

02-1503-CD
MICHAEL J. LESKOVANSKY vs. CARRIE HOLLIDAY

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

MICHAEL J. LESKOVANSKY,
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
a minor child and JOSEPH L.
LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY,
Administratrix of the
Estate of Mary Jean Hazel
a/k/a Mary J. Hazel,
deceased,

Defendant

* * * * *

No. 02- 1503 -CD

* * * * *

TYPE OF CASE:

* * * * *

Wrongful Death Action -
Civil

* * * * *

TYPE OF PLEADING:

* * * * *

Praecipe for Issuance of
a Writ of Summons

* * * * *

FILED ON BEHALF OF:

* * * * *

Michael J. Leskovansky, as
parent, natural guardian
and trustee ad litem of
Michael J. Leskovansky, Jr., a
minor child and Joseph L.
Leskovansky, a minor child,
Plaintiff

* * * * *

Counsel of Record for this
party:

* * * * *

John R. Lhota, Attorney at Law
John R. Lhota, P.C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611

* * * * *

Supreme Court ID# 24292

FILED

SEP 26 2002

William A. Shaw
Prothonotary

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

MICHAEL J. LESKOVANSKY, *
an adult individual, as *
parent, natural guardian *
and trustee ad litem of *
MICHAEL J. LESKOVANSKY, JR., *
a minor child and JOSEPH L. *
LESKOVANSKY, a minor child, * No. 02-
Plaintiff *

vs.

CARRIE HOLLIDAY,
Administratrix of the
Estate of Mary Jean Hazel
a/k/a Mary J. Hazel,
deceased,
Defendant

PRAECIPE FOR ISSUANCE OF A WRIT OF SUMMONS

Please issue a writ of summons in the above captioned matter, for service as per the attached sheriff's instructions.

Respectfully submitted:

BY: J. Lhota
John R. Lhota, P.C.
BY: John R. Lhota, Attorney at Law,
Counsel to Plaintiff

DATED: September 26, 2002

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

MICHAEL J. LESKOVANSKY, *
an adult individual, as *
parent, natural guardian *
and trustee ad litem of *
MICHAEL J. LESKOVANSKY, JR., *
a minor child and JOSEPH L. *
LESKOVANSKY, a minor child, * No. 02-
Plaintiff *

vs.

CARRIE HOLLIDAY,
Administratrix of the
Estate of Mary Jean Hazel
a/k/a Mary J. Hazel,
deceased,
Defendant

INSTRUCTIONS TO SHERIFF

TO: CHESTER A. HAWKINS, CLEARFIELD COUNTY SHERIFF

Please deputize the Centre County Sheriff to serve the above captioned Defendant, Carrie Holliday, Administratrix of the Estate of Mary Jean Hazel a/k/a Mary J. Hazel, deceased, within twenty-five (25) days of the date of these instructions with the attached writ of summons at the address provided below:

406 Lochlomond Road, B4
Philipsburg, PA 16866

DATED: September 26, 2002

John R. Lhota, P.C.
BY: John R. Lhota, Attorney at Law,
Counsel to Plaintiff
110 North Second Street
Clearfield, PA 16830
(814-765-9611)
Supreme Court ID# 24292

CLEARFIELD, PENNSYLVANIA 16830
110 NORTH SECOND STREET
ATTORNEY AT LAW
JOHN R. LHOТА, P.C.

— Lap over margin —

FILED

400 accounts
Oct 25 2002
SLP 26 2002

to Atty Lhota

William A. Shaw
Prothonotary

COPY

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

SUMMONS

**Michael J. Leskovansky, an adult
individual, as parent, natural
guardian and trustee ad litem of
Michael J. Leskovansky, Jr., a
minor child and Joseph L. Leskovansky,
a minor child**

Vs.

NO.: 2002-01503-CD

**Carrie Holliday, Administratrix of
the Estate of Mary Jean Hazel a/k/a
Mary J. Hazel, deceased**

TO: DEFENDANT

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: 09/26/2002



William A. Shaw
Prothonotary

Issuing Attorney:

John R. Lhota
110 North Second Street
Clearfield, PA 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13102

LESKOVANSKY, MICHAEL J. AI

02-1503-CD

VS.

HOLLIDAY, CARRIE admx. Of estate of Mary Jean Hazel

SUMMONS

SHERIFF RETURNS

NOW SEPTEMBER 27, 2002, DENNY NAU, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON CARRIE HOLLIDAY, ADMX. OF ESTATE OF MARY JEAN HAZEL A/K/A MARY J. HAZEL, DECEASED, DEFENDANT.

NOW OCTOBER 8, 2002 SERVED THE WITHIN SUMMONS ON CARRIE HOLLIDAY ADMX. OF ESTATE OF MARY JEAN HAZEL A/K/A MARY J. HAZEL, DECEASED, DEFENDANT BY DEPUTIZING THE SHERIFF OF CENTRE COUNTY. THE RETURN OF SHERIFF NAU IS HERETO ATTACHED AND MADE A PART OF THIS RETURN.

