

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

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 : In The Court of Common Pleas
A/S/O Harold Burkett
525 B Street : Clearfield County, Pennsylvania
Suite 1300
San Diego, CA 92122
And : Civil Action-Law
Harold Burkett
401 Spruce Street : No: 02-511-CD
Holidaysburg, PA 16648

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

03/13/02
William A. Shaw
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 Burkett

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

(412) 565-3539

FILED

MAY 01 2002

by in 11221noce
William A. Shaw
Prothonotary

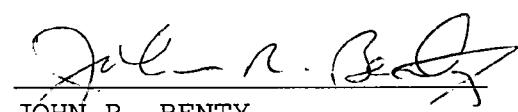
PRAECIPE FOR APPEARANCE

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. BENTZ
Sr. Deputy Attorney General

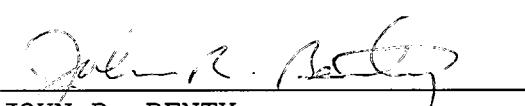
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe 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

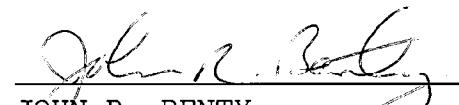
TO THE PROTHONOTARY:

Please issue a rule upon the plaintiffs, Liberty Mutual Insurance Company a/s/o Harold Burkett and Harold Burkett, 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

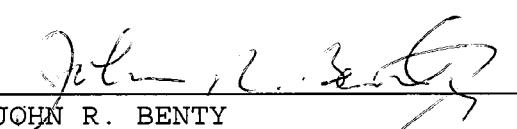
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe 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

RECEIVED
MAY 1 2002
cc
William A. Shaw

Prothonotary
Rule to City of Boston
Bentley

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

COPY

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

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 Burkett and Harold Burkett:

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 a1

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 VEROCA, P.I.C.

FILED

04/12
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.
<u>30.00</u>	SURCHARGE PAID BY: ATTY.

11/1-29

Sworn to Before Me This

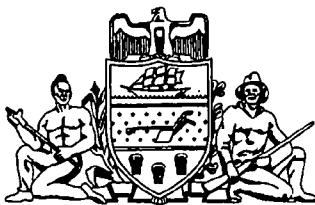
9th Day Of May 2002
WILLIAM A. SHAW

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

So Answers,

Chester A. Hawkins
by 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
HKG, PA 17101-0000

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

Stephen C. (Kenley)

PROTHONOTARY

So Answers,

J.R. Lotwick

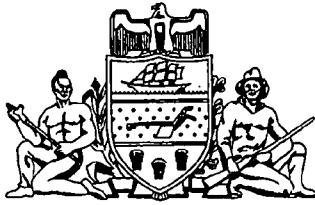
Sheriff of Dauphin County, Pa.

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
County of Dauphin : VS
: 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 VEROCA, PERSON IN CHARGE 1 true attested copy(ies)
to him/her the contents thereof at KEYSTONE BLDG
of the original SUMMONS and making known
400 NORTH ST
HBG, PA 17101-0000

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

Stephen C. Kenney
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: 5/4/02

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

DOCUMENT TO BE SERVED:
PRAECLipe & 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 depelize 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 263233

RECEIVED FROM M'BRICK AND HANNASSEY

DESCRIPTION (1) CIVIL ACT (1) INVESTIGATION

DOCKET NUMBER 00021 12001

DEFENDANT PA DEPT OF TRANSPORT

RECEIVED FROM M'BRICK AND HANNASSEY

DESCRIPTION (1) CIVIL ACT (1) INVESTIGATION

COUNTY OF DAUPHIN 29.00

SUPERIOR COURT 29.00

AGENCY 29.00

TOTAL 87.00

COURT, 29.00

SUPERIOR COURT 29.00

RECD. BY

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 Burkett

: In the Court of Common Pleas

: Clearfield County, Pennsylvania

AND
Harold Burkett

: 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

018171/Cert. Des. to Atty. Walker
William A. Shaw
Prothonotary
GPO CA
3cc: Atty. [initials]
[initials]

COPY

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

CIVIL DIVISION

**Liberty Mutual Insurance Company
Harold Burkett**

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