

02-218-CD
JAMES STEWART -vs- DUBOIS REGIONAL MEDICAL CENTER FREE CLINIC
et.al.

Date: 08/15/2002

Clearfield County Court of Common Pleas

User: BANDERSON

Time: 03:45 PM

ROA Report

Page 1 of 1

Case: 2002-00218-CD

Current Judge: John K. Reilly Jr.

James Stewart vs. DuBois Regional Medical Center, DuBois Regional Medical Center Free Clinic, Wali Mohammed Aseem MD
Civil Other

Date	Judge
02/14/2002	Filing: Praeclipe for Writ of Summons in a Civil Action Paid by: Paul A. Lagnese Receipt number: 1838298 Dated: 02/14/2002 Amount: \$0.00 (Cash) Three Writs issued to Attorney No Judge ✓
02/15/2002	Filing: Paid by: Berger & Lagnese Receipt number: 1838312 Dated: 02/15/2002 Amount: \$80.00 (Check) No Judge
03/11/2002	Praeclipe For Appearance on behalf of the Defendants. Filed by s/David R. Johnson, Esq. Certificate of Service no cc Praeclipe For Rule For Complaint. Filed by s/David R. Thompson, Esq. Certificate of Service no cc Rule to Attorney Thompson No Judge ✓
03/25/2002	Affidavit of Service of Rule For Complaint upon Paul Lagnese, Esq. Filed by s/David R. Johnson, Esq. Certificate of Service no cc No Judge ✓
04/01/2002	Reply To Complaint Request. Filed by s/James Stewart 1 cc Plff Stewart No Judge ✓
04/12/2002	Motion to Withdraw Appearance on behalf of Plaintiff, Filed by s/Paul A. Lagnese, Esq. Consent. s/James Stewart Certificate of Service 1 cc Atty Lagnese No Judge ✓
04/19/2002	Order of Court, AND NOW, this 19th day of March, 2002, Ordered that Paul John K. Reilly Jr. ✓ A. Lagnese and Berger and Lagnese, LLC's appearance on behalf of James Stewart at No. 2002-00218-CD is withdrawn. SO ORDERED, John K. Reilly, Jr., P.J. One CC Attorney Lagnese
04/30/2002	Sheriff Returns, served Summons on DuBois Regional Medical Center, Dr. John K. Reilly Jr. ✓ Wali Mohammed Aseem, and DuBois Regional Medical Center Free Clinic, So Answers, Chester A. Hawkins by s/Marilyn Hamm \$72.69 paid by Attorney
05/01/2002	Preliminary Objections. Filed by s/Thomas B. Anderson, Esq. 1 cc to Atty John K. Reilly Jr. ✓
08/08/2002	ORDER, filed cert. to Plaintiff & Atty. Anderson John K. Reilly Jr. ✓ NOW, this 8th day of August, 2002, Plaintiff shall have 20 days from date hereof to obtain counsel to represent him in further proceedings.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

(1)

JAMES STEWART,

CIVIL DIVISION

Plaintiff,

No: 02-218-CO

vs.

DUBOIS REGIONAL MEDICAL CENTER
FREE CLINIC; DUBOIS REGIONAL
MEDICAL CENTER; and WALI
MOHAMMED ASEEM, M.D.

**PRAECEIPE FOR WRIT OF SUMMONS
IN A CIVIL ACTION**

Defendants.

Filed on behalf of: PLAINTIFF

Counsel of Record for this party:

Paul A. Lagnese, Esquire
Pa. I.D. # 51281

BERGER & LAGNESE, LLC
Suite 912, The Frick Building
Pittsburgh, PA 15219-6003

(412) 471-4300

JURY TRIAL DEMANDED

FILED

FEB 14 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

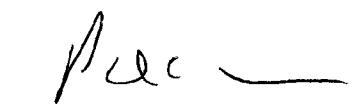
JAMES STEWART,)
Plaintiff,) CIVIL DIVISION
vs.) No.:
DUBOIS REGIONAL MEDICAL CENTER)
FREE CLINIC; DUBOIS REGIONAL MEDICAL)
CENTER; and WALI MOHAMMED ASEEM, M.D.)
Defendants.)

PRAECIPE FOR WRIT OF SUMMONS IN A CIVIL ACTION

TO: Prothonotary of Clearfield County, Pennsylvania:

Please issue Writ of Summons in a Civil Action in the above-captioned case. Damages claimed in excess of \$25,000. Jury trial demanded.

BERGER & LAGNESE, LLC



Paul A. Lagnese, Esquire

Attorney for Plaintiff

FILED

FEB 14 2002
M 330 AM
William A. Shaw
Prothonotary
3 Courts atty.

COPY

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

SUMMONS

James Stewart

Vs.

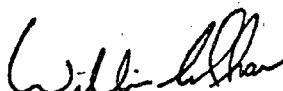
NO.: 2002-00218-CD

**DuBois Regional Medical Center
DuBois Regional Medical Center Free Clinic
Wali Mohammed Aseem MD**

**TO: DUBOIS REGIONAL MEDICAL CENTER
DUBOIS REGIONAL MEDICAL CENTER FREE CLINIC
WALI MOHAMMED ASEEM MD**

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 02/14/2002



William A. Shaw
Prothonotary

Issuing Attorney:
Paul A. Lagnese, Esquire
Berger & Lagnese, LLC
912 Frick Building
Pittsburgh, PA 15219

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART

Plaintiff,

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

CIVIL DIVISION

No. 2002-00218-CD

Issue No.

PRAECIPE FOR APPEARANCE

Code:

Filed on behalf of defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

MAR 11 2002

M 12591/nrc

William A. Shaw
Prothonotary

[Handwritten signature]

PRAECIPE FOR APPEARANCE

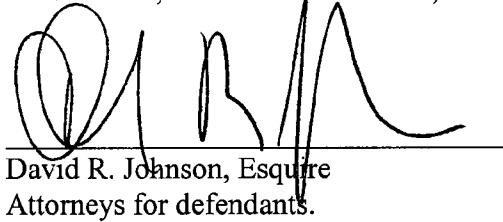
TO: WILLIAM SHAW, PROTHONOTARY

Kindly enter our appearance on behalf of the defendants.

JURY TRIAL DEMANDED.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Attorneys for defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR APPEARANCE has been served upon the following counsel of record and same placed in the U.S. Mails on this 8th day of March, 2002:

Paul A. Lagnese, Esquire
Berger & Lagnese, LLC
912 Frick Building
Pittsburgh, PA 15219

THOMSON, RHODES & COWIE, P.C.

David R. Johnson, Esquire
Attorneys for defendants.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART

Plaintiff,

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEEM, M.D.,

Defendants.

CIVIL DIVISION

No. 2002-00218-CD

Issue No.

PRAECIPE FOR RULE FOR COMPLAINT

Code:

Filed on behalf of defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

MAR 11 2002

William A. Shaw
Prothonotary

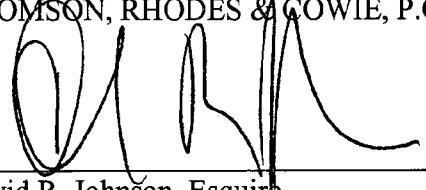
PRAECIPE FOR RULE FOR COMPLAINT

TO: WILLIAM SHAW, PROTHONOTARY

Kindly issue a rule on plaintiff to file his complaint within twenty days.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

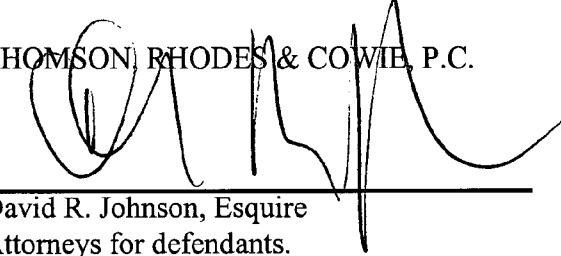


David R. Johnson, Esquire
Attorneys for defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR RULE
FOR COMPLAINT has been served upon the following counsel of record and same
placed in the U.S. Mails on this 8th day of March, 2002:

Paul A. Lagnese, Esquire
Berger & Lagnese, LLC
912 Frick Building
Pittsburgh, PA 15219

THOMSON RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for defendants.

FILED

MAR 11 2002
M 13, 57) notice
William A. Shaw
Prothonotary
Rule for Ruth Johnson
WS

COPY

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

James Stewart

Vs.
DuBois Regional Medical Center
DuBois Regional Medical Center Free Clinic and
Wali Mohammed Aseem MD

Case No. #2002-00218-CD

RULE TO FILE COMPLAINT

TO: James Stewart

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.



William A. Shaw, Prothonotary

Dated: March 11, 2002

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

JAMES STEWART

Plaintiff,

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

CIVIL DIVISION

No. 2002-00218-CD

Issue No.