Return Costs

Cost Description

27.74 SHFF. HAWKINS PAID BY: ATY.
64.00 SHFF. NAU PAID BY: ATTY.
10.00 SURCHARGE PAID BY; ATTY.

10174

FILED

JAN 22 2003

9:00
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

22nd Day Of January 2003

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

So Answers,

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

SHERIFF'S OFFICE

CENTRE COUNTY

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

#1533

1302

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) <u>Michael J. Leskovansky et al</u>	2. Case Number <u>02-1503-CD</u>
3. Defendant(s) <u>Carrie Holiday, Admx. of Estate</u>	4. Type of Writ or Complaint: <u>Summons</u>
<p style="text-align: center;">SERVE → { 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. <u>Carrie Holiday</u></p> <p style="text-align: center;">AT { 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <u>126 N. 8th street, Philipsburg, Pa 16866</u></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>	

Now, 20 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

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
--	--	----------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to Carrie Holiday, on the 8 day of Oct,
20 02, at 4:56 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 _____
- 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>—</u>	<u>2.50</u>	<u>42.00</u>	<u>.50</u>	<u>1.00</u>	<u>64.00</u>	<u>11.00</u>

17. AFFIRMED and subscribed to before me this 17

20. day of Oct 2002

23. Carrie Peters
Notary Public

Notarial Seal

Corinne Peters, Notary Public
My Commission Expires 06/06/2006, Centre County

I ACKNOWLEDGE RECEIPT OF THIS SHERIFF'S RETURN SIGNATURE
OF AUTHORIZED AUTHORITY AND TITLE
Member, Pennsylvania Association of Notaries

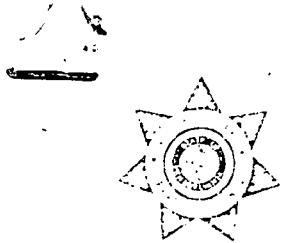
18. Signature of Dep. Sheriff Teddy J. Brown 19. Date 10-9-02

21. Signature of Sheriff Teddy J. Brown 22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. _____ Page _____

25. Date Received



Sheriff's Office Clearfield County

#1533
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

Robert Snyder
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

Cynthia Aughenbaugh
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MICHAEL J. LESKOVANSKY a1

TERM & NO. 02-1503-CD

VS

DOCUMENT TO BE SERVED:

SUMMONS

CARRIE HOLLIDAY, Admx. of Estate

SERVE BY: 10/26/02

MAKE REFUND PAYABLE TO: JOHN R. LHOTA, Attorney

SERVE: CARRIE HOLLIDAY, Admx. of Estate of Mary Jean Hazel a/k/a Mary J. Hazel, dec.

ADDRESS: 406 Lochlomond Road, B4, Philipsburg, Pa.

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 27th Day of September 2002.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

09/21/02
PQ. 7-1-0

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

SUMMONS

**Michael J. Leskovansky, an adult
individual, as parent, natural
guardian and trustee ad litem of
Michael J. Leskovansky, Jr., a
minor child and Joseph L. Leskovansky,
a minor child**

Vs.

NO.: 2002-01503-CD

**Carrie Holliday, Administratrix of
the Estate of Mary Jean Hazel a/k/a
Mary J. Hazel, deceased**

TO: DEFENDANT

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: 09/26/2002



William A. Shaw
Prothonotary

Issuing Attorney:

John R. Lhota
110 North Second Street
Clearfield, PA 16830

S-17

CERTIFIED TRUE AND CORRECT COPY

JOHN R. LHOTA
ATTORNEY AT LAW
110 NORTH SECOND STREET
CLEARFIELD, PENNSYLVANIA 16830

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

MICHAEL J. LESKOVANSKY,
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
a minor child and JOSEPH L.
LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY,
Administratrix of the
Estate of Mary Jean Hazel
a/k/a Mary J. Hazel,
deceased,

Defendant

No. 02- 1503 -CD

TYPE OF CASE:

Wrongful Death Action -
Civil

TYPE OF PLEADING:
Praecipe for Issuance of
a Writ of Summons

FILED ON BEHALF OF:
Michael J. Leskovansky, as
parent, natural guardian
and trustee ad litem of
Michael J. Leskovansky, Jr., a
minor child and Joseph L.
Leskovansky, a minor child,
Plaintiff

Counsel of Record for this
party:

John R. Lhota, Attorney at Law
John R. Lhota, P.C.
110 North Second Street
Clearfield, PA 16830
(814) 765-9611

Supreme Court ID# 24292

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

SEP 26 2002

Attest.

William J. Ober
Prothonotary/
Clerk of Courts

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

MICHAEL J. LESKOVANSKY, *
an adult individual, as *
parent, natural guardian *
and trustee ad litem of *
MICHAEL J. LESKOVANSKY, JR., *
a minor child and JOSEPH L. *
LESKOVANSKY, a minor child, * No. 02-
Plaintiff *

No. 02 - -CD

vs.

CARRIE HOLLIDAY,
Administratrix of the
Estate of Mary Jean Hazel
a/k/a Mary J. Hazel,
deceased,

PRAECEIPE FOR ISSUANCE OF A WRIT OF SUMMONS

Please issue a writ of summons in the above captioned matter, for service as per the attached sheriff's instructions.

Respectfully submitted:

BY: J. R. Lhota
John R. Lhota, P.C.
BY: John R. Lhota, Attorney at Law,
Counsel to Plaintiff

DATED: September 26, 2002

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

MICHAEL J. LESKOVANSKY,
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
a minor child and JOSEPH L.
LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY,
Administratrix of the
Estate of Mary Jean Hazel
a/k/a Mary J. Hazel,
deceased,
Defendant

INSTRUCTIONS TO SHERIFF

TO: CHESTER A. HAWKINS, CLEARFIELD COUNTY SHERIFF

Please deputize the Centre County Sheriff to serve the above captioned Defendant, Carrie Holliday, Administratrix of the Estate of Mary Jean Hazel a/k/a Mary J. Hazel, deceased, within twenty-five (25) days of the date of these instructions with the attached writ of summons at the address provided below:

406 Lochlomond Road, B4
Philipsburg, PA 16866

DATED: September 26, 2002

John R. Lhota, P.C.
BY: John R. Lhota, Attorney at Law,
Counsel to Plaintiff
110 North Second Street
Clearfield, PA 16830
(814-765-9611)
Supreme Court ID# 24292

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ORPHAN'S COURT DIVISION

MICHAEL J. LESKOVANSKY,
an adult individual, as parent, natural
guardian and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
a minor child and JOSEPH L.
LESKOVANSKY, a minor child,
Plaintiff,

vs.

