

02-905-CD  
EDWARD L. MYERS et ux -vs- JAMIE LYNN BRANSTETTER

Date: 04/26/2005

**Clearfield County Court of Common Pleas**

User: CROWLES

Time: 04:15 PM

Page 1 of 1

ROA Report

Case: 2002-00905-CD

Current Judge: Paul E. Cherry

Edward L. Myers, Lisa Marie Myers vs. Jamie Lynn Branstetter

Civil Other

Date	Judge
06/05/2002	Filing: Praeclipe for a Writ of Summons Paid by: Brennan, Robins & Daley, No Judge P.C. Receipt number: 1843559 Dated: 06/05/2002 Amount: \$80.00 (Check) Writ of Summons issued to Sheriff.
09/13/2002	Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm
05/27/2003	Complaint In Civil Action. filed by s/John M. Daley, Esquire Verification No Judge s/Edward L. Myers s/Lisa Marie Myers no cc
06/05/2003	Entry of Appearance On Behalf Of Defendant, JAMIE LYNN BRANSTETTER. filed by s/Matthew B. Taladay, Esquire no cc
06/17/2003	Answer and New Matter. filed by s/Matthew B. Taladay, Esq. Verification No Judge s/Jamie Lynn Branstetter Certificate of Service no cc
06/30/2003	Reply To New Matter. filed by s/John M. Daley, Esquire Certificate of Service Verification s/Edward L. Myers s/Lisa Marie Myers no cc
09/04/2003	Notice of Service, First Set of Discovery Materials upon: JOHN M. DALEY, ESQUIRE. filed by s/Matthew B. Taladay, Esquire no cc
09/11/2003	Certificate of Service, Notice of Deposition of Edward L. Myers and Lisa Myers upon: John M. Daley, Esq. s/Matthew B. Taladay, Esq. no cc
11/17/2003	Notice of Service, Plaintiffs' Answers To Interrogatories And Response To Request For Production Of Documents upon: MATTHEW B. TALADAY, ESQUIRE. filed by, s/John M. Daley, Esquire no cc
06/10/2004	Notice of Plaintiffs' Interrogatories and request for production of Documents Directed to Defendant. No cc.
07/12/2004	Notice of Service, propounded on Plaintiffs, via United States mail, first class, postage pre-paid, this 9th day of July, 2004, Discovery Responses to: John M Daley, Esq. no cc
08/11/2004	Notice of Service, Defendant's Supplemental Discovery Request propounded on Plaintiffs this 10th day of August, 2004, to: John M. Daley, Esq. No cert. copies.
09/02/2004	Notice of Deposition of Defendant filed by Atty. Daley. No CC.
09/24/2004	Notice of Service of Plaintiffs' Answers to Second set of Interrogatories and Response To Second Request for Production of Documents, on behalf of Plaintiffs, served upon Matthew B. Taladay, Esquire. Filed by s/ John M. Daley, Esquire. No CC.
12/29/2004	Praeclipe For Trial, filed by s/ John M. Daley, Esquire. 1 CC Atty
04/18/2005	Certificate of Service, April 12, 2005, copy of Pretrial Memorandum, was served on Matthew B. Taladay, Esquire. Filed by s/ John M. Daley, Esquire. No CC
04/25/2005	Order, AND NOW, this 21st day of April, 2005, following Pre-Trial Conference, Order: Jury Selection scheduled for May 3, 2005, beginning at 9:00 a.m. Trial scheduled for July 6-8, 2005, beginning at 9:00 a.m. (See Original for Details Re: discovery, Trial Brief, Motions, Points for Charge, Proposed Verdict Slip, and exhibits). BY THE COURT: /s/Paul E. Cherry, Judge Two CC Attys: Daley, Taladay
	Order, AND NOW, this 22nd day of April, 2005, Court having been advised by John M. Daley, Esq., that this matter has been settled, Order that John M. Daley, Esq., shall file a Praeclipe to mark this matter as settled and discontinued within 15 days of this date. BY THE COURT: /s/Paul E. Cherry, Judge Two CC Attys: Daley, Taladay

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

**JURY TRIAL DEMANDED**

Case No. 2002-905-C0

Issue No.

Type of Document:

**PRAECIPE FOR A WRIT OF SUMMONS**

Filed on Behalf of:

**Plaintiff**

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

**FILED**

JUN 05 2002  
M 12:00 PM  
E  
William A. Shaw PO  
Prothonotary 80-  
Writ issued by Attn  
to Sheriff

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

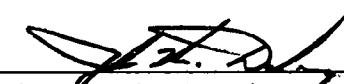
Case No.

**JURY TRIAL DEMANDED**

**PRAECIPE FOR A WRIT OF SUMMONS**

**TO: The Prothonotary**

Kindly issue a Writ of Summons in the above-captioned case.

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiff

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

**SUMMONS**

**Edward L. Myers  
Lisa Marie Myers**

**Vs.**

**NO.: 2002-00905-CD**

**Jamie Lynn Branstetter**

TO: JAMIE LYNN BRANSTETTER

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: 06/05/2002

---

William A. Shaw  
Prothonotary

Issuing Attorney:  
John M. Daley, Esq.  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, Pa 15219-1322  
412-281-0776 Ext. 1303

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**Sheriff Docket # 12610**

**MYERS, EDWARD L. & LISA MARIE**

**02-905-CD**

**VS.**

**BRANSTETTER, JAMIE LYNN**

**PRAECIPE & SUMMONS**

**SHERIFF RETURNS**

---

**NOW JUNE 6, 2002, DENNY NAU, SHERIFF OF CENTRE COUNTY WAS  
DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY  
TO SERVE THE WITHIN PRAECIPE & SUMMONS ON JAMIE LYNN BRANSTETTER,  
DEFENDANT.**

