

02-500-CD
KAYE GUTHRIDGE et al "vs" EDWARD DWORECKY et al

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

KAYE GUTHRIDGE, JACK GUTHRIDGE, :
DENNIS CLARK, DON FEZELL, REX
MCCLURE, JEFFREY MILLER, ALBERT :
DIGILARMO and JEFFREY RICE,
:

PLAINTIFFS,

v.

NO. 2002-500-CD

EDWARD DWORETZKY, KATHLEEN :
DWORETZKY and MELISSA M.
SCHAUGHNESSY,
:

DEFENDANTS.

Type of Pleading:
**PRAECIPE TO ENTER
LIS PENDIS**

Filed By:
PLAINTIFFS

Counsel of Record:

Theron G. Noble, Esquire
Attorney for Estate
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. No: 55942

FILED

APR 03 2002

0112-451WA

William A. Shaw
Prothonotary

PO 80.
PA 16830

REC'D
4/12/02

6 cent to Army

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

KAYE GUTHRIDGE, JACK GUTHRIDGE,)
DENNIS CLARK, DON FEZELL, REX)
MCCLURE, JEFFREY MILLER, ALBERT)
DIGILARMO and JEFFREY RICE,)
)
)
PLAINTIFFS,)
)
)
v.) NO. 2002-_____ -CD
)
EDWARD DWORETZKY, KATHLEEN)
DWORETZKY and MELISSA M.)
SCHAUGHNESSY,)
)
)
DEFENDANTS.)

PRAECIPE TO ENTER LIS PENDIS

To: William A. Shaw, Prothonotary

Date: April 3, 2002

Plaintiffs respectfully request that **LIS PENDIS** be issued, indexed and docketed of record in the above captioned matter, against Defendants Edward Dworetzky, Kathleen Dworetzky and Melissa M. Schaughnessy, each with a record address of 173 Treasure Lake, DuBois, Clearfield County, Pennsylvania, concerning the following described premises:

(A) 6 Shaffer Avenue, consisting of a house and lot, DuBois, Clearfield County, Pennsylvania, more fully described in a deed between the Defendants recorded on December 15, 2000, as instrument number 200018522 in the real property records of Clearfield County, Pennsylvania. A true and correct copy of such deed is attached hereto as Exhibit "A";

(B) 115 1/2 East Weber Avenue, consisting of a house and lot, DuBois, Clearfield County, Pennsylvania, more fully described in a deed between the Defendants recorded

on December 15, 2000, as instrument number 200018521 in the real property records of Clearfield County, Pennsylvania. A true and correct copy of such deed is attached hereto as Exhibit "B";

(C) 500 & 502 First Street consisting of two houses and a lot, DuBois, Clearfield County, Pennsylvania, more fully described in a deed between the Defendants recorded on December 15, 2000, as instrument number 200018523 in the real property records of Clearfield County, Pennsylvania. A true and correct copy of such deed is attached hereto as Exhibit "C"; and

(D) Section 16, Lot # 67, Treasure Lake, consisting of a log house and lot, DuBois, Clearfield County, Pennsylvania, more fully described in a deed between the Defendants recorded on December 13, 2000, as instrument number 200018391 in the real property records of Clearfield County, Pennsylvania. A true and correct copy of such deed is attached hereto as Exhibit "D".

Such **LIS PENDIS** relates to litigation filed in the United States District Court, Eastern District of Pennsylvania, to civil action no. 01-3508. A true and correct copy of such motion concerning these conveyances is attached hereto as Exhibit "E".