CARRIE HOLLIDAY, Administratrix
of the Estate of Mary Jean Hazel a/k/a
Mary J. Hazel, deceased,
Defendant

No. 02-1503-CD

FILED

MAR 04 2003

**William A. Shaw
Prothonotary**

IN RE ESTATE OF CHERYL L. HAZEL, 'LATE':
OF HAWK RUN, CLEARFIELD COUNTY, :
PENNSYLVANIA, DECEASED :
ESTATE NO. 150 OF 2002

PETITION FOR SETTLEMENT OF SURVIVAL AND
WRONGFUL DEATH ACTIONS PURSUANT TO
20 Pa. C.S.A. SECTION 3323(b) and Pa.R.C.P. 2039

AND NOW, come Petitioners, Carrie Holliday, as Administratrix of the Estate of Cheryl L. Hazel, and Michael J. Leskovansky, Sr., individually and as parent and natural guardian and trustee ad litem of minor claimants Michael J. Leskovansky, Jr. and Joseph L. Leskovansky, and respectfully request that this Honorable Court approve the proposed compromise, settlement, apportionment and distribution of the claims of the Estate of Cheryl L. Hazel and the wrongful death beneficiaries as described below, and in support thereof aver as follows:

1. Petitioner Carrie Holliday is the Administratrix of the Estate of Cheryl Hazel. Petitioner Holliday was duly granted Letters of Administration by the Registrar of Wills of Clearfield County, Pennsylvania. A copy of the Short Certificate is attached hereto as Exhibit "A."

2. Cheryl Hazel (hereinafter referred to as "Decedent") of Morris Township, Clearfield County, Pennsylvania, died intestate at the age of 42 on March 25, 2002.

3. Decedent's death resulted from fatal injuries she sustained in a motor vehicle accident that occurred on March 25, 2002 on SR 2036 in Morris Township, Clearfield County, Pennsylvania. At the time of her death, Decedent was a passenger in an automobile driven by her mother, Mary Hazel.

4. Mary Hazel also died in the automobile accident of March 25, 2002, and Carrie Holliday, Petitioner herein and daughter of Mary Hazel, was appointed as the Administratrix of the Estate of Mary Hazel pursuant to letters testamentary granted on March 27, 2002. A copy of the Short Certificate is attached hereto as Exhibit "B."

5. At the time of her death, Decedent was unmarried and had two minor children, Michael J. Leskovansky, Jr. (born January 29, 1987), and Joseph L. Leskovansky (born December 21, 1987).

6. Petitioner Michael J. Leskovansky, Sr. is the father and natural guardian of Decedent's two minor children.

7. Petitioner Carrie Holliday, as Administratrix of the Estate of Cheryl L. Hazel, has a cause of action to recover damages on behalf of the Estate pursuant to 42 Pa. C.S.A. § 8302.

8. Pursuant to 20 Pa. C.S.A. § 201, et seq., Decedent's minor children, Michael J. Leskovansky, Jr. and Joseph L. Leskovansky are the sole heirs entitled to share in Decedent's Estate.

9. Additionally, Decedent's minor children, Michael J. Leskovansky, Jr. and Joseph L. Leskovansky, are the only potential wrongful death beneficiaries pursuant to 42 Pa. C.S.A. § 8301.

10. On or about September 26, 2002, Petitioner Michael J. Leskovansky Sr., as parent, natural guardian, and trustee ad litem of Decedent's aforementioned minor children, initiated a wrongful death action against Carrie Holliday, in her capacity as personal representative of the Estate of Mary Hazel, in the Clearfield County Court of Common Pleas via

Writ of Summons at docket number 02-1503-CD. A copy of the Writ is attached hereto as Exhibit "C."

11. At the time of the accident, Mary Hazel, the driver of the vehicle involved in the accident, was insured by State Farm Automobile Insurance Company under a policy of insurance with a liability limit of \$100,000.00/300,000.00 A certificate of coverage is attached hereto as Exhibit "D."

12. Before the aforementioned Writ of Summons was filed, a claim had already been submitted to State Farm, as the liability insurer of the late Mary Hazel, by Carrie Holliday, as Administratrix of the Estate of Cheryl L. Hazel, for survival and wrongful death damages.

13. State Farm has agreed to pay, and Petitioners have agreed to accept the sum of \$100,000.00 (hereinafter the "Settlement Funds") in full and complete settlement of all liability claims, including, but not limited to, claims for wrongful death pursuant to 42 Pa. C.S.A. § 8301 and survival pursuant to 42 Pa. C.S.A. § 8302, arising from the death of Cheryl Hazel, subject to this Honorable Court's approval of the proposed settlement pursuant to 20 Pa. C.S.A. § 3323(b) and Pa.R.C.P. 2039. True and correct copies of the proposed Release of Petitioners' liability claims and Praeclipe to Discontinue are attached hereto as Exhibit "E."

14. A Petition for Approval of Compromise Settlement Pursuant to 20 Pa.C.S. § 3323 (the "First Petition") was submitted to this Court on or about January 30, 2003, and an Order approving the same was entered by The Honorable John K. Reilly, Jr. on that same date. (See Exhibit "F"). The instant Petition for Settlement of Survival and Wrongful Death Actions is submitted for the purpose of clarifying the First Petition and ensuring that Court approval of all claims arising from the March 25, 2002 automobile accident is properly obtained.