**NOW JUNE 14, 2002 SERVED THE WITHIN PRAECIPE & SUMMONS ON  
JAMIE LYNN BRANSTETTER, DEFENDANT BY DEPUTIZING THE SHERIFF OF  
CENTRE COUNTY. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED  
AND MADE A PART OF THIS RETURN STATING THAT HE SERVED MOTHER OF  
DEFENDANT.**

---

**Return Costs**

<b>Cost</b>	<b>Description</b>
<b>37.34</b>	<b>SHFF. HAWKINS PAID BY; ATTY.</b>
<b>44.00</b>	<b>SHFF. NAU PAID BY: ATTY.</b>
<b>10.00</b>	<b>SURCHARGE PAID BY: ATTY.</b>

**Sworn to Before Me This**

17<sup>th</sup> Day Of Sept 2002  
William A. Shaw

**So Answers,**

Chester A. Hawkins  
by Marilyn Harris  
**Chester A. Hawkins**  
**Sheriff**

**FILED** *GRS*

**SEP 13 2002**

**William A. Shaw  
Prothonotary**

12610

9/39

**SHERIFF'S OFFICE**  
CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

**SHERIFF SERVICE  
PROCESS RECEIPT, AND AFFIDAVIT OF RETURN**

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do Not detach any copies.

1. Plaintiff(s)	2. Case Number
<u>EDWARD &amp; LISA MYERS</u>	
3. Defendant(s)	4. Type of Writ or Complaint:
<u>JAMIE LYNN BRANSTETTER</u>	
<p>SERVE <b>→</b> AT <u>JAMIE LYNN BRANSTETTER</u>  <u>RR 4 Box 164, Philipsburg, Pa. 16866</u></p> <p>5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.  6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)</p>	
<p>7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other</p> <p>Now, <u>20</u> I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____ Sheriff of Centre County</p>	

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

**NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN** – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator	10. Telephone Number	11. Date
	12. Signature	

**SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE**

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSD Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
--	--	----------------	-----------------------------

**TO BE COMPLETED BY SHERIFF**

16. Served and made known to Joy Branstetter, on the 14 day of June, 20 02, at 2:55 o'clock, P m., at Same as above address, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

- Defendant(s) personally served.
- Adult family member with whom said Defendant(s) resides(s). Relationship is Mother
- Adult in charge of Defendant's residence.
- Manager/Clerk of place of lodging in which Defendant(s) resides(s).
- Agent or person in charge of Defendant's office or usual place of business.
- \_\_\_\_\_ and officer of said Defendant company.
- Other \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

Defendant not found because:

- Moved
- Unknown
- No Answer
- Vacant
- Other \_\_\_\_\_

Remarks:

Advance Costs	Docket	Service	Sur Charge	Affidavit	Mileage	Postage	Misc.	Total Costs	Costs Due or Refund
<u>75.00</u>	<u>9.00</u>	<u>9.00</u>	<u>5</u>	<u>2.50</u>	<u>21.00</u>	<u>.50</u>	<u>2.00</u>	<u>44.00</u>	<u>31.00</u>

17. AFFIRMED and subscribed to before me this 17

20. day of June 20 02

23. Corinne Peters

Notary Public  
Corinne Peters, Notary Public  
Bellefonte Boro, Centre County

My Commission Expires Sept. 5, 2005  
AMERICAN NOTARY AND ASSOCIATION OF NOTARIES

So Answer.

18. Signature of Dep. Sheriff

21. Signature of Sheriff

19. Date

6-17-02

22. Date

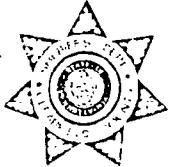
SHERIFF OF CENTRE COUNTY

Amount Pd.

Page

24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE  
OF AUTHORIZED AND ASSOCIATION OF NOTARIES

25. Date Received



# Sheriff's Office Clearfield County

#939

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

CHESTER A. HAWKINS  
SHERIFF

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

DARLENE SHULTZ

CHIEF DEPUTY

MARILYN HAMM

DEPT. CLERK

MARGARET PUTT

OFFICE MANAGER

PETER F. SMITH

SOLICITOR

## DEPUTATION

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

EDWARD L. MYERS & LISA MARIE MYERS

TERM & NO. 02-905-CD

VS

SERVE BY: 7/5/02

JAMIE LYNN BRANSTETTER

#### DOCUMENT TO BE SERVED:

PRAECLYPE & SUMMONS

**MAKE REFUND PAYABLE TO:** BRENNAN, ROBINS & DALEY, Attorneys

**SERVE:** JAMIE LYNN BRANSTETTER

**ADDRESS:** RR#4 Box 164, Philipsburg, Pa. 16866

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 CENTRE COUNTY Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this

6th Day of JUNE 2002.

Respectfully,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".  
CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY

2043-MA  
75-N

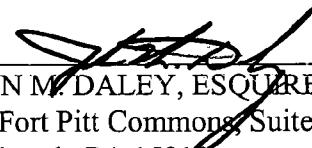
TO: CENTRE COUNTY SHERIFF

Please serve the enclosed **PRAECIPE FOR WRIT OF SUMMONS** styled as follows:

**EDWARD L. MYERS and LISA MARIE MYERS, his wife, v.  
JAMIE LYNN BRANSTETTER**

to

Ms. Jamie Lynn Branstetter  
RR 4, Box 164  
Philipsburg, Centre County, PA 16866

  
JOHN M. DALEY, ESQUIRE  
445 Fort Pitt Commons, Suite 500  
Pittsburgh, PA 15219  
(412) 281-0776  
Attorney for Plaintiffs

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

**TO: Defendant**

You are hereby noticed to plead to the  
within *Complaint* within twenty (20) days  
of service hereof, or a default judgment  
may be entered against you.

