

02-1242 CD  
THOMAS E. MCCARTNEY, et al. -vs- CONEMAUGH VALLEY  
MEMORIAL HOSPITAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

THOMAS E. McCARTNEY, Personal  
Representative of the Estate  
of TROY McCARTNEY, Deceased,

Plaintiff,

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL,

Defendant.

CIVIL DIVISION

No.: 02-1242-CO

PRAECIPE FOR WRIT OF  
SUMMONS

Filed on behalf of Plaintiff:

THOMAS E. McCARTNEY, Pro Se

RR 3, Box 140

Clearfield, PA 16830

814-765-3229

JURY TRIAL DEMANDED

FILED

AUG 12 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

THOMAS E. McCARTNEY, Personal	]	CIVIL DIVISION
Representative of the Estate	]	
of TROY McCARTNEY, Deceased,	]	No.: 02.1242-CD
	]	
Plaintiff,	]	
	]	
vs.	]	
	]	
CONEMAUGH VALLEY MEMORIAL	]	
HOSPITAL,	]	
	]	
Defendant.	]	

**PRAECIPE FOR WRIT OF SUMMONS**

TO THE PROTHONOTARY:

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

RESPECTFULLY SUBMITTED:

  
THOMAS E. McCARTNEY, Pro Se

COPY

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

SUMMONS

Thomas E McCartney, Personal  
Representative of the Estate of  
Troy McCartney, Deceased

Vs.

NO.: 2002-01242-CD

Conemaugh Valley Memorial Hospital

TO: CONEMAUGH VALLEY MEMORIAL HOSPITAL

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: 08/12/2002



---

William A. Shaw  
Prothonotary

Issuing Attorney:  
Thomas E. McCartney, Pro Se

FILED

*WJ*

AUG 12 2002

012501 *W.T. McCarty*  
William A. Shaw  
Proprietary

pd \$80.00

*Writ to P/B.*

*cc P/B.*

*[Signature]*

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

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

: No. 2002 - 01242 - CD

: PRAECIPE FOR ENTRY OF APPEARANCE

: Filed on Behalf of Defendant

: McIntyre, Dugas, Hartye & Schmitt

: Heather A. Harrington, Esquire

: PA I.D. No. 62977

: Frank J. Hartye, Esquire

: PA I.D. No. 25568

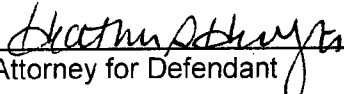
: P.O. Box 533

: Hollidaysburg, PA 16648

: PH (814) 696-3581

: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 23<sup>rd</sup> day of August, 2002.

  
Attorney for Defendant

**FILED**

AUG 26 2002

m19:05/noc

William A. Shaw  
Prothonotary

Copy CA



THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD

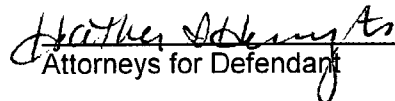
: JURY TRIAL DEMANDED

**PRAECIPE FOR ENTRY OF APPEARANCE**

TO: PROTHONOTARY

Kindly enter my appearance as counsel of record for the Defendant, **Conemaugh Valley Memorial Hospital**, in the above-captioned action.

**McINTYRE, DUGAS, HARTYE & SCHMITT**

  
Attorneys for Defendant

**HEATHER A. HARRINGTON, ESQUIRE**  
**PA I.D.#: 62977**  
**FRANK J. HARTYE, ESQUIRE**  
**PA I.D.#: 25568**  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
PH: (814) 696-3581  
FAX: (814) 696-9399

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

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

: No. 2002 - 01242 - CD

: PRAECIPE FOR RULE TO FILE COMPLAINT

: Filed on Behalf of Defendant

: McIntyre, Dugas, Hartye & Schmitt

: Heather A. Harrington, Esquire

: PA I.D. No. 62977

: Frank J. Hartye, Esquire

: PA I.D. No. 25568

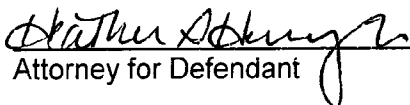
: P.O. Box 533

: Hollidaysburg, PA 16648

: PH (814) 696-3581

: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 23<sup>rd</sup> day of August, 2002.