AFFIDAVIT OF SERVICE OF RULE FOR
COMPLAINT

Code:

Filed on behalf of defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

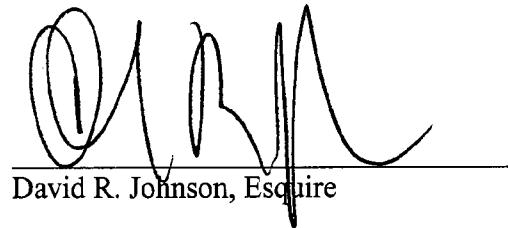
MAR 25 2002

William A. Shaw
Prothonotary

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared David R. Johnson, Esquire, who, being duly sworn, deposes and says that a true and correct copy of the Rule to File a Complaint in the above-captioned case was served upon plaintiff's counsel, Paul Lagnese, Esquire, Berger & Lagnese, LLC, 912 Frick Building, Pittsburgh, PA 15219, by certified mail, return receipt requested, and that the same was received on his behalf on March 18, 2002 as shown by the return receipt attached hereto.

Respectfully submitted,



David R. Johnson, Esquire

Sworn to and subscribed before me
this 22nd day of March, 2002.

Trisha S. Heck
Notary Public
Notarial Seal
Trisha S. Heck, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Nov. 24, 2003
Member, Pennsylvania Association of Notaries

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

James Stewart

Vs.
DuBois Regional Medical Center
DuBois Regional Medical Center Free Clinic and
Wali Mohammed Aseem MD

Case No. #2002-00218-CD

RULE TO FILE COMPLAINT

TO: James Stewart

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.



William A. Shaw

Dated: March 11, 2002

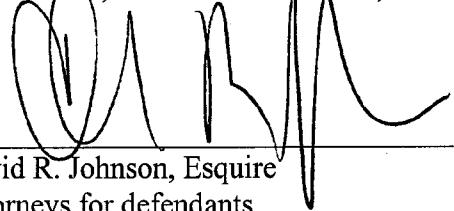
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within AFFIDAVIT OF SERVICE OF RULE FOR COMPLAINT has been served upon the following counsel of record and same placed in the U.S. mails on this 22nd day of March, 2002:

Paul A. Lagnese, Esquire
Berger & Lagnese, LLC
912 Frick Building
Pittsburgh, PA 15219

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for defendants.

FILED
M 11 2002
MAR 25 2002
cc
FBI
G

William A. Shaw
Prothonotary

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Paul Lagnese, Esq.
Berger + Lagnese, LLC
912 Frick Bldg.
Pittsburgh, PA 15219

2. Article

7001 1940 0002 3753 4051

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Donna Capo B. Date of Delivery 3/18/02

C. Signature

Donna Capo Agent Addressee

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

Yes

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

Page 1-4

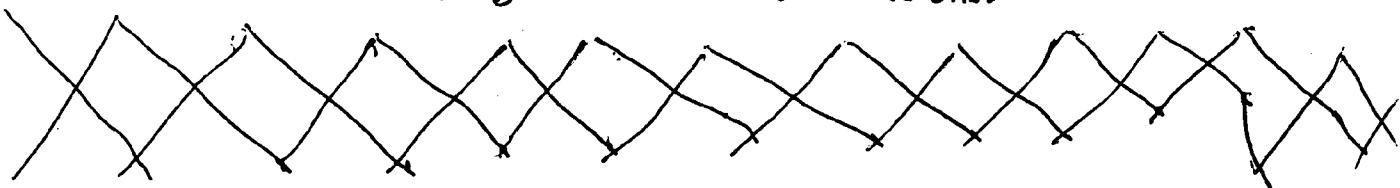
James Stewart
VS.
"ATTACHED
Medicjal Agents"
AND
Wali Mohammed Asseem MD

Case No. # 2002-00218-CD

REPLY TO COMPLAINT REQUEST

TO: ALL CONCERN'D

Please, regard the enclosed actions.



THESE ACTIONS ARE AS FOLLOWS

1ST

COMPLAINT INTRO

FILED

2ND

COMPLAINT (TONED-DOWN)

APR 01 2002
01/10/02 ICC P/K Stewart
William A. Shaw for
Prothonotary

3RD

CLOSING : (SET (or enclose captions) In Closing)

4TH

IS NOT ENCLOSED

I will be intensely tolerantive to surrender any and all notes (copies of) ANDOR "paged rantings" it has taken these past two (2) days to comprise these four (4) pages. Upon written witnessed request. Thank you James Stewart April 1st 2002

James Stewart

COMPLAINT INTRO

To: Mr. William Shaw (and All Concern'd)

Sir: I am glad to read that the rule, I'm now complying with merely states that the non pros judgement MAY be order'd against My Self. I say this Liberally being it has come to my attention that May of the rule. Is "Most Likely" an Allowance-able word. None the Less it does not State; Will. Therefore, Cause be for Thanks.

I wish to advise You and All of this. And More. Such-as recently it has been my "Un-Welcome Privilege" to Attach a P. O. Box of 164 to ~~to~~ my residence. This was done in order to Thwart Vandalls, and Other such-as^{ee} of Reason. And because of this Condition and Constraints I only received this Rule-ative, Saturday March 30th 2002. So ~~too~~ Hope-fully my Comply-ance is within the realm of Pros that I may very well Now find My-Self to be in.

Sir's: This filed Grievance has Not been an easy Session to Address. And. To this I add, That Most of the "Attached Applied Agents" (For lack of better words) Can Merely Sight Slight Improporarities with. Except Regarding DOCTOR WALI ASSEEM. Yes. Most of the Agents to Date I hold No Emphatically Concrete Dis-Grumpancies Towards.

This ~~*~~ Truth May ~~not~~ Not be Consider'd a Prud-ant andor Wise (overall) Reveal. Yet. It is Mine. And I

will Take My Chances with What I feel andor Page 3-4
believe to be Right.

Therefore: In order to comply with the
order (and actions) set forth ~~by myself~~ ~~XXXXXX~~
~~XXXXXX~~ by myself thru
this Court (and I believe all Courts of This State)
I state forth to recognize the "heart of the matter" as
a decree entitled to each and every individual "to a
speedy (resolve) trial". With this in mind I further
My Complaint, because I truly wish all Stumbling
blocks (I may have hap-hazardly attached via my
wanderings I Park-ed to my Councile) set a-
side. AND. The "Issue At Hand" be Properly Re-
andor-Addressed.

That. Said. I close this intro with Much
Thanks and Apologies.

COMPLAINT

① I James Zane Stewart (Entitled Full Name)
Accuse Dr. Wali Asseem of Blatantley Disregarding
This Ex-Patients Overall Health and Well-Being in order
to Satisfy His Own Opinionative Beliefs which have caused
This Ex-Patient Great-Pain-Loss-AND-Suffering, while He
Received Great Benefit at My Expence, to Say the Least.
—Whereas ② He Did Full Well Know My

"Main Ambition" and "Drive" Was "That I Walked Page 4
"into The Hospital" And Fully Intended to "Walk
Out", And, Dr. Asseem Did Fully Take Advantage
of ~~that~~ Fact ~~whereby~~ and Nonetheless it to
Opt to Leave Me Helpless In-STEAD.

- Which ③ Directly Led To Much Pain,
Suffering and Loss To a Patient who
Entrusted Him (Took Him at His Word) With
His (Patient's) Situation, Which Called (Situation)
For Immediate Medicinal Attention, Not ~~Complaint~~
Compounded Problems.

In Closing I feel very ~~strongly~~ Strongly that
I must Further Draw Upon My Life's Experiences and
State That Many Lessons of Humility have Led Me to
This Point (Life's Sessions) and One Very Fresh Lesson Comes
to Mind. So Even Though I Could Easily Project More
Severe "Conveyances of Complaint" I Refrain For
Now. And in Closing, ask That the enter'd precise
for "Rule of Complaint". Be 1st Satisfied (Now) And
2nd No Further appliances of 20 Dayness be devised
at Least Till I gain "Firm Council". Thank all Con-
cerned for any and all Time Thus and Furthermore Render'd
Forward towards a Speedy and Feasible Resolve. Him

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

✓

JAMES STEWART,

CIVIL DIVISION

Plaintiff,

No: 2002-00218-CD

vs.

DUBOIS REGIONAL MEDICAL CENTER
FREE CLINIC; DUBOIS REGIONAL
MEDICAL CENTER; and WALI
MOHAMMED ASEEM, M.D.

**MOTION TO WITHDRAW
APPEARANCE**

Defendants.

Filed on behalf of: PLAINTIFF

Counsel of Record for this party:

Paul A. Lagnese, Esquire
Pa. I.D. # 51281

BERGER & LAGNESE, LLC
Suite 912, The Frick Building
Pittsburgh, PA 15219-6003

(412) 471-4300

JURY TRIAL DEMANDED

FILED

APR 12 2002

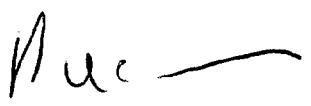
William A. Shaw
Prothonotary

MOTION TO WITHDRAW APPEARANCE

1. On February 13, 2002, Plaintiff met with the undersigned for the first time.
2. In order to protect Plaintiff against a potential statute of limitation problem, the undersigned filed a Writ of Summons on February 14, 2002.
3. The undersigned does not wish to represent Plaintiff and Plaintiff has consented to the undersigned's withdrawal of appearance. (see Consent attached hereto as Exhibit "A")
4. Counsel for the Defendants has also consented to the withdrawal of the undersigned.