Respectfully Submitted,



T G. Noble, Esquire
Ferraraccio & Noble
Attorney for Plaintiffs
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221

KAREN L. STARCK
 REGISTER AND RECORDER
 CLEARFIELD COUNTY
 Pennsylvania
 INSTRUMENT NUMBER
 200018522
 RECORDED ON
 Dec 15, 2000
 2:17:55 PM
 RECORDING FEES - \$13.00
 RECORDER \$1.00
 IMPROVEMENT FUND \$0.50
 RATE MVR TAX \$0.50
 TOTAL \$15.00
 CUSTOMER CHAUGNESSY, MELISSA M
 CHAUGNESSY, MELISSA M

A298-10
R298-04

QUITCLAIM DEED

Exhibit "A"

THIS QUITCLAIM DEED, Executed this 25 day of November 2000 (year),

by first party, Grantor, *Edward and Kathleen Dworetzky*

whose post office address is *173 Treasure Lake Dubois Pa 15801*

to second party, Grantee, *Melissa M Schaugnessy*

whose post office address is *173 Treasure Lake, Dubois Pa 15801*

WITNESSETH, That the said first party, for good consideration and for the sum of
 Dollars (\$ 1.00) paid by the said second
 party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
 unto the said second party forever, all the right, title, interest and claim which the said first party
 has in and to the following described parcel of land, and improvements and appurtenances there-
 to in the County of *Clearfield*, State of *Pennsylvania* to wit:

city of *Dubois*

46 Shaffer Ave 3 Bedroom home at Shaffer

RD AND BRADY St, Dubois Pa 15801
 Beginning @ Post on S Brady St; 559 1/4 degrees

H & PT L #1
 EAST APPROX 125' to a post or pin in a line run exactly midway between the cellar walls
 of the 2 frame houses, built on a lot which this is part, said line is at all points equally
 distant from said walls of said houses; said line a distance of 50' S to line of lands
 now or formerly of Henry KNARR; thence by the lot now or formerly of KNARR,
 westerly a distance of approx 125 ft to line of S. Brady St; thence by line of
 S. Brady St 50 ft to the place of Beginning, Being part of Lot #1 of
 Henry KNARR'S. First ADDITION to Dubois

Rev. 6/98

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

This is transfer between parents ANN CAILEN Excepting & Reserving
 the following parcel previously conveyed by FLORIAN F. GODECK & MERRYL GODECK
 to Joseph Bynald & Beeson Bynald to Jaymee Co. by deed dated Nov 2, 1989 &
 recorded in Clearfield Co. Deeds & leases BK 132, pg 436. Beginning at an iron pipe at the
 Northwest corner of Lot 2 on a Dubois Plan of lots, & being a common corner with other
 lands of the Jaymee Co. & on the SE right of way, of Brady St A 50' wide St
 @ the particular location; by line of Lot #2 & other lands by the
 Jaymee Co. 552° 14 minutes 41 seconds E 86.07 ft to an iron pipe in a
 sloping embankment on corner of lands now or formerly of Joseph Bynald.

E-Z Legal Forms. Before you use this form, read it, fill all blanks, and make whatever changes are necessary to your particular transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use. E-Z Legal Forms and the retailer make no representation or warranty, express or implied, with respect to the merchantability of this form for an intended use or purpose.



thence by som parell to a dwelling to the right & 10.50 ft therefrom N 35° 22mins
 11 seconds East, 50.00 feet to the SW Right of Way of Shaffer St having a 50'
 to the SouthWestern Right of Way of Shaffer St having a 50' width roadway thence by
 SAID Right of Way, parallel to Centerline of Shaffer St & 25.00 ft therefrom N
 52° 15 minutes 01 seconds W, 86.32 ft to a point in the SE Right of Way line of
 Brady St. thence by same running parallel to the centerline of Brady St or 25.00 ft therefrom
 S 35° 05 mins W 50.00' to the place of beginning containing 4,300 sq ft or 0.087 acres

of calculation on Being a part of lot 1 of the 4th ward of the
 Dubois plan of lots also referred to as lot 1 of the 4th
 Ward First Addition to Dubois.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Nancy P Hilliard
Signature of Witness

