an independent medical examination will be required.

10. This case has never previously been listed for trial.

WHEREFORE, Defendant Dennis Allen Robbins respectfully requests this Honorable Court to grant this Motion to Continue the trial of this case to a later trial term.

Respectfully submitted,

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: 

John A. Statler, Esquire
Attorney I. D. No. 43812

320 Market Street
P. O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorneys for Defendants

DATE: 7/30/02

82744.1



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

* * * * *

WILLIAM E. CLARK,	*	
Plaintiff	*	Case No.
vs.	*	02-145-CD
DENNIS ALLEN	*	
ROBBINS, an	*	
individual and	*	
DENNIS ALLEN	*	
ROBBINS, t/d/b/a	*	
ROBBINS HARDWOOD	*	
TRANSFER,	*	
Defendant	*	

* * * * *

DEPOSITION
OF
WILLIAM E. CLARK
May 30, 2002

COPY

Any reproduction of this transcript
is prohibited without authorization
by the certifying agency.

1 A. He's checking my hip and my
2 arm and my hand. I got trouble with
3 my fingers, numbness in my, a couple
4 fingers. He thinks I'm going to need
5 a hip replacement.

6 Q. Which hip is he checking?

7 A. The left one. That's the one
8 that was injured in the accident.

9 Q. So you're having trouble with
10 your hip and your arm, which arm?

11 A. This left one.

12 Q. Left arm. Are you left handed
13 or right handed?

14 A. I'm left handed. He said he
15 might even have to operate on this to
16 change these nerves for these
17 fingers. But he didn't know yet, I
18 was still on one of them nerve
19 reduction (sic) tests.

20 Q. You had a nerve conduction
21 test?

22 A. Yeah. He sent it, I haven't
23 got the results yet.

24 Q. You're having trouble with the
25 two fingers. Your ring ---?

1 A. These two here, part of my
2 hand.

3 Q. All right. Your ring finger
4 and your little finger of your left
5 hand?

6 A. Yeah.

7 Q. And also part of your hand?

8 A. Yeah. This part of the hand.

9 Q. In the palm area?

10 A. Yeah. Like back across the
11 palm.

12 Q. Going down into your wrist?

13 A. Yeah, it goes back in to here.

14 Q. Okay. And Doctor Vena is
15 saying he may need to operate on your
16 left arm, because of that?

17 A. He was waiting on this test.
18 I haven't heard from him since,
19 though. I think I went on May the
20 6th for that nerve reduction test.
21 And that was done in Johnstown too.

22 Q. Did he order that?

23 A. Yeah, he ordered that.

24 Q. Are you treat ---?

25 A. The doctor that did it was

1 Q. What's the doctor saying? Why
2 are they swelling?

3 A. It has to do with the nerve.
4 He thought maybe it came from being
5 in the sling for so long at first.

6 Q. He might be doing surgery
7 depending on ---?

8 A. He said he might have to move
9 these nerves.

10 Q. The nerves in your ---?

11 A. I won't know I go back on the
12 5th of June.

13 Q. The nerves in your forearm?

14 A. Yeah. It's the nerves in here
15 somewhere, that controls them he
16 said.

17 Q. Around your elbow. Have you
18 ever been convicted of a crime?

19 A. No

20 Q. You ever pleaded guilty to any
21 crime?

22 A. No.

23 Q. Do you have any other
24 appointments to see any other
25 doctors?



320 MARKET STREET • STRAWBERRY SQUARE
P.O. BOX 1268 • HARRISBURG, PENNSYLVANIA 17108-1268
717.234.4161 • 717.234.6808 (FAX)

www.gkslaw.com
jas@gkslaw.com (Direct e-mail)



GOLDBERG, KATZMAN & SHIPMAN, P.C.
ATTORNEYS AT LAW

- July 18, 2002

OF COUNSEL
F. LEE SHIPMAN

COUNSEL
JOSHUA D. LOCK
ARNOLD B. KOGAN

Todd Berkey, Esquire
Edgar Snyder & Associates, LLC
Gulf Tower, 16th Floor
707 Grant Street
Pittsburgh, PA 15219-1925

Re: William E. Clark v. Dennis Allen Robbins, et al.
Clearfield County Civil Action No. 02-145-CD

ARTHUR L. GOLDBERG
(1951-2000)

HARRY B. GOLDBERG
(1961-1998)

Dear Todd:

Please provide copies of updated medical records and reports from Mr. Clark's treating physicians including the records of the most recent office visits and the results of the nerve conduction studies.