~~John M. Daley, Esquire~~  
~~BRENNAN, ROBINS & DALEY, P.C.~~  
~~Attorneys for Plaintiff~~

**JURY TRIAL DEMANDED**

Case No. 202-905-CD

Issue No.

Type of Document:

***COMPLAINT IN CIVIL ACTION***

Filed on Behalf of:

**Plaintiffs**

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

**FILED**

MAY 27 2003

111461.1

William A. Shaw  
Prothonotary

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

Case No. 202-905-CD

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
1 NORTH SECOND STREET  
CLEARFIELD, PA 16830  
(814) 765-2641

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

Case No. 202-905-CD

**COMPLAINT IN CIVIL ACTION**

AND NOW come the Plaintiffs, Edward L. Myers and Lisa Marie Myers, his wife, by and through their attorneys, John M. Daley, Esquire, and the law firm of BRENNAN, ROBINS & DALEY, P.C., and make complaint against Defendant, Jamie Lynn Branstetter, and in support thereof, state as follows:

1. Plaintiffs, Edward L. Myers and Lisa Marie Myers, are husband and wife and reside together at 111 Hillcrest Street, Philipsburg, Centre County, Pennsylvania 16866.

2. Defendant, Jamie Lynn Branstetter, is an adult individual and resides with her parents, Robert M. and Joy M. Branstetter, at RR 4, Box 164, Philipsburg, Centre County, Pennsylvania 16866.

3. On June 6, 2000, there existed in Chester Hill Borough, Clearfield County, Pennsylvania, a certain intersection consisting of Presquisle and McGurik Streets. Presquisle

Street ran generally in an easterly and westerly direction. McGurik ran generally in a northerly and southerly direction.

4. On June 6, 2000, Wife-Plaintiff was operating a 1996 Chevrolet Monte Carlo motor vehicle, titled in the name of Husband-Plaintiff, in an easterly direction on Presquile Street at or near the intersection of Presquile and McGurik Streets, as previously described.

5. At said time and place Defendant was operating a 1996 Jeep Grand Cherokee motor vehicle, owned by her parents, Robert M. and Joy M. Branstetter, in a westerly direction on Presquile Street, when she suddenly and without any warning, caused her motor vehicle to collide with the rear of a 1997 Mazda motor vehicle operated by one Connie Lou Mallin, who was also traveling westbound on Presquile Street. Ms. Mallin had brought her motor vehicle to a stop at or in the intersection previously described, preparing to make a left turn onto McGurik Street. The force of the impact of Defendant's vehicle with the Mallin motor vehicle was so great that it propelled the Mallin vehicle across the westbound lane and into the eastbound lane of travel for Presquile Street traffic. The Mallin vehicle then and thereby impacted the Wife-Plaintiff's vehicle, resulting in the serious and permanent injuries to Wife-Plaintiff as more fully described herein.

6. The damages sustained by the Plaintiffs were a direct and proximate result of the negligence and recklessness of Defendant, in the following particulars:

- a. In Defendant operating her vehicle at an excessive rate of speed;
- b. In Defendant operating her vehicle at a speed in excess of the posted speed limit;

- c. In Defendant operating her motor vehicle at a speed too fast for conditions;
- d. In Defendant failing to keep a sharp lookout ahead;
- e. In Defendant failing to have her motor vehicle under proper control;
- f. In Defendant causing her motor vehicle to collide with the rear of the stopped Mallin motor vehicle, propelling the Mallin vehicle into Wife-Plaintiff's vehicle;
- g. In Defendant failing to be able to stop her motor vehicle within the assured clear distance ahead;
- h. In Defendant failing to have her motor vehicle in proper inspection, mechanical condition and repair; and
- i. In Defendant violating the laws and regulations of the Commonwealth of Pennsylvania, including the Pennsylvania Motor Vehicle Code.

**COUNT I**  
**LISA MARIE MYERS, PLAINTIFF v.**  
**JAMIE LYNN BRANSTETTER, DEFENDANT**

- 7. Wife-Plaintiff incorporates by reference Paragraphs 1 through 6 of the foregoing Complaint as though fully set forth herein.
- 8. As a direct and proximate result of the conduct of the Defendant as previously described, Wife-Plaintiff sustained the following serious injuries, all or some of which are permanent in nature.

- a. Injuries to her head, including her brain, resulting in headaches, anxiety and depression, sleep disturbance, and cognitive difficulties;

- b. Injuries to her neck and shoulders, including an impingement and rotator cuff tendinitis of her left shoulder;
- c. Left brachial plexopathy;
- d. Injury to her right eye, including a partial quadrantopsia, consistent with anterior sella, damage, resulting in "floaters" and loss of some of her vision;
- e. Injury to her low back, including lumbar radiculopathy, bilateral lower extremity pain and numbness of her right leg;
- f. Radiating pain down her left arm to her hand and occasional numbness and weakness in her left arm;
- g. Injury to her jaw, including some limitation of the opening of her mouth;
- h. Myofacial pain;
- i. Hypertension;
- j. Shock and injury to her nerves and nervous system; and
- k. Past, present and future pain, suffering, inconvenience and loss of some of the ordinary pleasures of life;

9. As a direct and proximate result of the conduct of the Defendant as previously described, Wife-Plaintiff has and will in the future incur hospital, doctor, drug and other medical expenses.

10. As a direct and proximate result of the conduct of the Defendant as previously described, Wife-Plaintiff has sustained loss of earnings and her earning capacity has been permanently affected.

11. On June 6, 2000, Wife-Plaintiff, in the operation of her vehicle, was insured under a policy of insurance issued by Erie Insurance Group, which policy provided for the "full-tort" option. Therefore, Wife-Plaintiff is entitled to recover in this action against the Defendant all of her damages, both economic and non-economic in nature.