15. All medical bills and funeral expenses of Decedent have been paid in full.

16. Decedent was unemployed at the time of her death, and had not been employed in the recent past. Decedent was a recipient of assistance through the Clearfield County Assistance Office.

17. Decedent died fairly immediately after the vehicle accident, and there is no evidence of conscious pain and suffering.

18. In light of the above, Petitioners propose that the settlement proceeds of the survival and wrongful death claims be apportioned \$95,000.00 to the wrongful death claim and \$5,000.00 to the survival claim, to be further distributed in accordance with paragraphs 19 and 20 of this Petition.

19. Petitioners also request approval of payment of counsel fees in an amount equal to thirty-three and one-third (33 1/3%) per cent of the recovery, amounting to \$33,238.47, and costs in this matter, to be paid from the Settlement Funds as follows:

(i)	David C. Mason, Esquire	\$16,666.67
(ii)	John R. Lhota, Esquire	8,333.33
(iii)	Robert P. Petyak, Esquire	8,333.32
(iv)	The sum to be paid to John R. Lhota, Esquire, as reimbursement for investigative costs and costs of litigation <u>\$189.74.</u>	

20. In accordance with the above, Petitioners propose that after payment of attorney fees and costs identified in paragraph 19, the remaining Settlement Funds shall be placed in equal shares (in the amount of \$33,238.47 each) into two interest-bearing accounts, one for each of the aforementioned minor children, Michael J. Leskovansky, Jr. and Joseph L. Leskovansky, not to be withdrawn without further Order of Court. Any sums remaining in the said accounts, plus any interest accumulating thereon, shall become the sole property, respectively, of each of the hereinbefore named minor children upon his attaining the age of majority.

21. Petitioners believe this settlement and proposed distribution of the liability claims involved in this matter is fair and reasonable, and is in the best interests of the Estate, Petitioners herein, and the minor beneficiaries.

WHEREFORE, Petitioners request that an Order be entered approving the proposed settlement and release of all claims arising from the death of Cheryl L. Hazel and authorizing Petitioners to execute all necessary releases and other documents necessary to carry out the intent of this Petition, and to make appropriate distribution as set forth within this Petition.

Respectfully submitted,

2/12/03

(Date)

2/19/03

(Date)

3/03/03

(Date)

2/12/03

(Date)

2/13/03

(Date)

David C. Mason, Esquire

John R. Lhota, Esquire

Robert P. Petyak, Esquire

Carrie L. Holliday
Petitioner, Carrie Holliday, as
Administratrix of The Estate of
Cheryl L. Hazel

Michael J. Leskovansky, Jr.

individually and as parent and natural
guardian and trustee ad litem of
Michael J. Leskovansky, Jr. and
Joseph L. Leskovansky

Exhibit A

SHORT CERTIFICATE

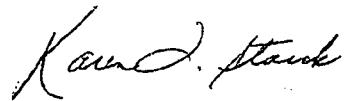
Certificate of Appointment of Administratrix

**Commonwealth of Pennsylvania
County of Clearfield** **SS:**

**The undersigned, Register for the Probate of Wills and granting Letters of Administration
in and for the County of Clearfield, in the Commonwealth of Pennsylvania;**

DO HEREBY CERTIFY and made known, that on the **27th** day of **March**, in the year of our Lord, **Two Thousand Two**, Letters of Administration on the Estate of **Cheryl L. Hazel**, deceased, were granted unto **Carrie L. Holliday**, she, having first given security well and truly to administer the same. I further certify that said letters are in full force and effect at the present time, and entitled to full faith and credit.

GIVEN under my hand and seal of office this **27th** day of **March** in the year of our Lord, **Two Thousand Two**.



Register of Wills

**My Commission Expires
First Monday in January, 2004**



SHORT CERTIFICATE

Certificate of Appointment of Administratrix

**Commonwealth of Pennsylvania
County of Clearfield**

The undersigned, Register for the Probate of Wills and granting Letters of Administration in and for the County of Clearfield, in the Commonwealth of Pennsylvania;

DO HEREBY CERTIFY and made known, that on the 27th day of March, in the year of our Lord, Two Thousand Two, Letters of Administration on the Estate of **Mary J. Hazel a/k/a Mary Jean Hazel**, deceased, were granted unto **Carrie L. Holliday**, she, having first given security well and truly to administer the same. I further certify that said letters are in full force and effect at the present time, and entitled to full faith and credit.

GIVEN under my hand and seal of office this 27th day of March in the year of our Lord, Two Thousand Two.

Karen D. Stark

Register of Wills

**My Commission Expires
First Monday in January, 2004**

Exhibit C

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

SUMMONS

Michael J. Leskovansky, an adult
individual, as parent, natural
guardian and trustee ad litem of
Michael J. Leskovansky, Jr., a
minor child and Joseph L. Leskovansky,
a minor child

Vs.