Nancy P Hilliard
Print name of Witness

Kenneth J. Hile, sr.
Signature of Witness

Kenneth J. Hile, sr.
Print name of Witness

Edward J Dworetzky
Signature of First Party

Edward J Dworetzky
Print name of First Party

Kathleen Dworetzky
Signature of First Party

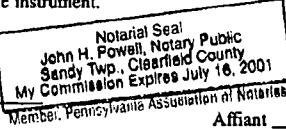
Kathleen Dworetzky
Print name of First Party

State of Pennsylvania
County of Clearfield
On November 16, 2001 before me, John H. Powell

appeared Edward J Dworetzky & Kathleen Dworetzky personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

John H. Powell
Signature of Notary



Affiant Known Produced ID
Type of ID Driver's License
(Seal)

State of Pennsylvania
County of Clearfield
On November 16, 2001 before me,

appeared Edward J Dworetzky & Kathleen Dworetzky personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID
Type of ID Driver's License
(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

KAREN L. STARCK
 REGISTER AND RECORDER
 CLEARFIELD COUNTY
 Pennsylvania
 INSTRUMENT NUMBER
 200018521
 RECORDED ON
 DEC 15, 2000
 2:17:54 PM
 RECORDING FEES - \$13.00
 RECORDER
 COUNTY IMPROVEMENT \$1.00
 FUND
 RECORDER
 IMPROVEMENT FUND \$1.00
 STATE WRIT TAX \$0.50
 TOTAL \$15.50
 CUSTOMER SCHUAUGHNESSY, MELISSA H

A298-10
R298-04

QUITCLAIM DEED

Exhibit "B"

THIS QUITCLAIM DEED, Executed this 25 day of November, 2000 (year),
 by first party, Grantor, *Edward and Kathleen Durecky*
 whose post office address is *173 Treasure Lake, DuBois Pa 15801*
 to second party, Grantee, *Melissa H. Schuaughnessy*
 whose post office address is *173 Treasure Lake, DuBois Pa 15801*

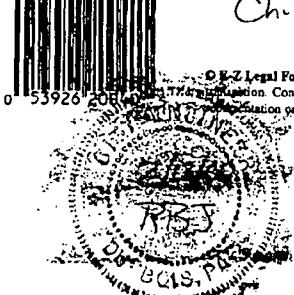
WITNESSETH, That the said first party, for good consideration and for the sum of
 Dollars (\$) paid by the said second
 party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
 unto the said second party forever, all the right, title, interest and claim which the said first party
 has in and to the following described parcel of land, and improvements and appurtenances there-
 to in the County of *Clearfield*, State of *Pennsylvania* to wit:
 City of DuBois

*115 1/2 E. Weber, DuBois Pa 15801 3. Bed room 2
 Bath home in alley between E. Washington Ave*

*and E. Weber Ave.
 1/2 Part of # 136*

Beginning @ a post @ corner formerly intersection of SW side of E. Pine Alley
 + the NW side of Zieroen Alley; S 52° 30' W by line of Zieroen Alley
 60' to point; North 37° 30' W thru land of L. Smiley & P. Smiley 50' to a post
 in the division line between lot # 136 & 137 N 50° 30' E by line between 137 50'
 to a post at E. Pine Alley, thence S 37° 30' W by line of E. Pine Alley 50' to a post at
 corner of ^{Rev. 6/98} *if your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.*
 Zieroen Alley the place of beginning having erected a 2 story frame
 dwelling known as *115 1/2 E. Weber Ave.*

This is a transfer between parents &
 Child therefore tax exempt



© E-Z Legal Forms. Before you use this form, read it, fill in all blanks, and make whatever changes are necessary to your particular
 0 53926 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000 00000
 needs. Consult a lawyer if you doubt the form's fitness for your purpose and use. E-Z Legal Forms and the retailer make no
 representations or warranties, express or implied, with respect to the merchantability of this form for an intended use or purpose.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Nancy P Hilliard
Signature of Witness