**WHEREFORE**, Wife-Plaintiff, Lisa Marie Myers, demands judgment against Defendant, Jamie Lynn Branstetter, in an amount in excess of the arbitration limits for the Court of Common Pleas of Clearfield County, Pennsylvania.

**JURY TRIAL DEMANDED**

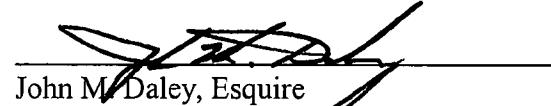
**COUNT II**  
**EDWARD L. MYERS, HUSBAND-PLAINTIFF v.**  
**JAMIE LYNN BRANSTETTER, DEFENDANT**

12. Husband-Plaintiff incorporates by reference Paragraphs 1 through 11 of the foregoing Complaint as though fully set forth herein.

13. As a direct and proximate result of the conduct of the Defendant as previously described, Husband-Plaintiff has and will in the future incur the loss of the society, comfort, companionship, aide and consortium of his wife.

**WHEREFORE**, Husband-Plaintiff, Edward L. Myers demands judgment against Defendant, Jamie Lynn Branstetter in an amount in excess of the arbitration limits for the Court of Common Pleas of Clearfield County, Pennsylvania

**JURY TRIAL DEMANDED**

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

## **VERIFICATION**

We hereby verify that the statements made in the foregoing ***COMPLAINT IN CIVIL ACTION*** are true and correct to the best of our knowledge, information and belief. We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to Unsworn Falsification to Authorities.

  
**EDWARD L. MYERS**

  
**LISA MARIE MYERS**

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD L. MYERS and LISA  
MARIE MYERS, his wife,  
Plaintiffs

-vs-

JAMIE LYNN BRANSTETTER,  
Defendant

Type of Case: Civil Action

No. 02-905-CD

Type of Pleading:

Praecipe for  
Entry of Appearance

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

FILED

JUN 06 2003

William A. Shaw  
Prothonotary

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

EDWARD L. MYERS and LISA  
MYERS, his wife,  
Plaintiffs

-vs-

No. 02-905-CD

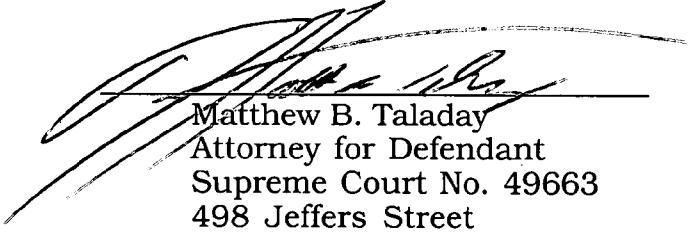
JAMIE LYNN BRANSTETTER,  
Defendant

**PRAECIPE FOR ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Kindly enter my appearance for the Defendant, Jamie Lynn  
Branstetter, in the above captioned matter.

Dated: 06/04/03

  
Matthew B. Taladay  
Attorney for Defendant  
Supreme Court No. 49663  
498 Jeffers Street  
P. O. Box 487  
DuBois, PA 15801  
(814) 371-7768

cc: John M. Daley, Esq.  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322

**FILED**

110  
cc

10:2008  
JUN 05 2008  
EHS

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD L. MYERS and LISA  
MARIE MYERS, his wife,  
Plaintiffs

-vs-

JAMIE LYNN BRANSTETTER,  
Defendant

Type of Case: Civil Action

No. 02-905-CD

Type of Pleading:

Answer and  
New Matter

Filed on Behalf of:

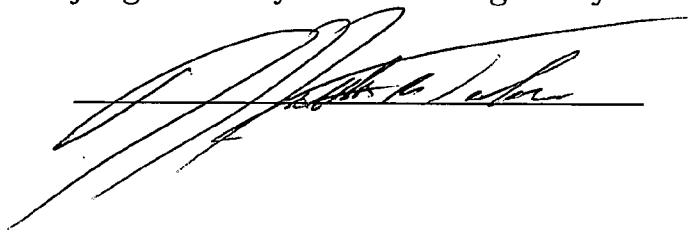
Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

You are hereby notified to plead  
to the within pleading within twenty  
(20) days of service thereof or default  
judgment may be entered against you.



**FILED**

JUN 17 2003

William A. Shaw  
Prothonotary

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

EDWARD L. MYERS and LISA  
MYERS, his wife,  
Plaintiffs

-vs-

No. 02-905-CD

JAMIE LYNN BRANSTETTER,  
Defendant

**ANSWER**

AND NOW, comes the Defendant, Jamie Lynn Branstetter, by her attorneys, Hanak, Guido and Taladay, and hereby responds to Plaintiffs' Complaint as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied as stated. Defendant, however, admits liability for the collision.

6. Denied as stated. Defendant, however, admits liability for the collision.

**COUNT I**

**Lisa Marie Myers, Plaintiff vs.  
Jamie Lynn Branstetter, Defendant**

7. Defendant incorporates her responses to paragraphs 1 through 6 as if set forth in full.

8. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these allegations, and therefore, strict proof thereof is demanded at the time of trial.

9. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these allegations, and therefore, strict proof thereof is demanded at the time of trial.

10. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these allegations, and therefore, strict proof thereof is demanded at the time of trial.

11. After reasonable investigation, Defendant is without information sufficient to form a belief as to the applicable "tort option" under Plaintiff's automobile policy. Strict proof of Plaintiff's tort election is demanded at the time of trial. The remaining allegations of paragraph 11 constitute a conclusion of law to which no response is required.

WHEREFORE, Defendant requests judgment in her favor.

## **COUNT II**

**Edward L. Myers, Husband Plaintiff vs.  
Jamie Lynn Branstetter, Defendant**

12. Defendant incorporates by reference her responses to paragraphs 1 through 11 of the Complaint as if set forth in full.

13. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of these

allegations, and therefore, strict proof thereof is demanded at the time of trial.