WHEREFORE, it is requested that Paul A. Lagnese and the firm of Berger & Lagnese, LLC be permitted to withdraw their appearance on behalf of Plaintiff.

BERGER & LAGNESE, LLC



Paul A. Lagnese, Esquire

Attorney for Plaintiff

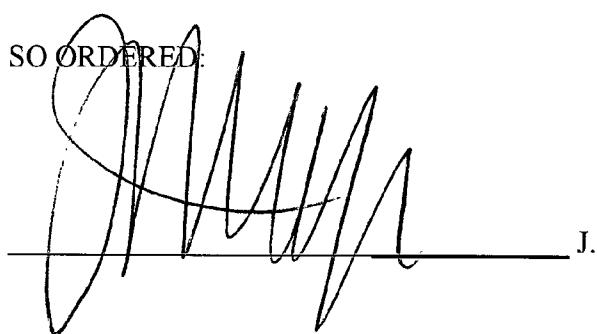
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART,)
Plaintiff,) CIVIL DIVISION
vs.) No.: 2002-00218-CD
DUBOIS REGIONAL MEDICAL CENTER)
FREE CLINIC; DUBOIS REGIONAL MEDICAL)
CENTER; and WALI MOHAMMED ASEEM, M.D.)
Defendants.)

ORDER OF COURT

AND NOW, this 1st day of March, 2002, it is hereby ORDERED that
Paul A. Lagnese and Berger and Lagnese, LLC's appearance on behalf of James Stewart
at No. 2002-00218-CD is withdrawn.

SO ORDERED:

A handwritten signature in black ink, appearing to read "William A. Shaw". The signature is fluid and cursive, with a large, stylized initial "W". A horizontal line extends from the end of the signature to the right, ending with a small "J.".

FILED

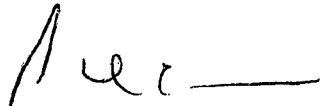
APR 19 2002
04/20/02/C/C atty
William A. Shaw
Prothonotary
Lagnese

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **MOTION TO WITHDRAW APPEARANCE** to be served upon all counsel of record and upon Plaintiff, by First Class Mail, postage pre-paid, this **10th** day of **April, 2002** addressed as follows:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants)

Mr. James Stewart
RD 3, Box 136
Reynoldsville, PA 15851
(Plaintiff)



Paul A. Lagnese, Esquire
Counsel for Plaintiff

FILED

APR 12 2002

M/L:11/1002
William A. Shaw
Prothonotary

1cc with Lagnau

WCB

CONSENT

I, JAMES STEWART, consent to Paul A. Lagnese and Berger & Lagnese, LLC
withdrawing their appearance on my behalf in Case No. 2002-00218-CD.


James Stewart

DATE: April 5th 2002

11:15 PM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

(X)

JAMES STEWART,

CIVIL DIVISION

Plaintiff,

No: 2002-00218-CD

vs.

DUBOIS REGIONAL MEDICAL CENTER
FREE CLINIC; DUBOIS REGIONAL
MEDICAL CENTER; and WALI
MOHAMMED ASEEM, M.D.

**MOTION TO WITHDRAW
APPEARANCE**

Defendants.

Filed on behalf of: PLAINTIFF

Counsel of Record for this party:

Paul A. Lagnese, Esquire
Pa. I.D. # 51281

BERGER & LAGNESE, LLC
Suite 912, The Frick Building
Pittsburgh, PA 15219-6003

(412) 471-4300

JURY TRIAL DEMANDED

FILED

APR 12 2002

William A. Shaw
Prothonotary

MOTION TO WITHDRAW APPEARANCE

1. On February 13, 2002, Plaintiff met with the undersigned for the first time.
2. In order to protect Plaintiff against a potential statute of limitation problem, the undersigned filed a Writ of Summons on February 14, 2002.
3. The undersigned does not wish to represent Plaintiff and Plaintiff has consented to the undersigned's withdrawal of appearance. (see Consent attached hereto as Exhibit "A")
4. Counsel for the Defendants has also consented to the withdrawal of the undersigned.

WHEREFORE, it is requested that Paul A. Lagnese and the firm of Berger & Lagnese, LLC be permitted to withdraw their appearance on behalf of Plaintiff.

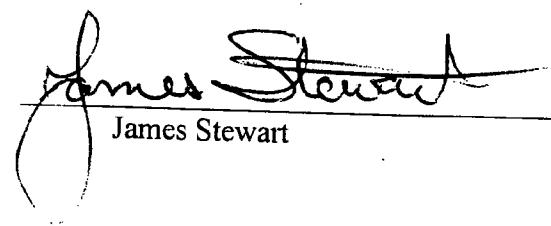
BERGER & LAGNESE, LLC



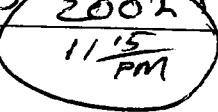
Paul A. Lagnese, Esquire
Attorney for Plaintiff

CONSENT

I, JAMES STEWART, consent to Paul A. Lagnese and Berger & Lagnese, LLC withdrawing their appearance on my behalf in Case No. 2002-00218-CD.



James Stewart

DATE: April 5th 2002

11:15
PM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

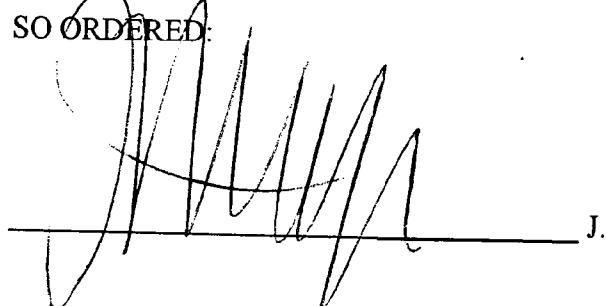
JAMES STEWART,)
Plaintiff,) CIVIL DIVISION
vs.) No.: 2002-00218-CD
DUBOIS REGIONAL MEDICAL CENTER)
FREE CLINIC; DUBOIS REGIONAL MEDICAL)
CENTER; and WALI MOHAMMED ASEEM, M.D.)
Defendants.)

ORDER OF COURT

AND NOW, this 14th day of March, 2002, it is hereby ORDERED that

Paul A. Lagnese and Berger and Lagnese, LLC's appearance on behalf of James Stewart
at No. 2002-00218-CD is withdrawn.

SO ORDERED:

A handwritten signature consisting of a series of jagged, vertical lines and loops, resembling a stylized 'J' or a series of 'W' shapes, written over a horizontal line.

J.

FILED

APR 10 2002

03.20/02/city

William A. Shaw

Prothonotary

DO

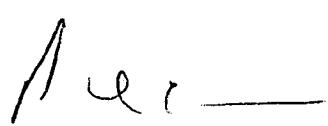
Lagnese

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **MOTION TO WITHDRAW APPEARANCE** to be served upon all counsel of record and upon Plaintiff, by First Class Mail, postage pre-paid, this **10th** day of **April, 2002** addressed as follows:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499
(Counsel for Defendants)

Mr. James Stewart
RD 3, Box 136
Reynoldsville, PA 15851
(Plaintiff)



Paul A. Lagnese, Esquire
Counsel for Plaintiff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12153

STEWART, JAMES

02-218-CD

VS.

DUBOIS REGIONAL MEDICAL CENTER a1

SUMMONS

SHERIFF RETURNS

**NOW MARCH 1, 2002 AT 2:00 PM EST SERVED THE WITHIN SUMMONS ON
DUBOIS REGIONAL MEDICAL CENTER, DEFENDANT AT EMPLOYMENT, 100
HOSPITAL AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING
TO GREG VOLPE, P.I.C. A TRUE AND ATTESTED COPY OF THE ORIGINAL
SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.**

SERVED BY: MCCLEARY

**NOW MARCH 1, 2002 AT 2:20 PM EST SERVED THE WITHIN SUMMONS ON
DR. WALI MOHAMMED ASEEM, DEFENDANT AT EMPLOYMENT, 611 S. MAIN ST.,
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DR. WALI
MOHAMMED ASEEM A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS
AND MADE A PART OF THIS RETURN.**

SERVED BY: MCCLEARY

**NOW MARCH 1, 2002 AT 2:45 PM EST SERVED THE WITHIN SUMMONS ON
DUBOIS REGIONAL MEDICAL CENTER FREE CLINIC, DEFENDANT AT EMPLOYMENT,
47 WEST LONG AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY
HANDING TO PAT MARTINSON, P.I.C. A TRUE AND ATTESTED COPY OF THE
ORIGINAL SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.**

SERVED BY: MCCLEARY

Return Costs

Cost	Description
-------------	--------------------

42.69 SHFF. HAWKINS PAID BY: ATTY.

30.00 SURCHARGE PAID BY: ATTY.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12153

STEWART, JAMES

02-218-CD

VS.