Nancy P Hilliard
Print name of Witness

Kenneth J. Hilliard
Signature of Witness

Kenneth J. Hilliard
Print name of Witness

Edward J Dworetzky
Signature of First Party

Edward J Dworetzky
Print name of First Party

Kathleen Dworetzky
Signature of First Party

Kathleen Dworetzky
Print name of First Party

State of Pennsylvania)

County of Clearfield

On May 25, 2000 before me, John H. Powell
appeared Edward J Dworetzky & Kathleen Dworetzky
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

John H. Powell
Signature of Notary

Notarial Seal
John H. Powell, Notary Public
Sandy Twp., Clearfield County
My Commission Expires July 16, 2001
Member, Pennsylvania Association of Notaries
Affiant Known Produced ID
Type of ID Driver's License
(Seal)

State of)
County of)
On before me,

appeared
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID

Type of ID _____

(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

KAREN L. STARCK
 REGISTER AND RECORDER
 CLEARFIELD COUNTY
 Pennsylvania
 INSTRUMENT NUMBER
 200018523
 RECORDED ON
 Dec 15, 2000
 2:17:56 PM
 RECORDING FEES - \$13.00
 RECORDER
 COUNTY IMPROVEMENT \$1.00
 FUND
 RECORDER
 IMPROVEMENT FUND \$1.00
 STATE WRIT TAX \$0.50
 TOTAL \$15.50
 CUSTOMER
 SCHUAHNESSY, MELISSA H

A298-10
R298-04

QUITCLAIM DEED

Exhibit "C"

THIS QUITCLAIM DEED, Executed this 25 day of November , 2000 (year),
 by first party, Grantor, Edward and Kathleen Dworetzky
 whose post office address is 173 Treasure Lk DuBois, Pennsylvania Pa 15801
 to second party, Grantee, Melissa M. Schuahtnessy
 whose post office address is 173 Treasure Lk DuBois Pa 15801

WITNESSETH, That the said first party, for good consideration and for the sum of
 Dollars (\$) paid by the said second
 party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
 unto the said second party forever, all the right, title, interest and claim which the said first party
 has in and to the following described parcel of land, and improvements and appurtenances there-
 to in the County of Clearfield, State of Pennsylvania to wit:
 City of DuBois
500 & 502 First St, DuBois, Pa 2-3 Bedroom homes
 ON SAME DEED.

2 H & L # 55
 Beginning on the N by Lot # 56; on E by Alley; on S by Lot 54; on the W by
 1st St; being 50' wide more or less on said First St x 50' wide more or less
 on the Alley in rear by 140' deep more or less. Known & numbered in the
 John F DuBois Lakeside Addition to the City of DuBois lot # 55 & having erected
 hereon two 2 story frame residential dwellings

Rev. 698

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

This is a transfer between parents & child
 therefore tax exempt



© E-Z Legal Forms. Before you use this form, read it, fill in all blanks, and make whatever changes are necessary to your particular
 circumstances. Consult a lawyer if you doubt the form's fitness for your purpose and use. E-Z Legal Forms and the retailer make no
 representations or warranty, express or implied, with respect to the merchantability of this form for an intended use or purpose.



IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Nancy P. Hilliard
Signature of Witness

Nancy P. Hilliard
Print name of Witness

Kenneth J. Hile, sr.
Signature of Witness

Kenneth J. Hile, sr.
Print name of Witness

Edward J. Dworetzky
Signature of First Party

Edward J. Dworetzky
Print name of First Party

Kathleen Dworetzky
Signature of First Party

Kathleen Dworetzky
Print name of First Party

State of Pennsylvania)

County of Clearfield

On November 25, 2000 before me, John H. Powell
appeared Edward J. Dworetzky & Kathleen Dworetzky
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