  
Attorney for Defendant

FILED

AUG 26 2002

m/8:53/NOCC

William A. Shaw

Prothonotary

2 Rule to Atty.



COPY

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD

: JURY TRIAL DEMANDED

**RULE TO FILE COMPLAINT**

AND NOW, this 26th day of August, 2002, Rule is entered on the  
Plaintiff, Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased, to file a Complaint within twenty (20) days from the date of this ruling.

Dated: August 26, 2002

  
\_\_\_\_\_

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

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL:  
HOSPITAL

Defendant

: No. 2002 - 01242 - CD

: **ISSUE:**

: CERTIFICATE OF SERVICE OF RULE  
: TO FILE COMPLAINT

: Filed on Behalf of Defendant

: McIntyre, Dugas, Hartye & Schmitt

: Heather A. Harrington, Esquire

: PA I.D. No. 62977

: Frank J. Hartye, Esquire

: PA I.D. No. 25568

: P.O. Box 533

: Hollidaysburg, PA 16648

: PH (814) 696-3581

: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 29th day of August, 2002.

  
Attorney for Defendant

**FILED**

SEP 03 2002

m/8:30/w  
William A. Shaw  
Prothonotary

cc/c

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD  
:  
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:  
:

: JURY TRIAL DEMANDED

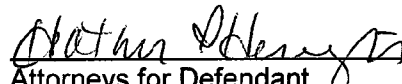
**CERTIFICATE OF SERVICE OF RULE TO FILE COMPLAINT**

TO: PROTHONOTARY

You are hereby notified that on the 29<sup>th</sup> day of August, 2002, Defendant, CONEMAUGH VALLEY MEMORIAL HOSPITAL, served a Rule upon the Plaintiff, by mailing the original of same via First Class Mail, postage prepaid, addressed to the Plaintiff's counsel:

Thomas D. McCartney  
RR #3, Box 140  
Clearfield, PA 16830

McINTYRE, DUGAS, HARTYE & SCHMITT

  
Attorneys for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. I.D. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
(814) 696-3581

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD  
:

: JURY TRIAL DEMANDED

**RULE TO FILE COMPLAINT**

AND NOW, this 26th day of August, 2002, Rule is entered on the  
Plaintiff, Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased, to file a Complaint within twenty (20) days from the date of this ruling.

  
\_\_\_\_\_

Dated: August 26, 2002

*[Handwritten signature]*  
[Redacted text]

**FILED**

SEP 03 2002

William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12917

MCCARTNEY, THOMAS E., Personal Rep. Of Estate of Troy McCartney, de 02-1242-CD

VS.

CONEMAUGH VALLEY MEMORIAL HOSPITAL

SUMMONS & PRAECIPE

SHERIFF RETURNS

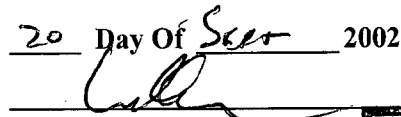
NOW AUGUST 13, 2002 BOB KOLAR, SHERIFF OF CAMBRIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS & PRAECIPE ON CONEMAUGH VALLEY MEMORIAL HOSPITAL, DEFENDANT.

NOW AUGUST 21, 2002 SERVED THE WITHIN SUMMONS & PRAECIPE ON CONEMAUGH VALLEY MEMORIAL HOSPITAL, DEFENDANT BY DEPUTIZING THE SHERIFF OF CAMBRIA COUNTY. THE RETURN OF SHERIFF KOLAR IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED KAREN LOEFFLER, RISK MANAGEMENT.