DUBOIS REGIONAL MEDICAL CENTER a1

SUMMONS

SHERIFF RETURNS

Sworn to Before Me This

30th Day Of April 2002

Will A. Shaw

So Answers,

*Chester A. Hawkins
Suzanne M. Harr*
Chester A. Hawkins
Sheriff

FILED
NO CC
04/30/2002
APR 30 2002

W.A. Shaw
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART

Plaintiff,

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

NOTICE TO PLEAD

TO THE PLAINTIFF:

You are hereby notified to file a written response to the enclosed Preliminary Objections within twenty (20) days of service hereof or a default judgment may be entered against you.

Thomas B. Anderson

Thomas B. Anderson, Esquire
Attorneys for defendants.

CIVIL DIVISION

No. 2002-00218-CD

Issue No.

PRELIMINARY OBJECTIONS

Code:

Filed on behalf of defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

Thomas B. Anderson, Esquire
PA I.D. #79990

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219
(412) 232-3400

FILED

MAY 01 2002

William A. Shaw
Prothonotary

PRELIMINARY OBJECTIONS

NOW COME the defendants, by and through their counsel, Thomson, Rhodes & Cowie, P.C., and file the following preliminary objections to plaintiff's complaint and aver as follows:

1. Plaintiff initiated suit by filing a praecipe for writ of summons against DuBois Regional Medical Center, DuBois Regional Medical Center Free Clinic and Wali Mohammed Aseem, M.D.
2. After receiving a rule to file a complaint, plaintiff has filed a "Pro Se" complaint entitled "*James Stewart v. Attached "Medical Agents" and Wali Mohammed Asseem, M.D.*" A copy of the complaint is attached hereto as Exhibit "A".
3. The complaint consists primarily of an incoherent introduction.

A. Demurrer to plaintiff's complaint in its entirety.

4. While plaintiff's complaint does not contain any of the material facts upon which his allegations are based, he alleges that Dr. Wali Aseem "Blatantly Disregarding This Ex-Patients Overall Health and Well-Being in order to satisfy His Own Opinionative Beliefs which have caused This Ex-Patient Great - Pain - Loss - AND - Suffering ..."

5. Plaintiff also alleges that Dr. Aseem knew that the plaintiff's main ambition was that he walked into the hospital and fully intended to walk out and that Dr. Aseem took advantage of this fact.

6. Plaintiff alleges that he sustained pain and suffering as a result.

7. There are no allegations in the complaint against DuBois Regional Medical Center or DuBois Regional Medical Center Free Clinic. The allegations against Dr. Aseem fail to state a cause of action upon which relief may be granted.

WHEREFORE, plaintiff's complaint should be dismissed in its entirety.

B. Alternative motion to strike.

8. On pages 1 through 3 of plaintiff's complaint, plaintiff sets forth an incoherent and irrelevant introduction to the complaint. The introduction does not allege any material facts upon which the cause of action is based.

9. The introduction to plaintiff's complaint includes scandalous and impertinent matters which should be stricken from plaintiff's complaint.

WHEREFORE, these defendants respectfully request this Honorable Court issue an order striking plaintiff's introduction to his complaint.

C. Motion to strike the caption of plaintiff's complaint.

10. Plaintiff has listed as the caption of the complaint James Stewart v. Attached "Medical Agents" and Wali Mohammed Asseem, M.D.

11. According to the Pennsylvania Rules of Civil Procedure, a caption must identify all parties to the action. Plaintiff's complaint fails to comply with Pennsylvania Rule of Civil Procedure 1018.

WHEREFORE, the caption of the complaint should be stricken and/or amended to comply with the applicable Rules of Civil Procedure.

D. Alternative motion for more specific pleading.

12. Pursuant to Pennsylvania Rule of Civil Procedure 1019(a), the material facts on which a cause of action is based must be stated in concise and summary form.

13. Plaintiff's complaint fails to identify any material facts upon which his complaint is based. There are no dates, times, places, actions or omissions identified in the complaint.

WHEREFORE, the defendants respectfully request that this Honorable Court issue an order directing plaintiff to file an amended complaint which complies with the Pennsylvania Rules of Civil Procedure.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Thomas B. Anderson, Esquire
Attorneys for defendants.

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

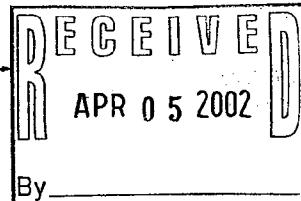
Page 1 of 4

James Stewart
VS.
"ATTACHED
Medicinal Agents"
AND
Wali Mohammed Asseem MD

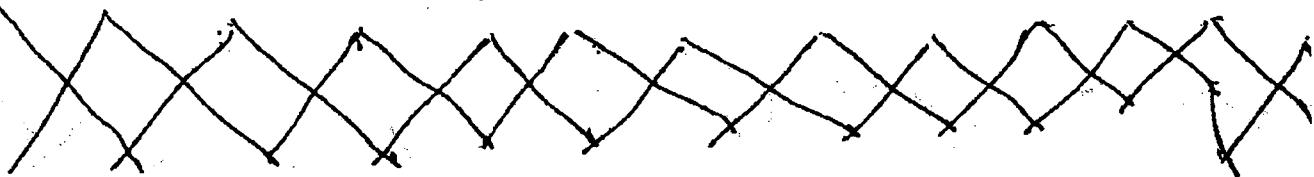
Case No. # 2002-00218-CF

REPLY TO COMPLAINT REQUEST

TO: ALL CONCERN'D



Please, regard the enclosed actions.



THESE ACTIONS ARE AS FOLLOWS:

1ST

COMPLAINT INTRO

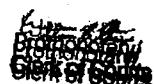
I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

2ND

COMPLAINT (TONED-DOWN)

APR 01 2002

Attest:



3RD

CLOSING : (SET (or enclose caption'd) In Closing)

4TH

IS NOT ENCLOSED

Certified
copy James
Stewart
April 2nd
2002
3:05 PM

I will be intensely tolerantive to surrender any and all
notes (copies of) AND OR "paged rantings" it has taken these past
two (2) days to comprise these four (4) pages, upon written
witnessed request. Thank you James Stewart April 2nd 2002

EXHIBIT

A

Exhibit A

COMPLAINT INTRO

To : Mr. William Shaw (and All Concern'd)

Sir: I am glad to read that the rule, I'm now complying with merely states that the non pros judgement MAY be order'd against My Self. I say this Liberally being it has come to my attention that May of the rule. is "Most Likely" an Allowance-able word. None the Less it does not State Will. Therefore, Cause be for Thanks.

I wish to advise you and all of this. And More. Such as recently it has been my "Un-Welcome Privilege" to Attach a P. O. Box of 164 to ~~to~~ my residence. This was done in order to Thwart Vandalls, and Other such-as "of Reason. And because of this Condition and Constraints I only received this Rule-active, Saturday March 30th 2002. So ~~less~~ Hope-fully my Comply-ance is within the realm of Pros, that I may very well now find My-Self to be in.

Sir's: This filed Grivance has Not been an easy Dession to Address. And. To this I add, That Most of the "Attached Applied Agents" (for lack of better words) Can I Merely Sight Slight Impropiorities with. Except Regarding DOCTOR WALI ASSEEM. Yes. Most of the Agents to Date I hold No Emphatically Concrete Dis-Grumpancies Towards.

This ~~is~~ Truth May ~~not~~ Not be Consider'd a Prud-ant and Wise (overall) Reveal. Yet. It is Mine. And I

will Take My Chances with What I feel and/or page 3
believe to be Right.

Therefore: In order to comply with the
order (and actions) set forth ~~(by myself)~~ ~~XXX~~
~~XXX~~~~XXX~~~~XXX~~~~XXX~~~~XXX~~~~X~~ by myself thru
this Court (and I believe all Courts of This State)
I state forth to recognize the "heart of the matter" as
a decree entitled to each and every individual "to a
speedy (resolve) trial". With this in mind I Futher
My Complaint, because I truly wish all Stumbling
blocks (I may have hap-hazardly attached via my
wanderings I Parla-ed to my Council) set a-
side. AND. The "Issue At Hand" be Properly Re-
andor-Addressed.

That. Said. I close this intro with Much
Thanks and Apologies.

COMPLAINT

① I James Zane Stewart (Entitled Full Name)
Accuse Dr. Wali Asseem of Blatantly Dregarding
This Ex-Patients Overall Health and Well-Being in order
to Satisfy His Own Opinionative Beliefs which have caused
This Ex-Patient Great-Pain-Loss-ANB-Suffering, while He
Received Great Benefit at My Expence, to Say the Least.
—Whereas ② He Did Full Well Know My

"Main Ambition" and "Drive" Was "That I Walked ~~page~~
into The Hospital" And Fully Intended to "Walk
Out", And, Dr. Asseem Did Fully Take Advantage
of that Fact ~~whereby~~ and Nonetheless it to
Opt to Leave Me Helpless In-STEAD.

- which ③ Directly Led To Much Pain,
Suffering and Loss To a Patient who
Entrusted Him (Took Him at His Word) With
His (Patient's) Situation, which Called (Situation)
For Immediate Medicinal Attention, Not ~~Comprom~~
Compounded Problems.

