

02-511-CD
LIBERTY MUTUAL INSURANCE COMPANY etal -vs- PA DEPT. OF
TRANSPORTATION etal

Brian J. Walker, Esquire
O'Brien & Hennessy
142 W. Market Street
West Chester, PA 19382
610-431-2727
Attorney I.D. # 71927

Attorney for Plaintiff

Liberty Mutual Insurance Company
A/S/O Harold Burket
525 B Street
Suite 1300
San Diego, CA 92122
And
Harold Burket
401 Spruce Street
Holidaysburg, PA 16648

: In The Court of Common Pleas

: Clearfield County, Pennsylvania

: Civil Action-Law

: No: 02-511-00

vs.

Pennsylvania Department of Transportation , Central Office, Keystone Building,
Harrisburg, PA 17120 400 North Street

And
Pennsylvania Department of Transportation
c/o Office of Attorney General
15th. Floor, Strawberry Square
Harrisburg, PA 17120
And
Pine Township
Pine Township Municipal Building
Penfield Highway
Clearfield, PA 16830

FILED


APR 04 2002
01/31/02 atty. W. A. Shaw
William A. Shaw pc \$80.00
Prothonotary

Praecipe

Prothonotary:

Please issue a Writ of Summons to the defendants in the above captioned case.

Please forward to Sheriffs office.


Brian J. Walker, Esquire
O'Brien & Hennessy

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

COPY

SUMMONS

**Liberty Mutual Insurance Company
and Harold Burket**

Vs.


NO.: 02-511-CD

**Pennsylvania Department of Transportation
and Pine Township**

TO: PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
and PINE TOWNSHIP

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

Date: 04/04/2002



William A. Shaw
Prothonotary

Issuing Attorney:

Brian J. Walker Esq
142 West Market Street
West Chester, PA 19382

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LIBERTY MUTUAL INSURANCE
COMPANY A/S/O HAROLD BURKET
and HAROLD BURKET,

CIVIL DIVISION

No. 02-511

Plaintiffs,

vs.

PENNSYLVANIA DEPARTMENT OF
TRANSPORTATION and
PINE TOWNSHIP,

PRAECIPE FOR APPEARANCE

Defendants.

Filed on Behalf of Defendant,
Pennsylvania Department of
Transportation

Counsel of Record:

JOHN R. BENTY
Sr. Deputy Attorney General
Pa. I. D. #44606

Office of Attorney General
Tort Litigation Unit
Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219

FILED

MAY 01 2002

Shaw *m/laz/nock*
William A. Shaw
Prothonotary

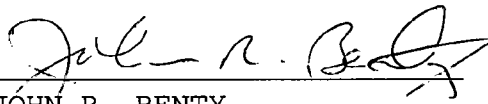
(412) 565-3539

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance in the above-referenced case on behalf of the defendant, Pennsylvania Department of Transportation. The defendant, Pennsylvania Department of Transportation, hereby demands a trial by a jury of twelve.

D. MICHAEL FISHER
Attorney General

BY: 
JOHN R. BENTY
Sr. Deputy Attorney General

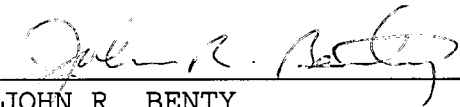
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praecipe for Appearance was served upon the following counsel of record by mailing the same via first class mail, postage pre-paid, on April 29, 2002:

Brian J. Walker, Esq.
O'BRIEN & HENNESSY
142 W. Market St.
West Chester, PA 19382
(Counsel for Plaintiffs)

D. MICHAEL FISHER
Attorney General

BY:



JOHN R. BENTY
Sr. Deputy Attorney General

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LIBERTY MUTUAL INSURANCE
COMPANY A/S/O HAROLD BURKET
and HAROLD BURKET,

CIVIL DIVISION

No. 02-511

Plaintiffs,

vs.

PENNSYLVANIA DEPARTMENT OF
TRANSPORTATION and
PINE TOWNSHIP,

**PRAECIPE FOR RULE TO
FILE COMPLAINT**

Defendants.

Filed on Behalf of Defendant,
Pennsylvania Department of
Transportation

Counsel of Record:

JOHN R. BENTY
Sr. Deputy Attorney General
Pa. I. D. #44606

Office of Attorney General
Tort Litigation Unit
Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219

(412) 565-3539

FILED

MAY 01 2002

William A. Shaw
Prothonotary

PRAECIPE FOR RULE TO FILE COMPLAINT

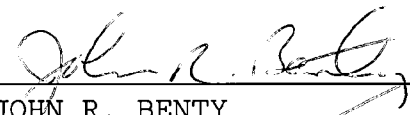
TO THE PROTHONOTARY:

Please issue a rule upon the plaintiffs, Liberty Mutual Insurance Company a/s/o Harold Burket and Harold Burket, to file a Complaint within twenty (20) days or suffer Judgment of Non Pros sec. reg.