Return Costs

Cost	Description
27.74	SHFF. HAWKINS PAID BY: PLFF.
75.75	SHFF. KOLAR PAID BY: PLFF.
10.00	SURCHARGE PAID BY: PLFF.
113.49	

Sworn to Before Me This


20 Day Of Sept 2002  


FILED

SEP 20 2002

2:40  
William A. Shaw  
Prothonotary

So Answers,

  
Chester A. Hawkins  
Sheriff

CASE #	PLAINTIFF	DEFENDANT
90253-02	MCCARTNEY, THOMAS	CONEMAUGH VALLEY MEM 02-1242
DATE	8/21/02	

AT 14:50 HRS. SERVED THE WITHIN WRIT OF SUMMONS UPON  
CONEMAUGH VALLEY MEMORIAL HOSPITAL BY HANDING A TRUE AND  
ATTESTED COPY THEREOF TO KAREN LOEFFLER, RISK MANAGEMENT,  
AT 1086 FRANKLIN ST. JOHNSTOWN, PA. AND MAKING CONTENTS  
THEREOF KNOWN TO HER. MY COSTS PAID BY SHERIFF OF CLEARFIELD  
CO.

SHERIFF COSTS	72.75
PROTHONATARY	3.00
TOTAL COSTS	75.75

SO ANSWERS,

*Bob Kolar*

BOB KOLAR, SHERIFF

SWORN AND SUBSCRIBED TO BEFORE ME THIS 28TH DAY OF AUG. 02.

. PROTHONATARY

*Patty Berkebile*

DEFENDANT  
CONEMOUGH VALLEY MEN 03-1542

CASE #  
00223-02  
PLAINTIFF  
MCCARTNEY, THOMAS  
DATE 8/21/02

AT 14:20 HRS. SERVED THE WITHIN WRIT OF SUMMONS UPON  
CONEMOUGH VALLEY MEMORIAL HOSPITAL BY HANDING A TRUE AND  
ATTESTED COPY THEREOF TO KAREN LOEFFLER, RISK MANAGEMENT,  
AT 1086 FRANKLIN ST. JOHNSTOWN, PA. AND MAKING CONTENTS  
THEREOF KNOWN TO HER. MY COSTS PAID BY SHERIFF OF CLEARFIELD

CO.  
SHERIFF COSTS 25.25  
PROTHONATARY 3.00  
TOTAL COSTS 28.25  
SO ANSWERS.

SWORN AND SUBSCRIBED TO BEFORE ME THIS 28TH DAY OF AUG. 02.  
BOB KOLAR, SHERIFF

PROTHONATARY



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

**THOMAS E. McCARTNEY,**  
**Personal Representative of THE**  
**ESTATE OF TROY McCARTNEY,**  
**Deceased**

Plaintiff

vs.

**CONEMAUGH VALLEY MEMORIAL**  
**HOSPITAL**

Defendant

: No. 2002 - 01242 - CD

:

:

:

: Praecipe to Enter Judgment of Non Pros

:

:

: Filed on Behalf of Defendant

:

:

: McIntyre, Dugas, Hartye & Schmitt

: Heather A. Harrington, Esquire

: PA I.D. No. 62977

: Frank J. Hartye, Esquire

: PA I.D. No. 25568

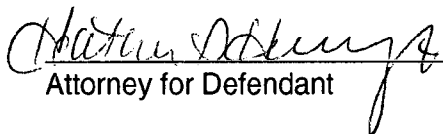
: P.O. Box 533

: Hollidaysburg, PA 16648

: PH (814) 696-3581

: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 25th day of October, 2002.

  
Attorney for Defendant

**FILED**

OCT 29 2002

William A. Shaw  
Prothonotary

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD

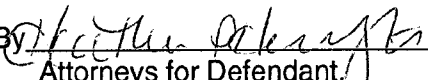
: JURY TRIAL DEMANDED

**PRAECIPE TO ENTER JUDGMENT OF NON PROS**

**TO: PROTHONOTARY**

Kindly enter Judgment of Non Pros in favor of Defendant, CONEMAUGH VALLEY  
MEMORIAL HOSPITAL, for failure to file a Complaint in the above-captioned matter as per Rule  
to do so.