WHEREFORE, Defendant requests judgment in her favor.

**NEW MATTER**

14. Defendant, Jamie Lynn Branstetter, incorporates all averments of the Complaint directed at her as well as her responses thereto set forth herein as if set forth at length.

36. The Plaintiffs' claims are limited by the provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law.

**A JURY TRIAL IS DEMANDED.**

HANAK, GUIDO and TALADAY

By

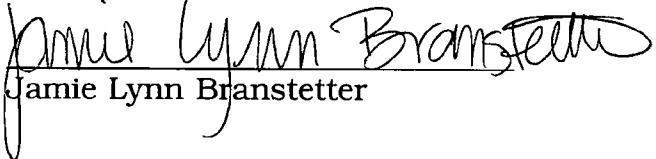
Matthew B. Taladay  
Attorney for Defendant

**VERIFICATION**

I, **Jamie Lynn Branstetter**, do hereby verify that I have read the foregoing Answer and New Matter. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments I may be subject to criminal penalties.

Date: 18-03

  
Jamie Lynn Branstetter

7

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

EDWARD L. MYERS and LISA  
MYERS, his wife,  
Plaintiffs

-vs-

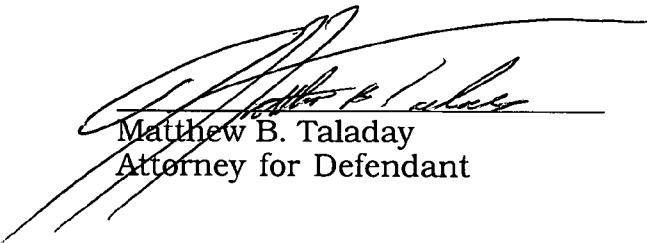
No. 02-905-CD

JAMIE LYNN BRANSTETTER,  
Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 16<sup>th</sup> day of June, 2003, a  
true and correct copy of Answer was mailed, postage prepaid to:

John M. Daley, Esq.  
Attorney for Plaintiffs  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322

  
Matthew B. Taladay  
Attorney for Defendant

**FILED**

NO. cc  
M 10:25 AM  
JUN 17 2003

William A. Shaw  
Prothonotary

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

**JURY TRIAL DEMANDED**

Case No. 02-905-CD

Type of Document:

**REPLY TO NEW MATTER**

Filed on Behalf of:

**Plaintiffs**

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

**FILED**

JUN 30 2003

William A. Shaw  
Prothonotary

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

Case No. 02-905-CD  
**JURY TRIAL DEMANDED**

**REPLY TO NEW MATTER**

AND NOW come the Plaintiffs, Edward L. Myers and Lisa Marie Myers, adult individuals and husband and wife, by and through their attorneys, John M. Daley, Esquire and BRENNAN, ROBINS & DALEY, P.C., propounding the within *Reply to New Matter* of Defendant Jamie Lynn Branstetter, averring as follows:

14. As Paragraph 14 of the Defendant's New Matter is incorporating the averments of Paragraphs 1 through 13 of the Answer, as well as the underlying Complaint in Civil Action, no response is required.

15. Paragraph 15 of the Defendant's New Matter (misdesignated as Paragraph 36) states a legal conclusion to which no responsive pleading is required. To the extent a response is deemed necessary, neither admitted nor denied. The provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law speak for themselves.

**WHEREFORE**, the Plaintiffs demand judgment against Defendant Jamie Lynn Branstetter in an amount in excess of the arbitration limits for the Court of Common Pleas of Clearfield County, Pennsylvania, together with interest and costs.

**JURY TRIAL DEMANDED**

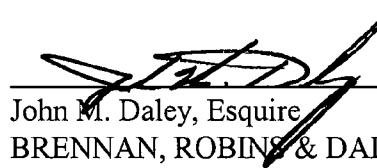


John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

## **CERTIFICATE OF SERVICE**

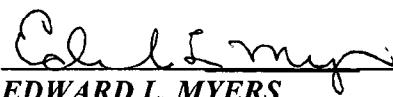
I hereby certify that on this 26<sup>th</sup> day of June, 2003, a true and correct copy of the within *Reply to New Matter* was served on the following counsel of record for the Defendant via regular U.S. First-Class Mail, postage prepaid:

Matthew B. Taladay, Esquire  
HANAK, GUIDO & TALADAY  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

## VERIFICATION

We hereby verify that the statements made in the foregoing ***REPLY TO NEW MATTER*** are true and correct to the best of our knowledge, information and belief. We understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to Unsworn Falsification to Authorities.

  
***Edward L. Myers***

  
***Lisa Marie Myers***

***LISA MARIE MYERS***

**FILED**

NO 11:21-CV-00505  
JUN 30 2003

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD L. MYERS and LISA  
MARIE MYERS, his wife,  
Plaintiffs

-vs-

JAMIE LYNN BRANSTETTER,  
Defendant

Type of Case: Civil Action

No. 02-905-CD

Type of Pleading:

Notice of  
Service

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

FILED

SEP 04 2003

William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and LISA MYERS, his wife,	:	
Plaintiffs	:	
-vs-		No. 02-905-CD
JAMIE LYNN BRANSTETTER,	:	
Defendant	:	

**NOTICE OF SERVICE**

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being counsel of record for Defendant, do hereby certify that I propounded on Plaintiffs, via United States mail, first class, postage pre-paid, this 3rd day of September, 2003, Defendant's FIRST SET OF DISCOVERY MATERIALS to the below indicated person, at said address, being counsel of record for the Plaintiffs:

John M. Daley, Esq.  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322

Matthew B. Taladay  
Matthew B. Taladay,  
Attorney for Defendant

FILED NO  
M 10:30 AM  
SEP 04 2003  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD L. MYERS and LISA  
MARIE MYERS, his wife,  
Plaintiffs