RONALD M. KATZMAN
PAUL J. ESPOSITO
NEIL HENDERSHOT
J. JAY COOPER
THOMAS E. BRENNER
JOHN A. STATLER
APRIL L. STRANG-KUTAY
GUY H. BROOKS
JEFFERSON J. SHIPMAN
JERRY J. RUSSO
MICHAEL J. CROCENZI
THOMAS J. WEBER
STEVEN E. GRUBB
JOHN DELORENZO
JOHN R. NINOSKY
ROYCE L. MORRIS
DAVID M. STECKEL
HEATHER L. FERNSLER

Very truly yours,
A handwritten signature in black ink, appearing to read 'John A. Statler', with a large, stylized flourish extending from the end of the signature.
John A. Statler

JAS/ch

75108.11

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a true and correct copy of the foregoing document upon all parties or counsel of record via UPS Next Day Delivery on the 30TH day of July, 2002, addressed to the following:

Mr. William Shaw
Prothonotary of Clearfield County
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Honorable John K. Reilly, Jr.
Court of Common Pleas of Clearfield County
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Ms. Marcy Kelley
Deputy Court Administrator
Office of Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Geoffrey S. Casher, Esquire
Edgar Snyder & Associates, LLC
100 West High Street
Ebensburg, PA 15931

Respectfully submitted,

GOLDBERG, KATZMAN & SHIPMAN, P.C.

By: 

John A. Statler, Esquire
Attorney I. D. No. 43812

320 Market Street
P. O. Box 1268
Harrisburg, PA 17108-1268
Telephone: (717) 234-4161

Attorneys for Defendants

STATE OF MISSOURI
DEPARTMENT OF REVENUE
JUL 31 2002

RECEIVED

JUL 31 2002

[Handwritten signature]

FILED

JUL 31 2002

William A. Shaw
Proprietary

320 MARKET STREET • STRAWBERRY SQUARE
P.O. BOX 1268 • HARRISBURG, PENNSYLVANIA 17108-1268
717.234.4161 • 717.234.6808 (FAX)

www.gkslaw.com
jas@gkslaw.com (Direct e-mail)

#4 - Jurg list



GOLDBERG, KATZMAN & SHIPMAN, P.C.
ATTORNEYS AT LAW

July 30, 2002

VIA UPS NEXT DAY DELIVERY

OF COUNSEL
F. LEE SHIPMAN

COUNSEL
JOSHUA D. LOCK
ARNOLD B. KOGAN

Mr. William Shaw
Prothonotary of Clearfield County
Court of Common Pleas
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ARTHUR L. GOLDBERG
(1951-2000)

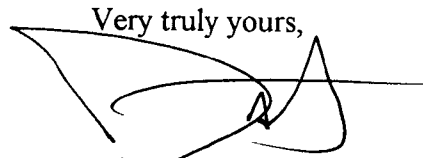
HARRY B. GOLDBERG
(1961-1998)

**Re: William E. Clark v. Dennis Allen Robbins, Individually, and
Dennis Allen Robbins t/d/b/a Robbins Hardwood Transfer
Clearfield County Civil Action No. 02-145-CD**

Dear Mr. Shaw:

I enclose an original and one copy of Defendant's Motion for Trial Continuance for filing in the above-captioned action. Please return the clocked-in copy to me in the enclosed self-addressed stamped envelope.

If you have any questions, please contact me.

Very truly yours,

John A. Statler

JAS/ch
Enclosures

cc: ✓ Honorable John K. Reilly, Jr. (w/enclosure)
✓ Marcy Kelly, Deputy Court Administrator (w/enclosure)
Geoffrey S. Casher, Esquire (w/enclosure)
Mr. James R. Haley (w/enclosure)
(Your File: T15264; Insured: Dennis Robbins;
D/L: 8/17/01; Claimant: William Clark)

75963.4

RONALD M. KATZMAN
PAUL J. ESPOSITO
NEIL HENDERSHOT
J. JAY COOPER
THOMAS E. BRENNER
JOHN A. STATLER
APRIL L. STRANG-KUTAY
GUY H. BROOKS
JEFFERSON J. SHIPMAN
JERRY J. RUSSO
MICHAEL J. CROCENZI
THOMAS J. WEBER
STEVEN E. GRUBB
JOHN DELORENZO
JOHN R. NINOSKY
ROYCE L. MORRIS
DAVID M. STECKEL
HEATHER L. FERNSLER

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

WILLIAM E. CLARK

-vs-

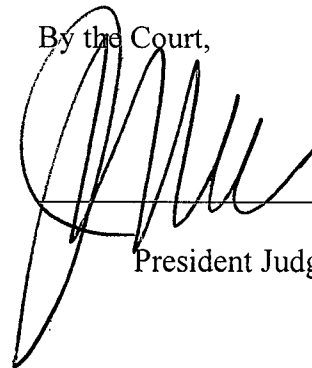
No. 02 - 145 - CD

DENNIS ALLEN ROBBINS, individually,
and DENNIS ALLEN ROBBINS t/d/b/a
ROBINS HARDWOOD TRANSFER

ORDER

NOW, this 1st day of August, 2002, upon consideration of Motion for
Continuance filed on behalf of Defendant Dennis Allen Robbins, it is the ORDER of this Court
that said Motion be and is hereby granted and trial in said matter shall be continued until call of
the list scheduled for January 2, 2003.