NO.: 2002-01503-CD

Carrie Holliday, Administratrix of
the Estate of Mary Jean Hazel a/k/a
Mary J. Hazel, deceased

TO: DEFENDANT

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: 09/26/2002



William A. Shaw
Prothonotary

Issuing Attorney:

John R. Lhota
110 North Second Street
Clearfield, PA 16830



CERTIFICATE OF COVERAGE

The undersigned is a Claim Team Manager for:

Barcode Only

State Farm Mutual Automobile Insurance Company
 State Farm County Mutual Insurance Company of Texas
 State Farm Fire and Casualty Company
 State Farm Lloyds, Inc.
 State Farm Indemnity Company
 State Farm Florida Insurance Company

(Write in the name of the appropriate State Farm affiliate)

This certifies that policy number 7333-193-38D 001, covering a
1994 Ford Escort 2dr, was issued to Mary Jean Hazel

and was in effect on the accident date of March 25, 2002. The coverages and limits of liability for this policy on that date were Bodily Injury (100,000/300,000); Property Damage (100,000); Medical Payments (10,000); Comprehensive (no deductible); Collision (250 deductible); Emergency Road Service: Uninsured Bodily Injury (15,000/30,000); Funeral (2,500); Accidental Death (25,000); Underinsured Bodily Injury with stacking (15,000/30,000). This policy provides limited tort option.

State of Pennsylvania)

Mary Jean Hazel
 Claim Team Manager

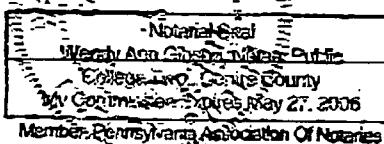
) ss.

County of Centre)

Subscribed and sworn to before me this 18th day of February, (Year) 2003

Wendy Lynn Mabson
 Notary Public

My Commission Expires:





RELEASE

For the sole consideration of **One Hundred Thousand and 00/100 (\$100,000.00) Dollars** the receipt and sufficiency whereof is hereby acknowledged, the undersigned hereby release and forever discharge State Farm Mutual Insurance Companies, Carrie L. Holliday, as Administratrix of the Estate of Mary J. Hazel, their heirs, executors, administrators, agents and assigns, and all other persons, firms or corporations liable or, who might be claimed to be liable, none of whom admit any liability to the undersigned but all expressly deny any liability, from any and all claims, demands, damages, actions, causes of action or suits of any kind or nature whatsoever, and particularly on account of all injuries, known and unknown, both to person and property, which have resulted or may in the future develop from an accident which occurred on or about the 25th day of March 2002 (year) at or near **Route 2036 in Clearfield County, Pennsylvania.**

This release expressly reserves all rights of the parties released to pursue their legal remedies, if any, against the undersigned, their heirs, executors, agents and assigns.

Undersigned hereby declare that the terms of this settlement have been completely read and are fully understood and voluntarily accepted for the purpose of making a full and final compromise adjustment and settlement of any and all claims, disputed or otherwise, on account of the injuries and damages above mentioned, and for the express purpose of precluding forever any further or additional claims arising out of the aforesaid accident.

Undersigned hereby accept draft or drafts as final payment of the consideration set forth above.

Any person who knowingly and with intent to injure or defraud any insurance company or other person files an application or a statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

IN WITNESS WHEREOF, _____ have hereunto set _____ hand(s) and seal(s) this _____ day of _____, 2003.

In presence of:

Witness

Signed:

**Carrie L. Holliday, Administratrix of
the Estate of Cheryl L. Hazel**

Witness

Signed:

**Michael J. Leskovansky, Sr., individually
and as parent and natural guardian and
guardian *ad litem* of Michael J. Leskovansky,
Jr. and Joseph L. Leskovansky**



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

ORPHANS' COURT DIVISION

IN RE: ESTATE OF CHERYL L. HAZEL, *
LATE OF HAWK RUN, CLEARFIELD *ESTATE No. 150 of 2002
COUNTY, PENNSYLVANIA, DECEASED. *

ORDER OF COURT

AND NOW, this 30th day of January, 2003,
in consideration of the within Petition of Carrie Holliday,
the Administratrix of the Estate of Cheryl L. Hazel, it is
hereby ORDERED and DECREED that the settlement in the above
described manner set forth in the Petition in the total amount
of One Hundred Thousand (\$100,000.00) Dollars is hereby
approved. The bodily injury insurance check issued by State
Farm Insurance shall be made payable in the amount of One
Hundred Thousand (\$100,000.00) Dollars to "Carrie Holliday,
Administratrix of the Estate of Cheryl L. Hazel and David C.
Mason, Esquire, John R. Lhota, Esquire and Robert P. Petyak,
Esquire, her attorneys."

It is further Ordered that the apportionment of said
settlement should be as follows: One Hundred Thousand
(\$100,000.00) Dollars to Carrie Holliday, Administratrix of
the Estate of Cheryl L. Hazel, as Plaintiff and as trustee for

the minor children, Michael J. Leskovansky, Jr., and Joseph L. Leskovansky, as payment for and under the Wrongful Death Action claim.

It is further Ordered that upon receipt of the One Hundred Thousand (\$100,000.00) Dollars proceeds from settlement, Carrie Holliday, Administratrix of the Estate of Cheryl L. Hazel, is authorized and directed to pay forthwith the legal fees and reimbursement of cost of suit advanced by counsel, as is set forth in the Petition as follows:

1. The sum of Thirty-Three Thousand Three Hundred Thirty-Three Dollars and 32/100 (\$33,333.32) to be paid as follows as attorney fees, agreed upon by the Petitioner:

David C. Mason, Esquire \$16,666.67

John R. Lhota, Esquire 8,333.33

Robert P. Petyak, Esquire 8,333.32

2. The sum to be paid to John R. Lhota, Esquire, as reimbursement for investigative costs and costs of litigation \$189.74.

3. The sum to be paid to David C. Mason, Esquire, as reimbursement for investigative costs and costs of litigation \$ None.