John H. Powell
Signature of Notary

Notarial Seal	
John H. Powell, Notary Public	
Sandy Twp., Clearfield County	
My Commission Expires July 16, 2001	
Member, Pennsylvania Association of Notaries	Known <input checked="" type="checkbox"/> Produced ID <input type="checkbox"/>
Type of ID <u>Driver's License</u>	
(Seal)	

State of)
County of)

On before me,

appeared
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID

Type of ID _____

(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

KAREN L. STARCK
 REGISTER AND RECORDER
 CLEARFIELD COUNTY
 Pennsylvania
 INSTRUMENT NUMBER
 200018391
 RECORDED ON
 Dec 13, 2000
 1:51:57 PM

A298-10
R298-04

QUITCLAIM DEED

Exhibit "D"

THIS QUITCLAIM DEED, Executed this 25 day of November, 2000 (year),
 by first party, Grantor, *EDWARD AND Kathleen Dworetzky*
 whose post office address is *173 TREASURE LAKE DuBois, PA 15801*
 to second party, Grantee, *MELISSA M Schaugnessy*
 whose post office address is *173 TREASURE LAKE DuBois PA 15801*

WITNESSETH, That the said first party, for good consideration and for the sum of
 Dollars (\$) paid by the said second
 party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
 unto the said second party forever, all the right, title, interest and claim which the said first party
 has in and to the following described parcel of land, and improvements and appurtenances there-
 to in the County of *Clearfield*, State of *Pennsylvania* to wit:

H, G & L

*173 TREASURE LAKE, Section 16 Lot 67, Log
Home on Lot 200' x 80'. DuBois Pa 15801*

pg 1363 0021 Map # CO2-016-00067-00-21

District # 128 0

Control 81502 Sandy Township

(1)

Rev. 6/98

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

*This is a transfer between parents &
child therefore tax exempt.*



© E-Z Legal Forms. Before you use this form, read it, fill in all blanks, and make whatever changes are necessary to your particular
 transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use. E-Z Legal Forms and the retailer make no
 representation or warranty, express or implied, with respect to the merchantability of this form for its intended use or purpose.

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Nancy P. Hilliard
Signature of Witness

Nancy P. Hilliard
Print name of Witness

Kenneth J. Hile Jr.
Signature of Witness

Kenneth J. Hile Sr.
Print name of Witness

Edward J. Dworatzky
Signature of First Party

Edward J. Dworatzky
Print name of First Party

Kathleen Dworatzky
Signature of First Party

Kathleen Dworatzky
Print name of First Party

State of Pennsylvania

County of Clearfield

On April 1, 2002

Appeared Edward J. Dworatzky & Kathleen Dworatzky

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

John H. Powell
Signature of Notary

before me, John H. Powell
Notarial Seal
John H. Powell, Notary Public
Sandy Twp., Clearfield County
My Commission Expires July 16, 2001
Member, Pennsylvania Association of Notaries

Affiant Known Produced ID
Type of ID Driver's License (Seal)

State of Pennsylvania

County of Clearfield

On April 1, 2002

before me,

appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant Known Produced ID
Type of ID Driver's License (Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

COPY

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAYE GUTHRIDGE, JACK GUTHRIDGE,
DENNIS CLARK, DON FEZELL,
REX MCCLURE, JEFFREY MILLER,
ALBERT DIGILARMO, and JEFFREY RICE,

Civil Action No. 01-3508

Plaintiffs,

-vs-

Exhibit "E"

THE ENCORE NETWORK, INC., POS*TIV,
INC., THE ESTATE OF NEAL L. HADE,
PATRICIA HADE, MICHAEL J. DUGAN,
MELANIE L. MCCURDY, JOSEPH A.
MARINO, EDWARD DWORETZKY, ALAN
M. KESTIN, CONSUMERS SATELLITE
NETWORKS.COM, INC., ABC
CORPORATION (I-V), and JOHN DOES
(I-V),

Defendants.