By the Court,



President Judge

FILED

AUG 01 2002

0111401 Kcatty Statler
William A. Shaw
Prothonotary Kcatty

Cochran

KEP

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

WILLIAM E. CLARK,
Plaintiff

vs.

DENNIS ALLEN ROBBINS,
individually and DENNIS
ALLEN ROBBINS, t/d/b/a
ROBBINS HARDWOOD TRANSFER,
Defendant

*
*
*
*
*
*
*
*

NO. 2002-145-C.D.

FILED

JAN 20 2003

William A. Shaw
Prothonotary/Clerk of Courts

O R D E R

NOW, this 16th day of January, 2003, following Pre-Trial Conference with counsel for both parties, it is the ORDER of this Court as follows:

1. Jury Selection is scheduled for January 23, 2003 at 9:00 a.m.
2. Civil Trial is hereby scheduled Monday, April 14, 2003 and Tuesday, April 15, 2003 commencing at 9 o'clock a.m. on both days in Courtroom No. 2 at 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

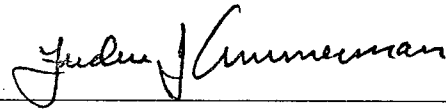
objections no later than fifteen (15) days prior to the commencement of Trial.

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. Attached to this Order is a list provided by the Plaintiff as to medical bills and the portions of which are unpaid. Plaintiff shall supply defense counsel with specific documentation as to the purpose of the bills and why bills are unpaid.

6. Plaintiff's counsel shall advise the Court prior to Jury Selection as to whether Plaintiff intends to proceed with the suit against Robbins Hardwood Transfer as it was discussed during the Pre-Trial Conference that there may not be evidence of liability on the part of said company.

By the Court,

A handwritten signature in cursive script, reading "Fredric J. Ammerman", written over a horizontal line.

FREDRIC J. AMMERMAN, JUDGE

FILED

JAN 20 2003
0/11:55/ WJS
William A. Shaw
Prothonotary/Clerk of Courts

Geoffrey

- 1/2 certified copies to ~~XXXXXX~~ S. Casher, Esquire
- 2 certified copies to John A. Statler, Esquire
- 1 copy to Judge Ammerman
- 1 copy to Court Administrator


WILLIAM CLARK UNPAID MEDICAL BILLS/CO-PAYS					
Provider	Bill	Allstate	Medicare	Co-Pay	Unpaid
American Home Pt.	20.10	0.00	0.00	0.00	0.00
Assoc. Anes of Jtown	1,200.00	0.00	220.72	0.00	1,200.00
Assoc. Anes of Jtown	650.00	0.00	177.62	0.00	55.18
Cambria Somerset Rad	1,149.00	0.00	0.00	0.00	0.00
Card & Thor Assoc	75.50	0.00	60.40	15.10	0.00
Central Rad. Oncology	868.00	0.00	0.00	0.00	0.00
Conemaugh	72,601.77	0.00	10,026.59	0.00	792.00
DuBois EMS	36.50	0.00	0.00	0.00	36.50
Laun Hallstrom, MD	110.00	0.00	0.00	0.00	110.00
Lynn Myers, MD	145.00	0.00	0.00	0.00	145.00
Michael Najarian, MD	1,160.00	0.00	634.04	173.59	0.00
Rescue Hose & Ladder	325.00	0.00	0.00	0.00	325.00
Jeffrey Rice, MD	75.00	0.00	0.00	0.00	75.00
Larry Schachter, MD	1,035.00	0.00	264.12	66.02	0.00
Joseph Valigorsky, MD	540.00	0.00	66.35	0.00	16.59
Mountain Laurel NH	11,306.07	0.00	0.00	0.00	11,306.07
DRMC - Path	86.00	0.00	0.00	0.00	86.00
Robert Cherry, MD	330.00	0.00	153.58	38.39	0.00
Stephen Miller, MD	75.00	0.00	60.00	15.00	0.00
Donald Conrad	119.00	0.00	47.30	59.86	0.00
Goldblatt Path	39.00	0.00	0.00	0.00	39.00
Robert Rundorff, MD	235.00	0.00	121.18	0.00	30.30
Center for Emerg. Med.	7,920.00	7,920.00	0.00	0.00	0.00
Totals	100,100.94	7,920.00	11,831.90	367.96	14,216.64