-vs-

JAMIE LYNN BRANSTETTER,  
Defendant

Type of Case: Civil Action

No. 02-905-CD

Type of Pleading:

Certificate of  
Service

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

**FILED**

SEP 11 2003

William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and LISA MYERS, his wife,	:	
Plaintiffs	:	
	:	
-vs-	:	No. 02-905-CD
	:	
JAMIE LYNN BRANSTETTER,	:	
Defendant	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2003, an original Notice of Deposition of Edward L. Myers and an original Notice of Deposition of Lisa Myers, copies of which are attached hereto, were mailed, postage prepaid to:

John M. Daley, Esq.  
Attorney for Plaintiffs  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322

Matthew B. Taladay  
Matthew B. Taladay  
Attorney for Defendant

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

EDWARD L. MYERS and LISA  
MYERS, his wife,  
Plaintiffs

-vs-

No. 02-905-CD

JAMIE LYNN BRANSTETTER,  
Defendant

**NOTICE OF DEPOSITION**

TO: LISA MYERS  
c/o John M. Daley, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Monday, October 27, 2003 at 2:00 p.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

Matthew B. Taladay  
Matthew B. Taladay,  
Attorney for Defendant

cc: Schreiber Reporting Service

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

EDWARD L. MYERS and LISA	:	
MYERS, his wife,	:	
Plaintiffs	:	
-vs-		No. 02-905-CD
JAMIE LYNN BRANSTETTER,	:	
Defendant	:	

**NOTICE OF DEPOSITION**

TO: EDWARD L. MYERS  
c/o John M. Daley, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Monday, October 27, 2003 at 2:00 p.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

*Matthew B. Taladay*  
Matthew B. Taladay,  
Attorney for Defendant

cc: Schreiber Reporting Service

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife,

Plaintiffs,

- vs -

JAMIE LYNN BRANSTETTER,

Defendant.

**JURY TRIAL DEMANDED**

Case No. 02-905-CD

NOTICE OF SERVICE OF PLAINTIFFS'  
ANSWERS TO INTERROGATORIES AND  
RESPONSE TO REQUEST FOR  
PRODUCTION OF DOCUMENTS

Filed on Behalf of:

**Plaintiffs**

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

**FILED**

NOV 17 2003

William A. Shaw  
Prothonotary/Clerk of Courts

## **NOTICE OF SERVICE**

I hereby certify that on this 14th day of November, 2003, a true and correct copy of the within ***PLAINTIFFS' ANSWERS TO INTERROGATORIES AND RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS*** was served on the following counsel of record for the Defendant via regular U.S. First-Class Mail, postage prepaid:

Matthew B. Taladay, Esquire  
HANAK, GUIDO & TALADAY  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife,

Plaintiffs,

**JURY TRIAL DEMANDED**

Case No. 02-905-CD

- vs -

JAMIE LYNN BRANSTETTER,  
Defendant.

**NOTICE OF SERVICE OF PLAINTIFFS'  
INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS  
DIRECTED TO DEFENDANT**

Filed on Behalf of:

Plaintiffs

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

**FILED**

JUN 10 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**NOTICE OF SERVICE**

I hereby certify that on this 8th day of June, 2004, a true and correct copy of ***PLAINTIFFS' INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO DEFENDANT*** was served on the following counsel of record by First Class U.S. Mail, postage prepaid:

Matthew B. Taladay, Esquire  
HANAK, GUIDO & TALADAY  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD L. MYERS and LISA  
MARIE MYERS, his wife,  
Plaintiffs

-vs-

JAMIE LYNN BRANSTETTER,  
Defendant

Type of Case: Civil Action

No. 02-905-CD

Type of Pleading:

Notice of  
Service

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

FILED NO  
10/9/2004  
JUL 12 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and LISA  
MYERS, his wife,  
Plaintiffs

-vs-

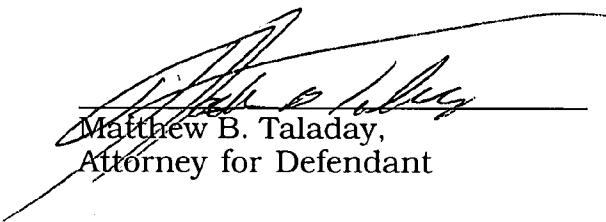
No. 02-905-CD

JAMIE LYNN BRANSTETTER,  
Defendant

**NOTICE OF SERVICE**

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being  
counsel of record for Defendant, do hereby certify that I propounded  
on Plaintiffs, via United States mail, first class, postage pre-paid, this  
9th day of July, 2004, Defendant's DISCOVERY RESPONSES to the  
below indicated person, at said address, being counsel of record for  
the Plaintiffs:

John M. Daley, Esq.  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322

  
Matthew B. Taladay,  
Attorney for Defendant

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD L. MYERS and LISA  
MARIE MYERS, his wife,  
Plaintiffs

-vs-

JAMIE LYNN BRANSTETTER,  
Defendant

Type of Case: Civil Action

No. 02-905-CD

Type of Pleading:

Notice of  
Service

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

ECK  
**FILED**

AUG 11 2004  
*william a. shaw*  
William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and LISA  
MYERS, his wife,  
Plaintiffs

-vs-

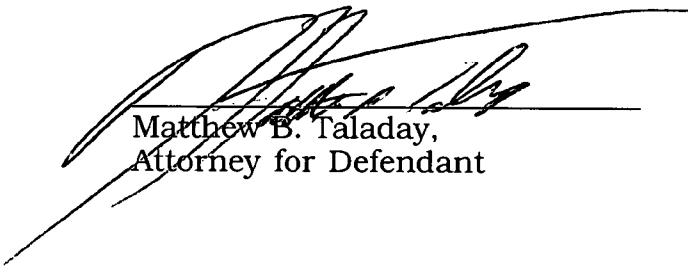
No. 02-905-CD

JAMIE LYNN BRANSTETTER,  
Defendant

**NOTICE OF SERVICE**

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being counsel of record for Defendant, do hereby certify that I propounded on Plaintiffs, via United States mail, first class, postage pre-paid, this 10th day of August, 2004, Defendant's SUPPLEMENTAL DISCOVERY REQUESTS to the below indicated person, at said address, being counsel of record for the Plaintiffs:

John M. Daley, Esq.  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322

  
Matthew B. Taladay,  
Attorney for Defendant

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife

No. 02-905-CD

Plaintiffs,

vs.