In Closing I feel very ~~strongly~~ Strongly that
I must Further Draw Upon My Life Experiences and
State That Many Lessons of Humility have Led Me to
This Point (Life's Lessons) and One Very Fresh Lesson Comes
to Mind. So Even Though I Could Easily Project More
Severe "Conveyances of Complaint" I Refrain for
Now. And in Closing, ask That the entered principle
for "Rule of Complaint" Be 1st Satisfied (Now) And
2nd No Further appliances of 20 Dayness be devised
at Least Till I gain "Firm Council". Thank all Con-
cerned for any and all Time Thus and Furthermore Render'd
Forward towards a Speedy and Feasible Resolve. Him

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within document has been served upon the following and same placed in the U.S. Mails on this 30th day of April, 2002:

James Zane Stewart
R.D. 3, Box 137
Post Office Box 164
Reynoldsville, PA 15861

THOMSON, RHODES & COWIE, P.C.

Thomas B. Anderson
David R. Johnson, Esquire
Thomas B. Anderson, Esquire
Attorneys for defendants.

FILED

1cc

10:46 AM
MAY 6 2002
FBI
Atty

William A. Shaw
Prothonotary



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART,

CIVIL DIVISION

Plaintiff,

No. 2002-00218-CD

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

ORDER OF COURT

AND NOW, on this _____ day of _____, 2002, it is hereby
ORDERED, ADJUDGED and DECREED that the defendants' preliminary objections are hereby
SUSTAINED. Plaintiff's complaint is dismissed.

BY THE COURT:

J.

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

JAMES STEWART

-vs-

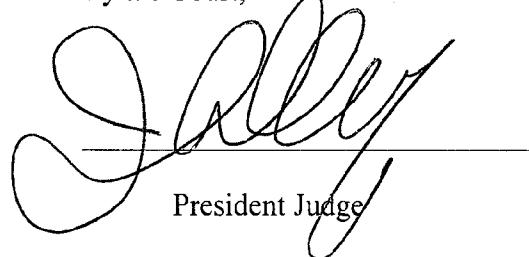
No. 2002 - 218 - CD

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL MEDICAL:
CENTER FREE CLINIC and WALI
MOHAMMED ASEEM, M.D.

ORDER

NOW, this 8th day of August, 2002, following consideration of Preliminary Objections filed on behalf of Defendants above-named, it is the ORDER of this Court that Plaintiff shall be and is hereby granted 20 days from date hereof to obtain counsel to represent him in further proceedings to the above, said counsel to contact defense counsel and this Court within said time period as to his or her intentions. Should Plaintiff fail to obtain counsel and should contact not occur as set forth above, Defendants' Preliminary Objections will be granted and Plaintiff's Complaint dismissed with prejudice.

By the Court,



Sally

President Judge

FILED

AUG 08 2002
mlli:sl/copy pf:
William A. Shaw
Prothonotary KC
atty Anderson

of

LUKEHART & LUNDY
ATTORNEYS AT LAW
219 EAST UNION STREET

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

JAMES STEWART,) Case No.: 2002-218 C.D.
Plaintiff,)
vs.) Type of Case: CIVIL
DuBOIS REGIONAL MEDICAL CENTER,)
DuBOIS REGIONAL MEDICAL CENTER) Type of Pleading: MOTION TO CONTINUE
FREE CLINIC and WALI MOHAMMED) RULING ON DEFENDANT'S
ASEEM, M.D.,) PRELIMINARY OBJECTION AND
Defendant) PLAINTIFFS REQUEST FOR DISCOVERY
) IN AID OF PREPARATION OF
) PLEADINGS
) Counsel of Record for this Party:
) JEFFREY LUNDY
) PA I.D. 25823
) LUKEHART & LUNDY
) 219 East Union Street
) PO Box 74
) Punxsutawney, PA 15767
) (814) 938-8110

FILED

AUG 20 2002

m 10:38/1cc atty lundy
William A. Shaw
Prothonotary

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

JAMES STEWART,) Case No.: 2002-218 C.D.
Plaintiff,)
vs.)
DuBOIS REGIONAL MEDICAL CENTER,)
DuBOIS REGIONAL MEDICAL CENTER)
FREE CLINIC and WALI MOHAMMED)
ASEEM, M.D.,)
Defendant)

)

**MOTION TO CONTINUE RULING ON DEFENDANT'S
PRELIMINARY OBJECTION AND PLAINTIFFS REQUEST FOR
DISCOVERY IN AID OF PREPARATION OF PLEADINGS**

AND NOW, Plaintiff, James Stewart, by and through his attorney Jeffrey Lundy, Esquire, LUKEHART & LUNDY, presents the following Motion:

1. On August 8, 2002 this Court entered an Order granting Plaintiff 20 days to obtain counsel to represent him further, to contact defense counsel and to notify the Court of his intentions.
2. Plaintiff has contacted the law firm of Lukehart & Lundy for purposes of assisting him in regards to responding to the August 8, 2002 Order.
3. Plaintiff provided counsel with partial copies of medical records and counsel has obtained the record pleadings of this matter.

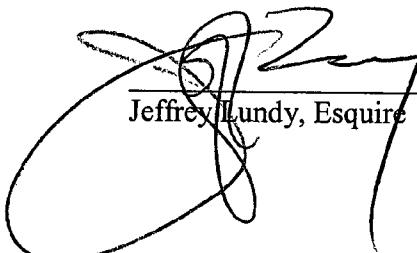
4. Counsel for the Plaintiff has insufficient information available in order to formulate a response to the Preliminary Objections or information sufficient to formulate a proper pleading.

5. Principally, Plaintiff's counsel is in need of copies of the Plaintiffs medical records, particularly those of Dr. Wali Mahammed Aseem and the DuBois Regional Medical Center.

6. In addition to obtaining these medical records Plaintiff's counsel needs sufficient time in order to evaluate these records particularly the evaluation by a medical expert.

WHEREFORE, Plaintiff would request that this Court enter and Order continuing any ruling upon the Preliminary Objections and authorizing the Plaintiff to engage in a period of discovery of one hundred twenty (120) days for purposes of obtaining sufficient information in order to respond to the Preliminary Objections and engage in discovery for purposes of preparation of a proper Complaint and/or Amended Complaint.

Respectfully submitted,



Jeffrey Lundy, Esquire

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

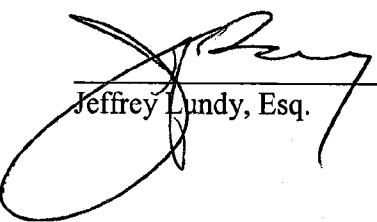
JAMES STEWART,) Case No.: 2002-218 C.D.
Plaintiff,)
vs.)
DuBOIS REGIONAL MEDICAL CENTER,)
DuBOIS REGIONAL MEDICAL CENTER)
FREE CLINIC and WALI MOHAMMED)
ASEEM, M.D.,)
Defendant)

)

CERTIFICATE OF SERVICE

I, Jeffrey Lundy, Esquire, hereby certify that on the 19th day of August,
2002, a true and correct copy of the foregoing Motion was forwarded via first-class mail, postage
prepaid, to the following:

David R. Johnson
THOMSON, RHODES & COWIE, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499


Jeffrey Lundy, Esq.

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

JAMES STEWART,) Case No.: 2002-218 C.D.
)
 Plaintiff,)
)
 vs.)
)
 DuBOIS REGIONAL MEDICAL CENTER,)
 DuBOIS REGIONAL MEDICAL CENTER)
 FREE CLINIC and WALI MOHAMMED)
 ASEEM, M.D.,)
)
 Defendant)
)
)

ORDER OF COURT

AND NOW, this 22nd day of August, 2002 upon presentation of the foregoing Motion it is hereby ordered and decreed that Plaintiff is granted a initial discovery period of no greater than one hundred twenty (120) days for purposes of obtaining sufficient relevant information in order to respond to the Preliminary Objections of the Defendant and/or prepare an Amended Complaint or pleading.

BY THE COURT,

FILED

WA

AUG 22 2002

0118011ccatty Lundy
William A. Shaw /
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART

Plaintiff,

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

CIVIL DIVISION

No. 2002-00218-CD

Issue No.

RESPONSE TO MOTION TO CONTINUE
RULING ON DEFENDANTS'
PRELIMINARY OBJECTION AND
PLAINTIFF'S REQUEST FOR DISCOVERY
IN AID OF PREPARATION OF
PLEADINGS

Code:

Filed on behalf of defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

Thomas B. Anderson, Esquire
PA I.D. #79990

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

FILED

AUG 22 2002

William A. Shaw
Prothonotary

(412) 232-3400

RESPONSE TO MOTION TO CONTINUE RULING ON DEFENDANTS'
PRELIMINARY OBJECTION AND PLAINTIFF'S REQUEST FOR DISCOVERY IN
aid of preparation of pleadings

NOW COME defendants, by their attorneys, Thomson, Rhodes & Cowie, P.C., and file the following response to motion to continue ruling on defendants' preliminary objection and plaintiff's request for discovery in aid of preparation of pleadings for the reasons set forth below.