NOTICE OF SERVICE OF EXPERT WITNESS INTERROGATORIES
DIRECTED TO DEFENDANT[S]

I hereby certify that on this 24th day of JANUARY, 2003, the original INTERROGATORIES DIRECTED TO DEFENDANT[S], and one (1) copy of NOTICE OF SERVICE OF INTERROGATORIES were mailed by First Class Mail, postage prepaid, to counsel for Defendant[s] at the following address[es]:

John Statler, Esquire
GOLDBERG, KATZMAN & SHIPMAN, P.C.
320 Market Street, Strawberry Square
P. O. Box 1268
Harrisburg PA 17108-1268

EDGAR SNYDER & ASSOCIATES, LLC

By 
Geoffrey S. Casher
Attorney for Plaintiff

FILED

JAN 27 2003

JAN 27 2003

02

3

[Signature]

RECEIVED DEPARTMENT OF JUSTICE

**Edgar Snyder
& ASSOCIATES^{LLC}**

A Law Firm Representing Injured People.

100 West High Street
Ebensburg, PA 15931

Telephone: 814/472-9000
Fax: 814/472-9411

Other Offices In: Pittsburgh
Altoona • Erie • Johnstown

Attorney Geoffrey S. Casher
E-mail: gcasher@edgarsnyder.com

January 24, 2003

William A. Shaw, Prothonotary
Clearfield County Courthouse
P. O. Box 549
Clearfield PA 16830

Re: Clark v. Robbins
Docket No: 02-145-CD
Our File No: 325169

Dear Mr. Shaw:

Please find enclosed for filing in the above matter Notice of Service of Expert Witness Interrogatories Directed to Defendant. As indicated by the Notice of Service, a true and correct copy has been sent to all counsel of record.

Thank you in advance for your anticipated attention to this matter.

Very truly yours,

Geoffrey S. Casher

Geoffrey S. Casher

GSC/pjm
Enclosure

PJM001428V001.wpd

proenclt.pf

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

No. 02-145-CD

Plaintiff

vs.

**PRAECIPE TO SETTLE AND
DISCONTINUE**

DENNIS ALLEN ROBBINS and
LYNN ROBBINS, individually and,
t/d/b/a ROBBINS LUMBER
COMPANY,

Defendants

Filed on behalf of:
PLAINTIFF

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address:
gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

FILED

JUN 23 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM E. CLARK,

Plaintiff

vs.

DENNIS ALLEN ROBBINS and
LYNN ROBBINS, individually and,
t/d/b/a ROBBINS LUMBER COMPANY,

Defendants

No. 02-145-CD

Civil Division

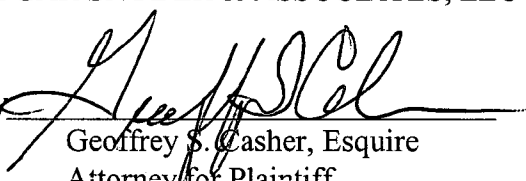
PRAECIPE TO SETTLE AND DISCONTINUE

To: Clearfield County, Prothonotary

Please satisfy, settle and discontinue the within matter.

EDGAR SNYDER & ASSOCIATES, LLC

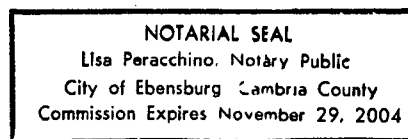
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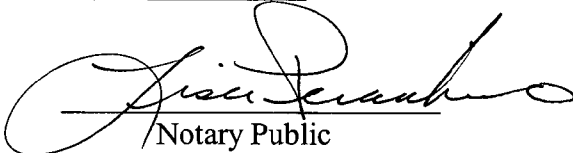

Geoffrey S. Casher, Esquire
Attorney for Plaintiff

Sworn to and subscribed

before me, this 19TH

day of JUNE, 2003.




Notary Public

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

BILL OF COSTS

William E. Clark,

Vs.

2002-00145-CD

Dennis Allen Robbins,
Lynn Robbins,
Robbins Lumber Company,

Total \$134.15

<u>Amount</u>	<u>Document</u>	<u>Paid By</u>
\$80.00	Civil Filing	Attorney
\$3.00	Subpeona	Attorney
\$51.15	Sheriff's Return	Attorney

Certified from the record this 23rd day of June, 2003.

WILLIAM A. SHAW
PROTHONOTARY

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

CIVIL DIVISION

COPY

William E. Clark

Vs.

No. 2002-00145-CD

Dennis Allen Robbins

Lynn Robbins

Robbins Lumber Company

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 June 23, 2003, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$134.15 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 23rd day of June A.D. 2003.

William A. Shaw, Prothonotary