The Administratrix of the Estate of Cheryl L. Hazel, after payment of the aforesaid attorneys' fees and costs, is further directed and authorized to split the net proceeds equally and deposit in equal amounts of \$33,238.47 each into two separate interest-bearing accounts, for each of the two hereinabove named minor children, Michael J. Leskovansky, Jr., and Joseph L. Leskovansky, not to be removed from said accounts, without further Order of Court, until each of the said minor children, respectively, shall attain the age of majority, eighteen years of age. Any sums remaining in his said account shall become the sole property, respectively, of each of the aforesaid minor children upon his attaining the age of majority.

BY THE COURT:

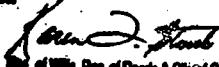
John K. Reilly, Jr.

J.

I hereby certify this to be a true
and attested copy of the original
document filed in this office.

JAN 31 2003

Attest:


John K. Reilly, Jr.
Notary Public, State of Delaware & City of Wilmington, Court

My Commission Expires
First Monday in January, 2004

Inst #2003 01466

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

ORPHANS' COURT DIVISION

IN RE: ESTATE OF CHERYL L. HAZEL,
LATE OF HAWK RUN, CLEARFIELD
COUNTY, PENNSYLVANIA, DECEASED.

*
* ESTATE No. 150 of 2002

*

*

*

* TYPE OF PLEADING:

* Petition for Approval
* of Compromise Settlement
* Pursuant to 20 Pa. C.S.
* §3323

*

* FILED ON BEHALF OF:

* CARRIE HOLLIDAY, Personal
* Representative of the
* Estate of Cheryl L. Hazel

*

*

* COUNSEL OF RECORD FOR THIS
* PARTY:

* David C. Mason, Esquire
* Supreme Court I.D. 39180
* Attorney at Law
* P. O. Box 28
* Philipsburg, PA 16866
* (814) 342-2240

*

* John R. Lhota, Esquire
* Attorney at Law
* 110 N. Second Street
* Clearfield, PA 16830
* (814) 765-9611

RECORDING FEES - \$20.00
ORPHANS COURT/REGISTER OF
WILLS
TOTAL \$20.00
CUSTOMER
MASON, DAVID C.

Robert P. Petyak, Esquire
Attorney at Law
215 PNC Bank Building
Ebensburg, PA 15931
(814) 472-5685

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

ORPHANS' COURT DIVISION

IN RE: ESTATE OF CHERYL L. HAZEL, *
LATE OF HAWK RUN, CLEARFIELD * ESTATE No. 150 of 2002
COUNTY, PENNSYLVANIA, DECEASED. *

PETITION FOR APPROVAL OF
COMPROMISE SETTLEMENT
PURSUANT TO TITLE 20 Pa. C.S. §3323

AND NOW, comes Carrie Holliday, Personal Representative of the Estate of Cheryl L. Hazel, Petitioner, by and through her attorneys, David C. Mason, Esquire, John R. Lhota, Esquire and Robert P. Petyak, Esquire, who represents as follows:

1. On March 25, 2002, the decedent, Cheryl L. Hazel, died as a result of a motor vehicle accident on Pardee Road, Hawk Run, Morris Township, Clearfield County, Pennsylvania.
2. Petitioner instituted a claim against State Farm Insurance Companies for recovery of damages arising from the death of Cheryl L. Hazel.

3. Petitioner has received an offer of settlement, and has been requested to execute a General Release of all claims, in the form attached hereto as Exhibit "A."

4. Petitioner requests your Honorable Court, pursuant to Title 20 Pa. C.S. §3323, to approve the compromise and permit Carrie Holliday, Personal Representative of the Estate of Cheryl L. Hazel to accept the settlement under the Wrongful Death Act.

Further, Petitioner requests the approval of payment of counsel fees in an amount equal to thirty-three and one-third (33 1/3%) percent of the recovery, and costs in this matter.

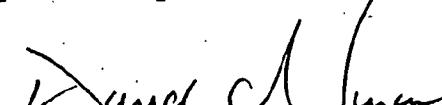
5. At the time of her death, Cheryl L. Hazel was survived by two sons, Michael J. Leskovansky, Jr., (date of birth: 01/29/1987) and Joseph L. Leskovansky (date of birth: 12/21/1987). These two children are minors, survived by their father, Michael J. Leskovansky, Sr., who joins in this Petition.

6. The two minor children identified above are the residuary beneficiaries of the estate of the decedent pursuant to the intestate laws of the Commonwealth of Pennsylvania, Title 20 Pa. C.S. §2101, et seq., as amended.

7. The Petitioner proposes payment of the policy proceeds (\$100,000.00) as payment for Wrongful Death with distribution of the net proceeds, after payment of attorneys' fees and costs, in equal shares into interest-bearing accounts for the said minor children, Michael J. Leskovansky, Jr., and Joseph L. Leskovansky, not to be withdrawn without further Order of Court. Any sums remaining in the said accounts shall become the sole property, respectively, of each of the hereinbefore named minor children upon his attaining the age of majority.

WHEREFORE, Petitioner requests your Honorable Court for the entry of an Order of Court Approving a Compromise Settlement, payment of attorneys' fees and costs, and allocation of the damages to a Wrongful Death Award.

Respectfully submitted,



David C. Mason, Esquire



John R. Lhota, Esquire



Robert P. Petyak, Esquire

WHEREFORE, Petitioner requests your Honorable Court for the entry of an Order of Court Approving a Compromise Settlement, payment of attorney's fees and costs, and allocation of the damages to a Wrongful Death Award.

ESTATE OF CHERYL L. HAZEL

By: Carrie Holliday
Carrie Holliday, Pers. Rep.

Michael J. Leskovansky
Michael J. Leskovansky, Sr.