1. Paragraph 1 of the motion is admitted.
2. Paragraph 2 of the motion is denied for the reason that defendants have insufficient information or knowledge to form a belief as to the truth of the averments therein.
3. Paragraph 3 of the motion is denied for the reason that defendants have insufficient information or knowledge to form a belief as to the truth of the averments therein.
4. Paragraph 4 of the motion is denied for the reason that defendants have insufficient information or knowledge to form a belief as to the truth of the averments therein.

5. Paragraph 5 of the motion is denied for the reason that defendants have insufficient information or knowledge to form a belief as to the truth of the averments therein.

6. Paragraph 6 of the motion is denied for the reason that defendants have insufficient information or knowledge to form a belief as to the truth of the averments therein.

7. In plaintiff's motion, plaintiff seeks to be allowed a period of 120 days for obtaining information in which to respond to the preliminary objections and to engage in discovery. The time period requested by the plaintiff is excessive and no basis has been identified why plaintiff should be allowed to engage in pre-complaint discovery. If plaintiff were allowed to engage in pre-complaint discovery, it would be prejudicial to the defendants because they would be subject to discovery without knowing any of the allegations against them. At the present time, based on the bizarre pleading that was initially filed by the plaintiff, defendants do not have any reasonable basis upon which to anticipate that the plaintiff has any valid cause of action and, certainly, defendants are not in a position to know what plaintiff's specific claims of negligence might be.

8. An appropriate response to plaintiff's motion would be to deny the order sought by the plaintiff. Further, the preliminary objections should be sustained because no basis has been identified for overruling the preliminary objections. Finally, if the court is inclined to grant plaintiff leave to file an amended complaint, the time frame for

doing so should not be excessive. It would be appropriate to order that any amended complaint needs to be filed within 30 days.

WHEREFORE, plaintiff's motion to continue ruling on defendants' preliminary objection and plaintiff's request for discovery in aid of preparation of pleadings should be denied for the above reasons.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

David R. Johnson, Jr.
David R. Johnson, Esquire
Attorneys for defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within RESPONSE TO MOTION TO CONTINUE RULING ON DEFENDANTS' PRELIMINARY OBJECTION AND PLAINTIFF'S REQUEST FOR DISCOVERY IN AID OF PREPARATION OF PLEADINGS has been served upon the following counsel of record and same placed in the U.S. Mails on this 21st day of Aug.,
2002:

Jeffrey Lundy, Esquire
Lukehart & Lundy
219 East Union Street
P.O. Box 74
Punxsutawney, PA 15767-0074

THOMSON, RHODES & COWIE, P.C.

David R. Johnson, Esq.
David R. Johnson, Esquire
Attorneys for defendants.

FILED NO
84-11784
AUG 22 2002
cc

William A. Shaw
Prothonotary

GP

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

JAMES STEWART,) Case No.: 2002-218 C.D.
vs.)
Plaintiff,) Type of Case: CIVIL
vs.)
DuBOIS REGIONAL MEDICAL CENTER,) Type of Pleading:
DuBOIS REGIONAL MEDICAL CENTER)
FREE CLINIC and WALI MOHAMMED) MOTION TO WITHDRAW AS COUNSEL
ASEEM, M.D.,) Counsel of Record for this Party:
Defendants.) JEFFREY LUNDY
) PA I.D. 25823
) LUKEHART & LUNDY
) 219 East Union Street
) PO Box 74
) Punxsutawney, PA 15767
) (814) 938-8110
)
)

FILED

NOV 22 2002

William A. Shaw
Prothonotary

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

JAMES STEWART,) Case No.: 2002-218 C.D.
)
 Plaintiff,)
)
 vs.)
)
 DuBOIS REGIONAL MEDICAL CENTER,)
 DuBOIS REGIONAL MEDICAL CENTER)
 FREE CLINIC and WALI MOHAMMED)
 ASEEM, M.D.,)
)
 Defendants.)
)

MOTION TO WITHDRAW AS COUNSEL

AND NOW COMES Jeffrey Lundy, Esquire and presents the following Motion to Withdraw
as Counsel:

1. Your Petitioner is Jeffrey Lundy, Esquire who has entered his appearance in the above-captioned matter on behalf of James Stewart.
2. An Order was entered in this matter granting a one hundred and twenty (120) day period in which to engage in discovery, particularly gaining certain medical records, which counsel for the Plaintiff has obtained.
3. Plaintiff and Plaintiff's attorney, Jeffrey Lundy, have discussed this matter and it is Plaintiff's intention to obtain other counsel in regards to timely respond to Plaintiff's Preliminary Objections and/or prepare an Amended Complaint.
4. Plaintiff has been fully advised of his rights in regards to this matter and has executed the attached Consent to Withdraw of Counsel.

WHEREFORE, your Petitioner requests leave of Court pursuant to Rule 1012 to withdraw.

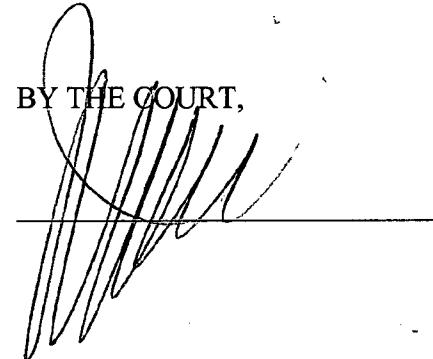
Jeffrey Lundy, Esquire

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

JAMES STEWART,) Case No.: 2002-218 C.D.
)
 Plaintiff,)
)
 vs.)
)
 DuBOIS REGIONAL MEDICAL CENTER,)
 DuBOIS REGIONAL MEDICAL CENTER)
 FREE CLINIC and WALI MOHAMMED)
 ASEEM, M.D.,)
)
 Defendants.)
)

ORDER OF COURT

AND NOW, this 25th day of November, 2002, upon presentation of the foregoing Motion to Withdraw as Counsel, the Plaintiff having executed Consent to Withdraw of Counsel, it is hereby ORDERED, ADJUDGED and DECREED that the Plaintiff's counsel shall be granted permission to withdraw.

BY THE COURT,


FILED

NOV 20 2002

William A. Shaw
Prothonotary

FILED ~~JCC~~
01/10/59 ^{AM} ~~1611~~ ¹⁶¹¹ ~~1611~~
ATTY 26 ~~2002~~ ²⁰⁰² ~~2002~~
Lundy ~~CC~~

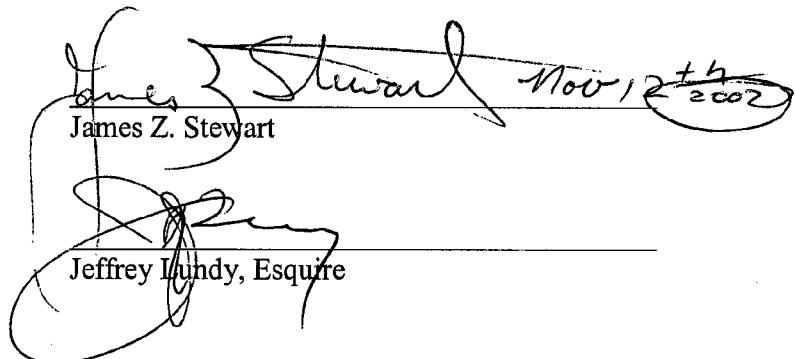
William A. Shaw
Prothonotary

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

JAMES STEWART,) Case No.: 2002-218 C.D.
)
 Plaintiff,)
)
 vs.)
)
 DuBOIS REGIONAL MEDICAL CENTER,)
 DuBOIS REGIONAL MEDICAL CENTER)
 FREE CLINIC and WALI MOHAMMED)
 ASEEM, M.D.,)
)
 Defendant)
)

CONSENT TO WITHDRAW OF COUNSEL

The undersigned hereby agrees to the withdraw of his Attorney, Jeffrey Lundy, Esquire, and acknowledges that he is aware of and has a copy of an Order dated August 22nd, 2002, granting 120 days to file a response to Defendant's Objections and/or prepare an Amended Complaint.


James Z. Stewart
Nov 12 2002
Jeffrey Lundy, Esquire

FILED

2cc

13:13-84
NOV 22 2002

Ang Lundy

William A. Shaw
Prothonotary

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

JAMES Z. STEWART

Plaintiff

vs.

DOBOIS REGIONAL MEDICAL CENTER
DOBOIS REGIONAL MEDICAL CENTER
FREE CLINIC and WALLY ASERM, M.D.,

Defendants

Case No. 2002-218 C.P.