JAMIE LYNN BRANSTETTER,  
Defendant.

**NOTICE OF DEPOSITION OF  
DEFENDANT**

Filed on Behalf of:

Plaintiffs

Counsel of Record for this Party:

John M. Daley, Esquire  
PA I.D. No. 63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm No. 038  
445 Fort Pitt Boulevard, Suite 500  
Pittsburgh, PA 15219  
(412) 281-0776

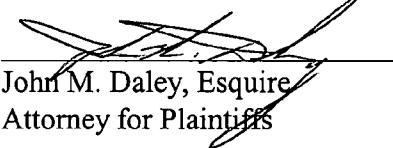
FILED  
M 11/5/2004  
SEP 02 2004  
cc

William A. Shaw  
Prothonotary/Clerk of Courts

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing ***NOTICE OF DEPOSITION OF DEFENDANT*** was served on the following counsel of record by first class U.S. mail, postage prepaid, on this 31<sup>st</sup> day of August, 2004:

Matthew B. Taladay, Esquire  
Hanak, Guido, and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
Attorney for Plaintiffs

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife,

Plaintiffs,

**JURY TRIAL DEMANDED**

Case No. 02-905-CD

- vs -

JAMIE LYNN BRANSTETTER,  
Defendant.

**NOTICE OF SERVICE OF PLAINTIFFS'  
ANSWERS TO SECOND SET OF  
INTERROGATORIES AND RESPONSE  
TO SECOND REQUEST FOR  
PRODUCTION OF DOCUMENTS**

Filed on Behalf of:

Plaintiffs

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

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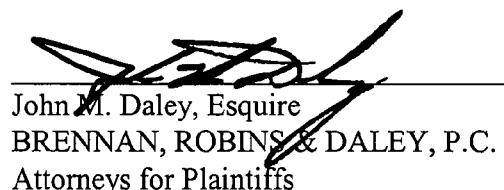
*E61K*  
**FILED** *ml/10.58/04* *No cc*  
**SEP 24 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

**NOTICE OF SERVICE**

I hereby certify that on this 21st day of September, 2004 a true and correct copy of  
***PLAINTIFFS' ANSWERS TO SECOND SET OF INTERROGATORIES AND RESPONSE  
TO SECOND REQUEST FOR PRODUCTION OF DOCUMENTS*** was served on the following  
counsel of record by First Class U.S. Mail, postage prepaid:

Matthew B. Taladay, Esquire  
HANAK, GUIDO & TALADAY  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife

No. 02-905-CD

Plaintiffs,

vs.

JAMIE LYNN BRANSTETTER,

**PRAECIPE FOR TRIAL**

Defendant.

Filed on Behalf of:

Plaintiffs

Counsel of Record for this Party:

John M. Daley, Esquire  
PA I.D. No. 63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm No. 038  
445 Fort Pitt Boulevard, Suite 500  
Pittsburgh, PA 15219  
(412) 281-0776

135382.1

6K *m/l/00/01* *Atty Daley*  
**FILED** *cc*  
DEC 29 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife

No. 02-905-CD

Plaintiffs,

vs.

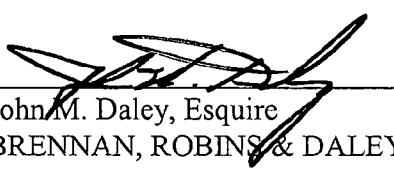
JAMIE LYNN BRANSTETTER,

Defendant.

**PRAECIPE FOR TRIAL**

TO: Prothonotary

Kindly list the above-captioned case for the next available trial term. A true and correct copy of the Certificate Listing Case Ready for trial is attached hereto and marked Exhibit "A".

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

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

EDWARD L. MYERS and  
LISA MARIE MYERS, his wife

No. 02-905-CD

Plaintiffs,

vs.

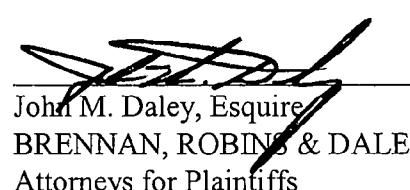
JAMIE LYNN BRANSTETTER,

Defendant.

**CERTIFICATE LISTING CASE READY FOR TRIAL**

I, John M. Daley, Esquire, counsel for Plaintiffs, hereby certify the following and request that the above-captioned case be listed for trial:

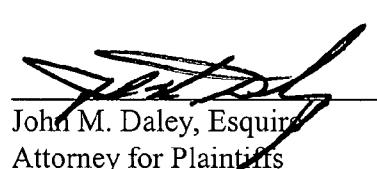
1. No motions are outstanding.
2. All discovery has been completed.
3. The case is to be heard jury.
4. Notice of the Praecept for Trial has been provided to all counsel of record.

  
John M. Daley, Esquire  
BRENNAN, ROBIN & DALEY, P.C.  
Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing ***PRAECIPE FOR TRIAL*** was served on the following counsel of record by first class U.S. mail, postage prepaid, on this 27th day of December, 2004:

Matthew B. Taladay, Esquire  
Hanak, Guido, and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
Attorney for Plaintiffs

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

EDWARD L. MYERS and : NO. 02-905-CD  
LISA MARIE MYERS, :  
Plaintiffs :  
:

## Plaintiffs

V.