FILED

MAR 29 2002

MICHAEL E. KUNZ, Clerk
Dep. Clr

**MOTION TO SET ASIDE FRAUDULENT CONVEYANCE
AND FOR THE IMPOSITION OF A CONSTRUCTIVE TRUST**

COMES NOW Plaintiffs, by and through their undersigned counsel, Nicholas J. Giuliano, Esquire, 1500 Walnut Street, Suite 1100, Philadelphia, Pennsylvania 19102, for the Entry of an Order setting aside the fraudulent conveyance of certain real property, located at:

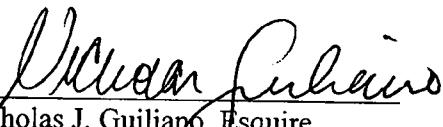
a) 6 Shaffer Avenue
H&PT, Lot 1
Clearfield County
DuBois, Pennsylvania 15801

- b) 500-502 First Street
2H, Lot No. 55
Clearfield County
DuBois, Pennsylvania 15801
- c) 115 ½ East Weber Avenue
K & Part L No. 136
Clearfield County
DuBois, Pennsylvania 15801
- d) 173 Treasure Lake
Section 16, Lot 67
Clearfield County
DuBois, Pennsylvania 15801

by Defendant Edward Dworetzky and his wife, Kathleen Dworetzky, pursuant to 12 Pa. Cons. Stat. § 5104, and for the imposition of a constructive trust.

In Support of this Motion, Plaintiffs shall rely upon the annexed Certification of Nicholas J. Giuliano, Esquire.

Dated: March 28, 2002

By 
Nicholas J. Giuliano, Esquire
1500 Walnut Street, Suite 1100
Philadelphia, PA 19106
Telephone: (215) 413-8223
Telecopier: (215) 413-8225

Theron G. Noble, Esquire
FERRARACCIO & NOBLE
301 East Pine Street
Clearfield, Pennsylvania 16830
Telephone (814) 765-4990
Telecopier (814) 765-9377

Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I, Nicholas J. Guiliano, Esquire, of full age, being duly sworn upon my oath, do hereby certify that Plaintiffs' Motion to Set Aside the Conveyance of Real Property and for the Imposition of a Constructive Trust, Certification and Memorandum in support thereof, have been duly served by first class mail, postage fully paid, this 28th day of March 2002, on all interested parties:

Edward Dworetzky
173 Treasure Lake
DuBois, Pennsylvania 15801

Melissa M. Schaughnessy
173 Treasure Lake
DuBois, Pennsylvania 15801

Kathleen Dworetzky
173 Treasure Lake
DuBois, Pennsylvania 15801

Patricia Hade, Individually, and on behalf of
The Estate of Neal L. Hade, POS*ITV, INC.,
and the Encore Network, Inc.
780 Sunset Terrace
Franklin Lakes, New Jersey 07417

Joseph A. Marino
80 Pompton Avenue
Verona, New Jersey 07044


Nicholas J. Guiliano

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

KAYE GUTHRIDGE, JACK GUTHRIDGE,)
DENNIS CLARK, DON FEZELL, REX)
MCCLURE, JEFFREY MILLER, ALBERT)
DIGILARMO and JEFFREY RICE,)
)
PLAINTIFFS,)
)
v.) NO. 2002-_____ -CD
)
EDWARD DWORETZKY, KATHLEEN)
DWORETZKY and MELISSA M.)
SCHAUGHNESSY,)
)
DEFENDANTS.)

VERIFICATION

I, Theron G. Noble, Esquire, counsel for Plaintiffs in the above captioned matter, does hereby swear and affirm that I have read the foregoing and attached PRAECIPE TO ENTER LIS PENDIS, and that to the best of my information, knowledge and belief, the facts as set forth therein are true and correct. Furthermore, that I make this statement subject to the penalties of 18 Pa.C.S.A. 4101, relating to unsworn falsification to authorities.

So made this 3rd day of April, 2002.