Type of Case: CIVIL

Pleading: RESPONSE TO MOTION TO FILE COMPLAINT (3RD)

PRO SE

JAMES Z. STEWART
21 South 3rd Street
Reynoldsburg, Pa. 15851
formerly AND SOMEWHAT STILL OF
RD#3 BOX 136
Reynoldsburg Pa. 15851
(new phone no.) 653-8200

FILED

DEC 20 2002

0/4:00 AM

William A. Shaw
Prothonotary
no crm

PARTIAL RESPONSE TO MOTION TO FILE COMPLAINT (3RD)

AND NOW COMES

JAMES ZANE STEWART, PRO SE

MOVING TWARD^S RELIEF AGAINST MY PERSONAGE FROM ORGANIZED PROFESSIONAL ACTS AND/OR MEANS WHICH HAVE ALTERD MY LIFE AND BODY TO EXTENSIVE PAIN LOSSES AND/OR AGGRAVATIONS WHICH MOST OF (IF NOT ALL) COULD AND SHOULD OF REASONABLY AVOIDED AND OR REDUCED ALONG LIFE^S NORMAL COURSE THAT THESE ACTS AND/OR MEANS DEPRIVED AND/OR AVIAED ME FROM MAINTAINING (REASONABLY) SOME OF THESE EXTRA PAINS AND/OR LOSSES CAN NEVER BE AMENDED AND/OR RECLAIMED AND/OR RECOVER'D OF^E SOME OF THESE EXTRA PAINS AND/OR LOSSES STILL PERSUE TO THIS VERY DAY TO SUCH A DRISTIC DEGREE THAT WITHOUT THIS SOUGHT CIVIL ~~RELIEF~~ MAYHAFSE SHALL AGGITATE AND FUTHER COUSE LIFE AND BODY LOSS TO MUCH PREMATUREATY'S THAT EVEN DEATH IS A POSSIBILITY, BEING I FIND MYSELF MUCH EXAUDED FROM THE RECLAIMS I'VE ACHIEVED (TOO SAY THE LAST): I OPEN WITH STATED STATEMENTS AND NOW

PROCEEDED WITH THE FOLLOWING REASONS INTO MOTION: ① BEING I'M PRO SE I CLAIM ALL THAT HAS BEEN EFFORTED ON MY BEHALF THUS FAR THRU APPEAL COUNCIL, EXCEPT WHAT WILL BE NOTED WITHIN.

① I FIND MY TIME IS NOW SHORT AND MUST HURRY OFF TO FILE THIS MOTION IN ORDER TO SAVE FURTHER CONFUSION. I WILL FILE THE COMPLETED MOTION THE VERY NEXT DAY THE COURT HOUSE IS OPEN AFTER THIS DAY Dec.

22nd (2008); omitting this ⑨, I've already completed this motion it will contain 7 pages be titled COMPLETE RESPONSE TO MOTION TO FILE COMPLAINT AND ALSO ⑨ additional reasons and/or admissions minus this ⑨, for a total of ⑩ reasons and/or ~~one~~ admission. With the time as it is I must do these acts to feel I'm maintaining my ethics. Even though the response is completely drawn its not very ~~log~~ legible as this ⑨ confesses and/or admits to I ~~saw~~ to me even though somewhat irrationally I must file today and apologize for that, yet the ~~my~~ cost and aggravation ~~of~~ this is true (rationally this time) and complete to the best cost are reasonable (if not completely) my own of ~~of~~ my ability thus far with all considered

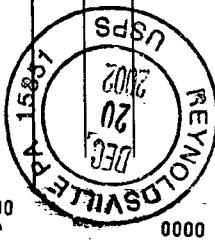
signed James Jane Stewart dated Dec. 22nd 2008

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DEC 20 2002

William A. Shaw
Prothonotary

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

JAMES STEWART,

Plaintiff,

vs.

DUBOIS REGIONAL MEDICAL CENTER,
DUBOIS REGIONAL MEDICAL CENTER
FREE CLINIC and WALI, M.,
ASEEM, M.D.

Case No.: 2002-218 C.D.

Type of Case: CIVIL

Type of Pleading:

FILED

DEC 26 2002

William A. Shaw
Prothonotary

COMPLETE RESPONCE TO MOTION TO FILE COMPLAINT

AND NOW COMES JAMES ZANE STEWART, PRO SE,

MOVING TWARD RELIEF AGAINST MY PERSONAGE FROM ORGANIZE PROFESSIONAL ACTS AND/OR MEANS WHICH HAVE ALTERD AND/OR CAUSED MY LIFE AND BODY TO RECEIVE EXTENSESIVE PAIN LOSSES AND/OR AGGRAVATIONS WHICH MOST (IF NOT ALL) COULD AND SHOULD OF REASONABLY AVOIDED AND/OR REDUCED ALONG LIFE'S NOMAL COURSE THAT THESE ACTS AND/OR MEANS DEARIVED AND/OR AVOIDED AND/OR CAUSED ECT... ME FROM MANTAINING (REASONABLY CONSIDER'D): SOME OF THESE EXTRA PAINS AND/OR LOSSES AND/OR CAUSE'S ECT. ECT... STILL PERSUE TO THIS VERY DAY TO SUCH A DRASTIC DEGREE AND/OR AMOUNT ECT. THAT WITHOUT THIS SOUGHT CIVIL-RELIEF-BENEFICITION MAYHAPSE SHALL AGGITATE AND FUTHER COURSE LIFE AND BODY LOSS TO EFFECTS PREMATURITIES AND SUCH THAT EVEN DEATH IS OF POSSIBLE SCOPE (BEING I FIND MYSELF MUCH EXAUSTED FOR THE RECLAIMS) I'VE ACHIEVED (TO SAY THE VERY LEAST): I OPEN WITH STATED STATEMENTS AND NOW PROCEED WITH THE FOLLOWING TEN (10) REASONS (REASONS) TO CHALLANGE THE DEFENDANTS CALL FOR COMPLAINT: (1) BEING IM PRO SE I CLAIM

ALL THAT HAS BEEN EFFORTED ON MY (DEFENDANTS) BEHALF THUS FAR THRU APPEARED COUNCIL'S (DEFENT-WE), EXCEPT SMALL MATTERS NOTED WITHIN.

② ON FEBRUARY 14th OF THIS YEAR (2002) PREACIPE OF NOTICE OF INTENT TO SEEK RELIEF AND OR DAMAGE EFFECTS FROM ACTION(S) DIRECTED AGAINST PLAINTIFF ON OR ABOUT EARLY FEBRUARY 2000 ON OR RELATIVE TO PREMISES AND/OR GROUNDS AND/OR STRUCTURE AND/OR PROPERTY(IES) AND/OR HEALTH CARE FACILITES AND/OR HOSPITAL UNITS ECT... OF THE OUBOIS REGIONAL MEDICAL CENTER.

③ THIS AND/OR THESE TIME(S) AND PLACE(S) (EARLY FEB. 2002- DRMC WEST) ALTHOUGH ARE THE MAIN FOCAL POINT AND/OR FULL CRUM AND/OR MAIN CLIMAX AND/OR STARTING-POINT (MAJOR STRAW THAT BROKE THE BACK) IS NOT SOLE THE ONLY TIME AND PLACE AND/OR SUFFERANCE.

④ ALONG WITH AND SCOPE WITH PREACIPE IS AUTHORIZATION PAPERWORK (ACTIONS) FOR RELEASE OF INFORMATION NECESSARY OF WHICH (POSSESSION OF THESE RECORDS) TO FORM AND/OR MOTION A REASONABLE COMPLAINT.

⑤ NOT ONE OF THE DEFENDANTS HAVE RENDERED FORTH ANY REASONABLE AMOUNT OF SUCH (BASICLY SOCIALLY REQUIRED) RECORDS. ALTHOUGH SOME 3RD PARTY'S HAVE RELEASED AT LEAST AN EFFORTED (POSSIBLY EVEN CONSIDERED STANDARD) VIABLE AND/OR NECESSARY RECORDS, YET THE REQUESTS AND/OR NOTICES ECT... REASONABLY SEEM TO HAVE BEEN RECEIVED. I BELIEVE REASON DICTATES PROFF SINCE DOCKETED RESPONSE BY DEFENDANTS PRODUCED COMPLAINT REQUEST.

I OFFER SAID AND FOLLOWING IN "GOOD-FAITH-EFFORT"
THUS MANNER AND REASONING EMBODIED-CONCIEVING AN
D PROPETUATING (I BELIEVE) OUR CIVIL GOVERNOR'S AND/OR
MECHANICS AND/OR ETHIC'S AND/OR PROCEDURES ECT...

⑥ WITH ALL DUE RESPECT (ADMISSION OF ERROR IN THAT
CORDIALLY INTENDED COHESIVE OF THE OPENING STATE-
MENT; NOT WITHOUT PRINT A SOLID) THIS PLAINTIFF
OF THIS SOCKET CLEARLY ADMITS IN CONJUNCTURE
WITH THIS COURTS ORDERED SOUGHT OF COUNCILE.

I ADMITT MY FAMILIARITY AND/OR KNOWLEDGE,
EXPERIENCE ECT... OF PROCEDURE REFLECTS COUN-
CILED AIDED NEED, WHICH THIS COURT PROMPTED
RECOGNITION FAILED INCLUDED FUTHER CHOLESIUS
SCOPE TWARD'S WEIGHT OF TIME, EXSPECIALLY FRA-
MED AT DISCOVERY'S VALUE, WHICH THE VIM AND
VIGOR OF DEFENDANTS LENTHY OBJECTIONS IS
MOTIONED DO ASSERT TWARD'S THE ASPECT OF
A COMPLETE AND TOTAL COMPLAINTS NEED.