JAMIE LYNN BRANSTETTER

NO. 02-905-CD

FILED

011130BN  
APR 25 2005

2cc  
Attns:  
Daley  
Taladay  
WTC

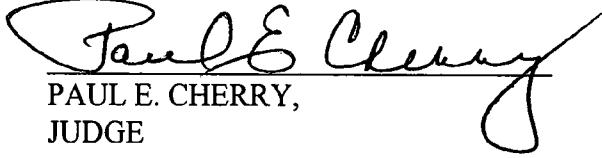
## ORDER

AND NOW, this 21<sup>st</sup> day of April, 2005, following Pre-Trial Conference, it is the ORDER of this Court as follows:

1. Jury Selection in this matter is scheduled for May 3, 2005, beginning at 9:00 o'clock A.M. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
2. Trial in this matter is scheduled for July 6, 7, 8, 2005, beginning at 9:00 o'clock A.M. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
3. The deadline for providing any and all outstanding discovery shall be by and no later than thirty (30) days from this date.
4. Counsel for the parties, if they so desire, may submit a Trial Brief to the Court no more than thirty (30) days prior to the commencement of trial.
5. The deadline for submitting any and all Motions shall be by and no later than thirty (30) days prior to the commencement of trial.
6. Points for Charge shall be submitted to the Court by and no later than fifteen (15) days prior to the commencement of trial.

7. Proposed Verdict Slip shall be submitted to the Court by and no later than fifteen (15) days prior to the commencement of trial.
8. The parties shall mark all exhibits for trial prior to trial to speed introduction of exhibits.

BY THE COURT,



PAUL E. CHERRY,  
JUDGE

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

EDWARD L. MYERS and : NO. 02-905-CD  
LISA MARIE MYERS, :  
Plaintiffs :  
v. :  
: :  
JAMIE LYNN BRANSTETTER :  
:

ORDER

CA  
FILED *cc*  
*11/30/05* *Days:*  
*APR 25 2005* *Daley*  
By *William A. Shaw* *Talocay*  
Prothonotary/Clerk of Courts

AND NOW, this 22<sup>nd</sup> day of April, 2005, the Court having been advised by John M. Daley, Esquire, attorney for Plaintiffs, that this matter has been settled, it is the ORDER of this Court that John M. Daley, Esquire, attorney for Plaintiffs, shall file a Praeclipe to mark this matter as settled and discontinued within fifteen (15) days of this date.

BY THE COURT,

  
PAUL E. CHERRY,  
JUDGE

02-905-CD

CA

## CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of April, 2005, a true and correct copy of the within **Pretrial Memorandum** was served on the following counsel of record for the Defendant via regular U.S. First-Class Mail, postage prepaid:

Matthew B. Taladay, Esquire  
HANAK, GUIDO & TALADAY  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

~~John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs~~

68  
FILED NO  
1/3/2005  
APR 18 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

RECEIVED

APR 18 2005

COURT ADMINISTRATOR'S  
OFFICE

**JURY TRIAL DEMANDED**

Case No. 02-905-CD

Type of Document:

**PRETRIAL MEMORANDUM**

Filed on Behalf of:

**Plaintiffs**

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

**JURY TRIAL DEMANDED**

Case No. 02-905-CD

Type of Document:

***PRAECIPE TO SETTLE & DISCONTINUE***

Filed on Behalf of:

**Plaintiffs**

Counsel of Record for this Party:

John M. Daley, Esquire  
Pa. I.D. #63279

BRENNAN, ROBINS & DALEY, P.C.  
Firm #038  
Fort Pitt Commons, Suite 500  
445 Fort Pitt Boulevard  
Pittsburgh, PA 15219-1322  
(412) 281-0776, Extension 1303  
(412) 281-2180 (Fax)

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FILED <sup>64</sup>  
MAY 10 2005 Disc. to Atty  
Copy to CJA  
William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD L. MYERS and LISA MARIE  
MYERS, his wife,

Plaintiffs,

-vs-

JAMIE LYNN BRANSTETTER,

Defendant.

Case No. 02-905-CD  
**JURY TRIAL DEMANDED**

**PRAECIPE TO SETTLE & DISCONTINUE**

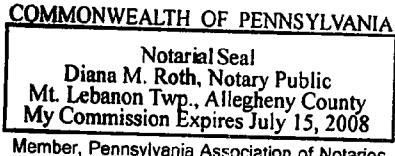
**TO: The Prothonotary**

Kindly mark the above-captioned matter "settled and discontinued."

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

*Sworn to and subscribed  
before me on this 5<sup>th</sup> day  
of May, 2005*

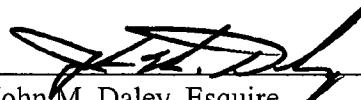
  
NOTARY PUBLIC



## CERTIFICATE OF SERVICE

I hereby certify that on this 5~~th~~ day of May, 2005, a true and correct copy of the within *Praecipe to Settle & Discontinue* was served on the following counsel of record for the Defendant via regular U.S. First-Class Mail, postage prepaid:

Matthew B. Taladay, Esquire  
HANAK, GUIDO & TALADAY  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

  
John M. Daley, Esquire  
BRENNAN, ROBINS & DALEY, P.C.  
Attorneys for Plaintiffs

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

Copy

CIVIL DIVISION

**Edward L. Myers**  
**Lisa Marie Myers**

**Vs.**  
**Jamie Lynn Branstetter**

**No. 2002-00905-CD**

**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 10, 2005, marked:

Settled and Discontinued

Record costs in the sum of \$80.00 have been paid in full by Brennan, Robins & Daley, P.C.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 10th day of May A.D. 2005.

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William A. Shaw, Prothonotary