D:\Office\ACCIDENT\HAZEL\PetitionforCompSett.wpd/blb

GENERAL RELEASE OF ALL CLAIMS

THIS RELEASE executed this _____ day of _____, 2002, by and between **CARRIE HOLLIDAY**, Personal Representative of the Estate of Cheryl L. Hazel, deceased; and **MICHAEL J. LESKOVANSKY, SR.**, individually, in his own right, and as parent and as natural guardian of his two minor sons, the residuary beneficiary of the estate of Cheryl L. Hazel, currently of R. R. #4 Box 318, Philipsburg, Pennsylvania 16866, Party of the First Part, hereinafter collectively referred to as "**RELEASOR**",

A - N - D

THE ESTATE OF MARY JEAN HAZEL and **STATE FARM INSURANCE COMPANIES**, Parties of the Second Part, hereinafter referred to as "**RELEASEEES**".

RECITALS:

RELEASOR has made a claim against **RELEASEEES** relative to a two-vehicle collision which occurred in Hawk Run, Morris Township, Clearfield County, Pennsylvania, on March 25, 2002. This collision resulted in the deaths of the operator of the vehicle, **MARY JEAN HAZEL**, and Plaintiff's decedent **CHERYL L. HAZEL**. **RELEASOR** and **RELEASEEES** have entered into a compromise settlement of **RELEASOR'S** claim for damages. A condition of the aforesaid compromise settlement is the granting of a General Release to the named **RELEASEEES**, as well as all other persons, parties or entities.

NOW, THEREFORE, and in consideration of a sum equal to **ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS**, receipt of which is hereby acknowledged, paid by the **RELEASEEES** to **RELEASOR**, the **RELEASOR** agrees as follows:

1. **RELEASOR**, on behalf of herself, her heirs, successors and assigns, and The

Ex "A"

Estate of Cheryl L. Hazel, together with **MICHAEL J. LESKOVANSKY, JR.**, parent and natural guardian of the two minor sons, individually and on their behalf, does hereby fully release and discharge **THE ESTATE OF MARY JEAN HAZEL** and **STATE FARM INSURANCE COMPANIES**, and any and all other persons, firms, organizations and entities of whatever nature and kind, their successors and assigns, of and from any and all rights, claims and actions which they may have and which their heirs, successors and assigns, now have or may hereafter have against **RELEASEES** or its successors and assigns, arising out of a motor vehicle collision in Hawk Run, Morris Township, Clearfield County, Pennsylvania, on March 25, 2002.

2. This release is intended by the parties to release all claims, whether known, unknown, foreseen, unforeseen, patent or latent which **RELEASOR** now has or may hereafter have against **RELEASEES**, their successors and assigns.

3. This release is freely and voluntarily executed by the **RELEASOR**. The **RELEASOR** in executing the within release does not rely on any inducement, promise or representation made by the **RELEASEES**, their respective agents, servants, employees or counsel, except as expressed herein.

4. **RELEASOR** has read this release and have had the terms used herein and the consequences thereof explained by **David C. Mason**, Esquire, 409 North Front Street, Philipsburg, Pennsylvania, an attorney licensed to practice in the Commonwealth of Pennsylvania.

5. **RELEASOR** and **RELEASEES** acknowledge that the within release is given in settlement of a disputed claim. None of the parties to the within action admit responsibility or acknowledge liability for any of the claims brought against any party to the within claim.

6. It is expressly acknowledged by the **RELEASOR** that the gross settlement

proceeds of **ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS** will be paid forthwith to **RELEASOR**, as Personal Representative of the Estate of Cheryl L. Hazel.

NOW, THEREFORE, the said **RELEASOR** does by these presents remise, quitclaim and forever discharge the said **RELEASEES**, their successors and assigns of and from any and all liability and of and from all actions, suits, payments, accounts, reckonings, claims and demands whatsoever for or by reason thereof, or of any other act, matter, cause or thing whatever, from the beginning of the world to the day of execution of the within release arising as a result of a motor vehicle collision which occurred in Hawk Run, Morris Township, Clearfield County, Pennsylvania, on March 25, 2002.

IN WITNESS WHEREOF, RELEASOR has set their hands and seals the day and
year first written above.

WITNESS:

1. Find C (or to tooth)

ESTATE OF CHERYL L. HAZEL

BY: Carrie Holliday
Carrie Holliday Personal Rep

Michael J. Leskovansky, Sr.

Michael J. Leskovansky
Michael J. Leskovansky, Sr.

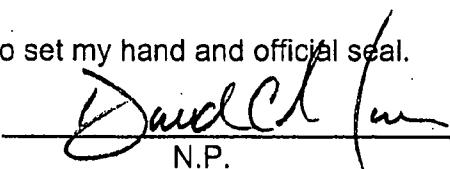
COMMONWEALTH OF PENNSYLVANIA

:ss:

COUNTY OF CENTRE

On the 16th day of September, 2002, before me, a Notary Public, the undersigned officer, personally appeared **CARRIE HOLLIDAY**, individually, and as Personal Representative of the **ESTATE OF CHERYL L. HAZEL**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.


N.P.

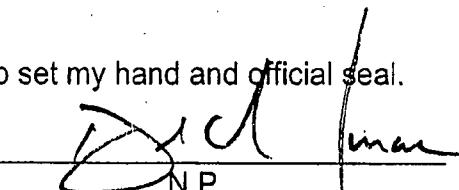
COMMONWEALTH OF PENNSYLVANIA

:ss:

COUNTY OF CENTRE

On the 16th day of September, 2002, before me, a Notary Public, the undersigned officer, personally appeared **MICHAEL J. LESKOVANSKY, SR.**, individually, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.


N.P.