Respectfully Submitted,

D. MICHAEL FISHER
Attorney General

BY:



JOHN R. BENTY
Sr. Deputy Attorney General

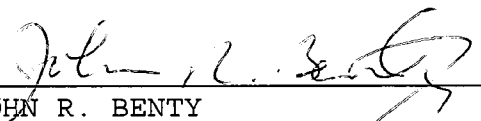
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praecipe for Rule to File Complaint was served upon the following counsel of record by mailing the same via first class mail, postage pre-paid, on April 29, 2002:

Brian J. Walker, Esq.
O'BRIEN & HENNESSY
142 W. Market St.
West Chester, PA 19382
(Counsel for Plaintiffs)

D. MICHAEL FISHER
Attorney General

BY:



JOHN R. BENTY
Sr. Deputy Attorney General

FILED

MAY 01 2002

W *11.22.00*
W William A. Shaw
Prothonotary

Rule to atty. ~~Shaw~~ Benty.

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

COPY

Liberty Mutual Insurance Company
a/s/o Harold Burket and Harold Burket

Vs.
Pennsylvania Department of Transportation
and Pine Township

Case No. #2002-00511-CD

RULE TO FILE COMPLAINT

TO: Liberty Mutual Insurance Company a/s/o Harold Burket and Harold Burket:

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: May 1, 2002

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12341

LIBERTY MUTUAL INSURANCE COMPANY & HAROLD BURKET

02-511-CD

VS.

PENNSYLVANIA DEPT. OF TRANSPORTATION al

PRAECIPE & SUMMONS

SHERIFF RETURNS

NOW APRIL 18, 2002 AT 1:46 PM DST SERVED THE WITHIN PRAECIPE & SUMMONS ON PINE TOWNSHIP, DEFENDANT AT RIDGE AVE/HIXON ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO HARRY ROBBINS, TWP. SUPERVISOR A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE & SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: NEVLING/RYEN

NOW APRIL 17, 2002 JOHN LOTWICK, SHERIFF OF DAUPHIN COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN PRAECIPE & SUMMONS ON PENNSYLVANIA DEPT. OF TRANSPORTATION, CENTRAL OFFICE and PENNSYLVANIA DEPT. OF TRANSPORTATION, C/O office of ATTORNEY GENERAL, DEFENDANTS.

NOW APRIL 22, 2002 SERVED THE WITHIN PRAECIPE & SUMMONS ON OFFICE OF ATTORNEY GENERAL, DEFENDANT BY DEPUTIZING THE SHERIFF OF DAUPHIN COUNTY. THE RETURN OF SHERIFF LOTWICK IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED CATHY STEHMAN, EX. SEC.

NOW APRIL 22, 2002 SERVED THE WITHIN PRAECIPE & SUMMONS ON PA DEPT. OF TRANSPORTATION, CENTRAL OFFICE, DEFENDANT BY DEPUTIZING THE SHERIFF OF DAUPHIN COUNTY. THE RETURN OF SHERIFF LOTWICK IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED TERRY VERROCA, P.I.C.

FILED

012:12
MAY 09 2002

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12341

LIBERTY MUTUAL INSURANCE COMPANY & HAROLD BURKET

02-511-CD

VS.

PENNSYLVANIA DEPT. OF TRANSPORTATION al

PRAECIPE & SUMMONS

SHERIFF RETURNS

Return Costs

Cost Description

49.79 SHFF. HAWKINS PAID BY: ATTY.

31.50 SHFF. LOTWICK PAID BY: ATTY.

30.00 SURCHARGE PAID BY: ATTY.

111.29

Sworn to Before Me This

9th Day Of May 2002
William A. Shaw

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

So Answers,

Chester A. Hawkins
My Mandy Harris
Chester A. Hawkins
Sheriff

Office of the Sheriff

Mary Jane Snyder
Real Estate Deputy

William T. Tully
Solicitor



J. Daniel Basile
Chief Deputy

Michael W. Rinehart
Assistant Chief Deputy

Dauphin County
Harrisburg, Pennsylvania 17101
ph: (717) 255-2660 fax: (717) 255-2889

Jack Lotwick
Sheriff

Commonwealth of Pennsylvania : LIBERTY MUTUAL INSURANCE CO

vs

County of Dauphin : OFFICE OF ATTORNEY GENERAL

Sheriff's Return

No. 0982-T - - -2002

OTHER COUNTY NO. 2-511-CD

AND NOW: April 22, 2002 at 8:35AM served the within

SUMMONS

upon

OFFICE OF ATTORNEY GENERAL

by personally handing

to CATHY STEHMAN, EXECUTIVE SECRETARY

1 true attested copy(ies)

of the original

SUMMONS

and making known

to him/her the contents thereof at STRAWBERRY SQUARE

HBG, PA 17101-0000

Sworn and subscribed to
before me this 23RD day of APRIL, 2002

Stephen C. (Harina)
PROTHONOTARY

So Answers,

J R Lotwick

Sheriff of Dauphin County, Pa.