Theron G. Noble, Esquire
Attorney for Plaintiffs

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12331

GUTHRIDGE, KAYE al

02-500-CD

VS.

DWORETZKY, EDWARD, KATHLEEN & MELISSA M. SCHAUGHNESSY

PRAECIPE TO ENTER LIS PENDIS

SHERIFF RETURNS

NOW APRIL 4, 2002 AT 11:20 AM EST SERVED THE WITHIN PRAECIPE TO ENTER LIS PENDIS ON EDWARD DWORETZKY, DEFENDANT AT RESIDENCE, 173 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO EDWARD DWORETZKY A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE TO ENTER LIS PENDIS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET

NOW APRIL 4, 2002 AT 11:20 AM EST SERVED THE WITHIN PRAECIPE TO ENTER LIS PENDIS ON MELISSA M. SCHAUGHNESSY, DEFENDANT AT RESIDENCE, 173 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO EDWARD DWORETZKY, FATHER A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE TO ENTER LIS PENDIS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET

NOW ARIL 4, 2002 AT 11:21 AM EST SERVED THE WITHIN PRAECIPE TO ENTER LIS PENDIS ON KATHLEEN DWORETZKY, DEFENDANT AT RESIDENCE, 173 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO EDWARD DWORETZKY, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE TO ENTER LIS PENDIS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET.

Return Costs

Cost	Description
42.69	SHFF. HAWKINS PAID BY: ATTY.
30.00	SURCHARGE PAID BY; ATTY.

FILED
04/12/02
MAY 09 2002
E
KED

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12331

GUTHRIDGE, KAYE al

02-500-CD

VS.

DWORETZKY, EDWARD, KATHLEEN & MELISSA M. SCHAUGHNESSY

PRAECIPE TO ENTER LIS PENDIS

SHERIFF RETURNS

Sworn to Before Me This

9th Day Of May 2002
Will A. Shaw

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

So Answers,

Chester A. Hawkins
My/Nauly-Hawkins
Chester A. Hawkins
Sheriff

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

KAYE GUTHRIDGE, JACK GUTHRIDGE, :
DENNIS CLARK, DON FEZELL, REX
MCCLURE, JEFFREY MILLER, ALBERT :
DIGILARMO and JEFFREY RICE,

:
PLAINTIFFS,

v. :
NO. 2002-500-CD

EDWARD DWORETZKY, KATHLEEN :
DWORETZKY and MELISSA M. :
SCHAUGHNESSY,

:
DEFENDANTS.

: Type of Pleading:
PRAECIPE TO FILE COURT
: **ORDER OF RECORD**

: Filed By:
PLAINTIFFS

: Counsel of Record:

: Theron G. Noble, Esquire
: Attorney for Estate
: Ferraraccio & Noble
: 301 East Pine Street
: Clearfield, PA 16830
: (814)-375-2221
: PA I.D. No: 55942

FILED

JUN 05 2002
m/12:45pm
William A. Shaw
Prothonotary

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

KAYE GUTHRIDGE, JACK GUTHRIDGE,)
DENNIS CLARK, DON FEZELL, REX)
MCCLURE, JEFFREY MILLER, ALBERT)
DIGILARMO and JEFFREY RICE,)
)
PLAINTIFFS,)
)
v.) NO. 2002-500-CD
)
EDWARD DWORETZKY, KATHLEEN)
DWORETZKY and MELISSA M.)
SCHAUGHNESSY,)
)
DEFENDANTS.)

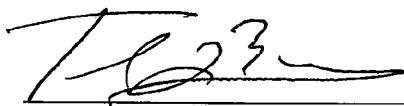
PRAECIPE TO FILE COURT ORDER OF RECORD

To: William A. Shaw, Prothonotary

Date: June 4, 2002

Please file the attached Court Order, from the United States District Court for the Eastern District of Pennsylvania, dated May 1st, 2002, of record in the above captioned matter.