⑦ FUTHER IN VIEW: OF THIS SPIRITED RESPONCE
(WITH NO. ⑥'s ALL DUE RESPECT (MORE SIGHTEDLY VISIBLE))
OF TIMELY IS WEIGHT NOT SOLELY OF LENGTH BUT OF C-
OURSE ORDER: OF NO. ⑥'s (REASONING) OF THIS RESPONCE IS THA-
T MOST ALL (IF NOT ALL) OF MYSELF AND FRIENDS AND FAMILY AND
AQUAINTANCES ECT... HAVE IN SOMEWAY BENEFITED GREAT
LY! FROM THE SERVICES OF ORMC ONE TIME OR ANOTHER;
MYSELF AND IMMEDIATE (MOST OF WHICH FINALLY UNDER ONE ROOF A-
GAIN) FAMILY NUMROUSE, NUMROUSE TIMES AND IT
TRULY APAULSE TO FIND MYSELF MORE OR LESS

FORCED TO HAVE TO FOLLOW-UP THIS AND/OR THOSE MATTER(S) WITH COMPLETE AND UTTER REGARD AND/OR CONVICTION AND/OR compulsion AND/OR CONVICTION ECT.... EXSPECIALLY WHEN THE MAIN AND/OR ONLY SOLE-COMPLETE-BINDING-EVENT AND/OR ACT ECT... NEEDS STILL BE MEASURED AS TO ~~ITS APPROPRIATE~~ WORTH.

⑧ FURTHER ASPECT OF FEATURE AND/OR MAIN JUDICIAL REGARD OF TIMELINESS IS OF COURSE THE COMBINATION GENERALLY (I BELIEVE) "DUE AND SPEEDY PROCESS" OF WHICH I THUS FAR FELL AND REASONABLE ASSERT SHORTED SO FAR OF. WITH THAT AND (PRIORLY SAID IN THIS MOTION) ~~OF COUNCED NEED~~ OF COUNCED NEED, I ADMIT THAT MOTION TO WITHDRAW A COUNSEL ISSUED IN TO THIS DOCKET ON MY BEHALF BY JEFF LUNDY, Esq. IS FURTHER PROOF OF MY NEED: I SHOULD OF INSTED ON PROFFING THAT MOTION BEFORE ITS ISSUANCE; No. 1. AND No. 4. WOULD HAVE BEEN THE TOTAL OF THAT PAGE THAT IS IF AFTER QUESTIONING No. 4 HAD TO BE ISSUED; THAT WOULD HAVE BEEN MORE IN LINE WITH OUR TOTAL OVERALL COITION. : AND MY SIGNATURE ON CONSENT TO WITHDRAW OF COUNSEL FORM BASICALLY AFFIRMS MY JIST OF THAT COITION BEING I COULD NOT OF RIGHTLY SIGNED IT IF IT WERENT FOR THE COMMA AFTER 2002.

⑨ ALSO FOR ADMISSION I PUT FORTH THAT I

TRULY WISH THESE PROCEEDINGS TO COURSE PROPERLY, I CAN MIND ~~THE~~ OPPOSING COUNCIL MAY WISH TO PROJECT I SOMEHOW PURPOSPLY FOR REASNING OF WHATEVER(?) AM INUSINERLY ADVANCING, TO WHICH I RESPONDE AHEAD THAT AL THOUGH SEMEWHAT CRUDELY PERHAPSE MY ISI RESPONCE TO COMPLAINT I DID NOT PROJECT THE NOTINGNESS APPREACH SEEMLY ASERTED (EXCEPT THRU 3RD PARTIES RESPONCE), I DIDN'T PRETEND THAT THEY DONT EXIST. NOBODY WANTS THESE PROCEEDING PROPELY (REASONABLY) CONCLUE AND ON WITH OTHER ASPECTS OF LIVLYHOOD MORE THAN I.

⑩ IN CONCLUSION I ONCE AGAIN WITH ALL DUE RESPECT TO THE HONORABLE JUDGE REILLY PUT TO ADMISSION THE FOLLOWING THAT EVEN THOUGH I MAY SEMEWHAT BE CONSIDER'D (TREAD) ING) OUT OF BOUNDS I'LL PUT FORTH TO EVEN THE BALANCE (BECAUSE I BELIEVE VENUE IS A COMPLAINITIVE COLLATORAL) THAT SHOULD THIS MOTION BE VIEWED IN THE MANNER IT IS MOTIONED AS AN ATTEMPT TO JUSTLY COURSE FORTH AND AT LEAST AN EARNEST RELEASE OF PUBLICLY VIEWED ESSENTION REQUIRED (PRIVATE SECTOR) DOCUMENTS BE MADE READY (REASONABLY) I WILL UNFORTUNE ATLY BE PUTTING FORTH MUCH CONSIDERATION AS TO VENUE. (PLEASE REGAR ATTACHED)

Oated Dec 23RD 2002 Cordially James Jane Stewart

I KNOW I STATED FRIDAY DEC. 20th
2002 I'D HAVE 10 REASONS AND 7. PAGES.
I HOPE ALL APPRECIATE, I'VE SHORTENED SOME
LONG Winded NESS AND UNMUTED IT
ABIT.

PLEASE FIND THE ATTACHED
CERTIFICATION AS POSTED TO PARTIES
APPROPRIATELY.

James Z Stewart

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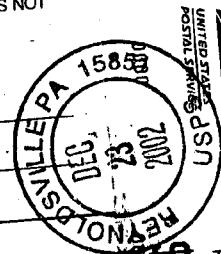
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William A. Shaw
Secretary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART,

Plaintiff,

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

CIVIL DIVISION

No. 2002-00218-CD

Issue No.

**MOTION TO SUSTAIN PRELIMINARY
OBJECTIONS AND DISMISS
COMPLAINT**

Code:

Filed on behalf of defendants.

Counsel of Record for These Parties:

David R. Johnson, Esquire
PA I.D. #26409

Thomas B. Anderson, Esquire
PA I.D. #79990

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED

JAN 02 2003

William A. Shaw
Prothonotary

MOTION TO SUSTAIN PRELIMINARY OBJECTIONS
AND DISMISS COMPLAINT

NOW COME the defendants, by and through their counsel, Thomson, Rhodes & Cowie, P.C., and file the following motion to sustain preliminary objections and dismiss complaint.

1. In response to a nonsensical complaint, defendants filed preliminary objections and sought dismissal of the complaint. The court, in August, 2002, issued an order and required the *pro se* plaintiff to advise within 20 days whether counsel would be obtained. The order further stated:

"Should Plaintiff fail to obtain counsel and should contact not occur as set forth above, Defendants' Preliminary Objections will be granted and Plaintiff's Complaint dismissed with prejudice."

Thereafter, Attorney Jeffrey Lundy requested 120 days in which to conduct discovery. On August 22, 2002, this court entered an order providing 120 days "for purposes of obtaining sufficient, relevant information in order to respond to the Preliminary Objections of the Defendant and/or prepare an Amended Complaint or pleading."

2. Mr. Lundy then requested medical records from the defendants which were provided to him. After this occurred, Mr. Lundy filed a motion to withdraw as counsel, which was granted.

3. Now, plaintiff has filed 2 documents, one entitled "Partial Response to Motion to File Complaint (third)" and the other "Complete Response to Motion to File Complaint." Neither document is comprehensible. Neither constitutes a response to the preliminary objections which has been filed. Neither constitutes an amended complaint.

4. Thus, the plaintiff has completely ignored the court's order and, even with the extension granted by the court, has failed to file a complaint setting forth any cognizable cause of action.

5. Accordingly, defendants' original preliminary objections should be granted and the lawsuit should be dismissed. A requested order is attached hereto.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.

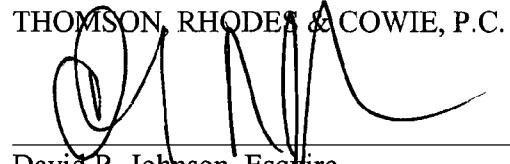
David R. Johnson, Esquire
Thomas B. Anderson, Esquire
Attorneys for defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within document has been served upon the following and same placed in the U.S. Mails on this 30th day of Dec, 2002:

James Zane Stewart
R.D. 3, Box 137
Post Office Box 164
Reynoldsville, PA 15861

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Thomas B. Anderson, Esquire
Attorneys for defendants.

FILED

12:46 PM
JAN 02 2003

cc
RGS

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES STEWART,

CIVIL DIVISION

Plaintiff,

No. 2002-00218-CD

Vs.

DUBOIS REGIONAL MEDICAL
CENTER, DUBOIS REGIONAL
MEDICAL CENTER FREE CLINIC and
WALI MOHAMMED ASEEM, M.D.,

Defendants.

ORDER OF COURT

AND NOW, on this 3 day of Jan, 2003, after considering
the submissions of plaintiff and the preliminary objections and motion of the defendants, it is
hereby ORDERED that plaintiff's complaint is dismissed and judgment is entered in favor of the
defendants.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Sh. D. J.", is written over a horizontal line.

FILED

JAN 03 2003

William A. Shaw
Prothonotary

FILED

2cc

01/23/03
JAN 03 2003

Att'y Johnson
GAT

William A. Shaw
Prothonotary