McINTYRE, DUGAS, HARTYE & SCHMITT

By   
Attorneys for Defendant,  
Conemaugh Valley Memorial Hospital

Heather A. Harrington, Esquire  
PA I.D. #62977  
Frank J. Hartye, Esquire  
PA I.D. #25568  
P.O. Box 533  
Hollidaysburg, PA 16648

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD

: JURY TRIAL DEMANDED

**10-DAY NOTICE OF INTENT TO TAKE JUDGMENT OF NON PROS**

TO: Thomas E. McCartney, Personal Representative of  
The Estate of Troy McCartney, Deceased  
R.R. #3 Box 140  
Clearfield, PA 16830

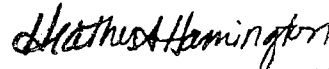
DATE OF NOTICE: October 9, 2002

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS OF THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

David S. Meholick, Court Administrator  
Clearfield County Courthouse, Clearfield, PA 16830  
814/765-2641 Ext. 5982

**McINTYRE, DUGAS, HARTYE & SCHMITT**



Attorneys for Defendant

**HEATHER A. HARRINGTON, ESQUIRE**  
**PA I.D.#: 62977**  
**FRANK J. HARTYE, ESQUIRE**  
**PA I.D.#: 25568**  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
PH: (814) 696-3581  
FAX: (814) 696-9399

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

THOMAS E. McCARTNEY,  
Personal Representative of THE  
ESTATE OF TROY McCARTNEY,  
Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL:  
HOSPITAL

Defendant

: No. 2002 - 01242 - CD

:

:

:

: **ISSUE:**

: CERTIFICATE OF SERVICE OF RULE  
: TO FILE COMPLAINT

:

: Filed on Behalf of Defendant

:

: McIntyre, Dugas, Hartye & Schmitt

: Heather A. Harrington, Esquire

: PA I.D. No. 62977

: Frank J. Hartye, Esquire

: PA I.D. No. 25568

: P.O. Box 533

: Hollidaysburg, PA 16648

: PH (814) 696-3581

: FAX (814) 696-9399

I hereby certify that a true and  
correct copy of the within has been  
forwarded to all parties/counsel of  
record this 29th day of August, 2002.

---

Attorney for Defendant

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

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

: No. 2002 - 1242 - CD  
:

: JURY TRIAL DEMANDED

**CERTIFICATE OF SERVICE OF RULE TO FILE COMPLAINT**

TO: PROTHONOTARY

You are hereby notified that on the 29<sup>th</sup> day of August, 2002, Defendant, CONEMAUGH VALLEY MEMORIAL HOSPITAL, served a Rule upon the Plaintiff, by mailing the original of same via First Class Mail, postage prepaid, addressed to the Plaintiff's counsel:

Thomas D. McCartney  
RR #3, Box 140  
Clearfield, PA 16830

McINTYRE, DUGAS, HARTYE & SCHMITT

---

Attorneys for Defendant

HEATHER A. HARRINGTON, ESQUIRE  
PA. I.D. No. 62977  
P.O. Box 533  
Hollidaysburg, PA 16648-0533  
(814) 696-3581

THOMAS E. McCARTNEY, Personal  
Representative of the ESTATE OF  
TROY McCARTNEY, Deceased

Plaintiff

vs.

CONEMAUGH VALLEY MEMORIAL  
HOSPITAL

Defendant

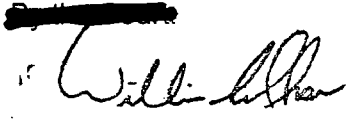
: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA  
:

: No. 2002 - 1242 - CD

: JURY TRIAL DEMANDED

**RULE TO FILE COMPLAINT**

AND NOW, this 26th day of August, 2002, Rule is entered on the  
Plaintiff, Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased, to file a Complaint within twenty (20) days from the date of this ruling.

  
\_\_\_\_\_

Dated: August 26, 2002

FILED

Atty pd.

20.00

M 10:35 AM  
OCT 29 2002

Notice to Self  
w/ copy of Præcipe

William A. Shaw  
Prothonotary

*[Signature]*

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

COPY

Thomas E. McCartney, Personal Representative  
of the Estate of Troy McCartney, Deceased  
Plaintiff

Vs.

No. 2002-01242-CD

Conemaugh Valley Memorial Hospital  
Defendant

TO: Thomas E. McCartney, Personal Representative of the Estate of Troy McCartney,  
Deceased :

Notice is hereby given that a judgment of non-pros has been entered in the above  
captioned matter pursuant to Praeipie dated October 29, 2002. A copy of said document  
is hereto attached.

Judgment entered of record October 29, 2002.

Sincerely,

William A. Shaw  
Prothonotary

Enclosures