By *Marlin Kenley*
Deputy Sheriff

Sheriff's Costs: \$31.50 PD 04/22/2002

RCPT NO 163255

KENLEY

Office of the Sheriff

Mary Jane Snyder
Real Estate Deputy

William T. Tully
Solicitor



J. Daniel Basile
Chief Deputy

Michael W. Rinehart
Assistant Chief Deputy

Dauphin County
Harrisburg, Pennsylvania 17101
ph: (717) 255-2660 fax: (717) 255-2889

Jack Lotwick
Sheriff

Commonwealth of Pennsylvania : LIBERTY MUTUAL INSURANCE CO
vs
County of Dauphin : OFFICE OF ATTORNEY GENERAL

Sheriff's Return

No. 0982-T - - -2002
OTHER COUNTY NO. 2-511-CD

AND NOW: April 22, 2002 at 9:07AM served the within

SUMMONS upon
PA DEPT OF TRANSPORTATION by personally handing
CENTRAL OFFICE
to TERRY VERROCA, PERSON IN CHARGE 1 true attested copy(ies)
of the original SUMMONS and making known
to him/her the contents thereof at KEYSTONE BLDG
400 NORTH ST
HBG, PA 17101-0000

Sworn and subscribed to
before me this 23RD day of APRIL, 2002

Stephen A. Narina
PROTHONOTARY

So Answers,

J R Lotwick

Sheriff of Dauphin County, Pa.

By *Marlin Kenley*
Deputy Sheriff

Sheriff's Costs: \$31.50 PD 04/22/2002
RCPT NO 163255

KENLEY



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

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

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

DARLENE SHULTZ
CHIEF DEPUTY
MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LIBERTY MUTUAL INSURANCE CO.

TERM & NO. 02-511-CD

VS

SERVE BY: 5/9/02

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

DOCUMENT TO BE SERVED:

PRAECIPE & SUMMONS

MAKE REFUND PAYABLE TO: O'BRIEN & HENNESSY LAW OFFICE

SERVE: PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, Central Office
Keystone Bldg. 400 North ST., Harrisburg, Pa. 17120
AND

~~ADDRESS:~~ PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, c/o Office of Attorney General
15th Floor Strawberry Square, Harrisburg, Pa. 17120

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF DAUPHIN COUNTY Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 17th Day of APRIL 2002.

Respectfully,


CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY



COUNTY OF DAUPHIN
HARRISBURG, PA.

J. R. LOTWICK
SHERIFF OF DAUPHIN COUNTY
OFFICIAL RECEIPT

RECEIPT NUMBER... 263852
RECEIVED FROM... O'BRYEN AND HENNESSY
DESCRIPTION... (1) CIVIL ACTION-NOTICE
DOCKET NUMBER... 00027 2006
DEPENDANT... PA DEPT OF TRANSPORT

RECEIPT DATE... 06/22/2006
DEPOSITION... 00000000

COUNTY... 00000000.00
STATE... 00000000.00
AGENCY... 00000000.00
TOTAL... 00000000.00

CASH... 00000000.00
CHECK... 00000000.00

RECD. BY

J. R. Lotwick

Brian J. Walker, Esquire
O'Brien & Hennessy
142 W. Market Street, Suite 2
West Chester, PA 19382
610-431-2727
Attorney I.D. #71927

Attorney for Plaintiffs

Liberty Mutual Insurance Company
A/S/O Harold Burket

: In the Court of Common Pleas

: Clearfield County, Pennsylvania

AND
Harold Burket

: Civil Action Law

: No: 02-511-CD


vs.

PA. Dept. of Transportation
Harrisburg, PA 17120
And
PA. Dept. of Transportation
c/o Office of Attorney General
And
Pine Township

PRAECIPE

To The Prothonotary:

Please mark the above captioned dismissed without prejudice.


Brian J. Walker, Esquire
O'Brien & Hennessy

FILED

MAY 30 2002
01/31/71 Cert. Dec. to atty Walker
William A. Shaw
Prothonotary Gpy CA 80
3cc atty, 122

COPY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Liberty Mutual Insurance Company
Harold Burket

Vs.

No. 2002-00511-CD

Pennsylvania Department of Transportation
Pine Township

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on May 30, 2002 marked:

Dismissed without prejudice.

Record costs in the sum of \$191.29 have been paid in full by Brian J. Walker, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 30th day of May A.D. 2002.

William A. Shaw, Prothonotary