Respectfully Submitted,



Theron G. Noble, Esquire
Ferraraccio & Noble
301 East Pine Street
Clearfield, PA 16830
(814)-375-2221
PA I.D. No: 55942

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAYE GUTHRIDGE, et al. : CIVIL ACTION

v. :

THE ENCORE NETWORK, INC., :
et al. : NO. 01-3508

ORDER

AND NOW, this 1st day of May, 2002, upon consideration of plaintiffs' motion to set aside fraudulent conveyance and for the imposition of a constructive trust (docket entry # 13), filed March 29, 2002, to which no response has been received to date, it is hereby ORDERED that:

1. Plaintiffs' motion is GRANTED as unopposed;
2. The conveyance of real property located at 6 Shaffer Avenue, H&PT, Lot 1, Clearfield County, DuBois, Pennsylvania, 15801; 500-502 First Street, 2H, Lot. No. 55, Clearfield County, DuBois, Pennsylvania, 15801; and 115 1/2 East Weber Avenue, K & Part L No. 136, Clearfield County, DuBois, Pennsylvania, 15801, by defendant Edward Dworetzky and his wife Kathleen Dworetzky to their daughter, is set aside and voided pursuant to 12 Pa. Cons. Stat. § 5107; and

3. Defendant Edward Dworetzky and his wife Kathleen Dworetzky are appointed Trustees Maleficio, and these properties shall be held in a constructive trust pending further Order of this Court.

ENTERED

MAY 2 - 2002

BY THE COURT:



Stewart Dalzell, J.

**Ferraraccio & Noble
by: Theron G. Noble, Esquire
301 East Pine Street
Clearfield, PA 19830
(814)-765-4990**

ATTORNEY FOR PLAINTIFFS

Kaye Guthridge, Jack Guthridge,
Dennis Clark, Don Fezell, Rex
McClure, Jeffrey Miller, Albert
Digilarmo and Jeffrey Rice
Plaintiffs

Court of Common Pleas
Civil Division

vs.

Clearfield County

Edward Dworetzky, Kathleen Dworetzky
and Melissa M. Schaugnessy
Defendants

No. 2002-00500-CD

PARTIAL RELEASE OF LIS PENDENS

TO THE PROTHONOTARY:

Plaintiffs hereby release the lis pendens from ONLY the property at **500-502 First Street, Dubois, Pennsylvania 15801**, as more fully described on Exhibit "A". This Partial Release does not affect Defendants' other property in Clearfield County, which is still subject to the lis pendens filed in the above-captioned action.

2/16/06

Date

Theron G. Noble, Esquire
Attorney for Plaintiffs

FILED
MAR 03 2006
No CC
124264

William A. Shaw
Prothonotary/Clerk of Courts

ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING on the North by Lot No. 56; on the East by an alley; on the South by Lot No. 54; and on the West by First Street; and being 50 feet wide, more or less, on said First Street, and 50 feet wide, more or less, on the alley in the rear, by 140 feet deep, more or less. Known and numbered in the John E. DuBois Lakeside Addition to the City of DuBois as Lot No. 55 and having erected thereon two 2 story frame residential dwellings.

SUBJECT to a right of re-entry in the heirs or assigns of John E. DuBois and Willie G. DuBois if the premises are let, sold, assigned or used for purposes of selling intoxicating liquor thereon.

SUBJECT TO all exceptions, reservations, conditions, restrictions, easements and rights-of-way as fully as the same are contained in all prior deeds, instruments or writings or in any other manner touching or affecting the premises hereby conveyed.

BEING the same premises conveyed to William L. Rhone and Gretchen M. Rhone, husband and wife, by deed of Deposit Bank dated March 26, 1999 and recorded in the office of the Recorder of Deeds of Clearfield County as Instrument #199904990.

IDENTIFIED AS TAX PARCEL NO. 7.3-28-9475.

PREMISES ON: 500-502 FIRST STREET