FILED

MAR 04 2003

0/3:20/u
William A. Shaw
PROTHONOTARY
NO CERT COPY

WAD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ORPHAN'S COURT DIVISION

MICHAEL J. LESKOVANSKY, : No. 02-1503-CD

an adult individual, as parent, natural
guardian and trustee ad litem of

MICHAEL J. LESKOVANSKY, JR.,

a minor child and JOSEPH L. LESKOVANSKY,
a minor child,

Plaintiff

vs.

CARRIE HOLLIDAY, Administratrix of the
Estate of Mary Jean Hazel a/k/a Mary J. Hazel
deceased,

Defendant

FILED

MAR 28 2003

William A. Shaw
Prothonotary

IN RE: ESTATE OF CHERYL L. HAZEL,
DECEASED

ESTATE NO. 150 OF 2002

O R D E R

AND NOW, this 28 day of March, 2003, upon consideration of Petitioners'
Petition for Settlement of Survival and Wrongful Death Actions Pursuant to 20 Pa. C.S.A. Section 3323(b)
and Pa. R.C.P. 2039, it is hereby ORDERED as follows:

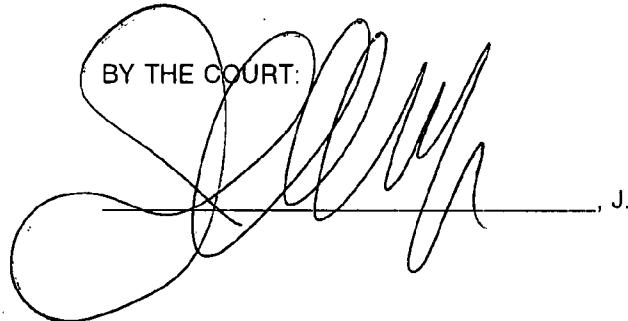
1. The aforementioned Petition is hereby APPROVED. The bodily injury insurance check
issued by State Farm Insurance shall be made payable in the amount of One Hundred Thousand
(\$100,000.00) Dollars to "Carrie Holliday, Administratrix of the Estate of Cheryl L. Hazel and David C.
Mason, Esquire, John R. Lhota, Esquire and Robert P. Petyak, Esquire, her attorneys";

2. In accordance with the aforementioned Petition, the Settlement Funds shall be distributed
to Petitioner, Carrie Holliday, as Administratrix of the Estate of Cheryl Hazel, for further
distribution as follows:

(i)	David C. Mason, Esquire	\$16,666.67;
(ii)	John R. Lhota, Esquire	8,333.33;
(iii)	Robert P. Petyak, Esquire	8,333.32;
(iv)	The sum to be paid to John R. Lhota, Esquire, as reimbursement for investigative costs and costs of litigation \$189.74;	

- (v) \$33,238.47 shall be paid into an interest bearing account for Michael J. Leskovansky, Jr., not to be removed without further Order of Court until Michael J. Leskovansky, Jr. shall attain the age of majority, eighteen years of age. Any sum remaining in the account, including any interest, shall become the sole property of Michael J. Leskovansky, Jr. upon his attaining the age of majority;
- (vi) \$33,238.47 shall be paid into an interest bearing account for Joseph L. Leskovansky, not to be removed without further Order of Court until Joseph L. Leskovansky shall attain the age of majority, eighteen years of age. Any sum remaining in the account, including any interest, shall become the sole property of Joseph L. Leskovansky upon his attaining the age of majority.

BY THE COURT:

A handwritten signature in black ink, appearing to be a stylized 'J' or a similar character, is written over a horizontal line. The text 'BY THE COURT:' is positioned above the signature.

FILED

Q12:59x801
MAR 28 2003

4cc
Atty Chota



William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ORPHAN'S COURT DIVISION

MICHAEL J. LESKOVANSKY, :No. 02-1503-CD
an adult individual, as parent, natural :
guardian and trustee ad litem of :
MICHAEL J. LESKOVANSKY, JR., :
a minor child and JOSEPH L. :
LESKOVANSKY, a minor child, :
Plaintiff, :
vs. :
CARRIE HOLLIDAY, Administratrix :
of the Estate of Mary Jean Hazel a/k/a :
Mary J. Hazel, deceased, :
Defendant :
:

PRAEICE TO DISCONTINUE

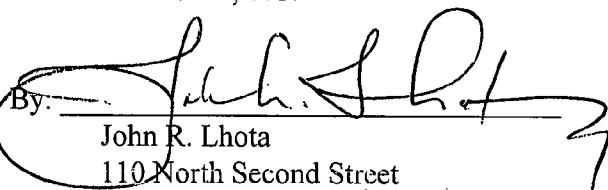
TO: THE PROTHONOTARY

Please mark all claims in the above entitled matter as SETTLED, ENDED, AND
DISCONTINUED, with prejudice.

Respectfully submitted,

JOHN R. LHOTA, P.C.

Dated: 4/9/03

By: 

John R. Lhota
110 North Second Street
Clearfield PA 16830
Attorney for Plaintiff

FILED

APR 14 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ORPHAN'S COURT DIVISION

MICHAEL J. LESKOVANSKY,	:No. 02-1503-CD
an adult individual, as parent, natural	:
guardian and trustee ad litem of	:
MICHAEL J. LESKOVANSKY, JR.,	:
a minor child and JOSEPH L.	:
LESKOVANSKY, a minor child,	:
Plaintiff,	:
vs.	:
CARRIE HOLLIDAY, Administratrix	:
of the Estate of Mary Jean Hazel a/k/a	:
Mary J. Hazel, deceased,	:
Defendant	:

CERTIFICATE OF SERVICE

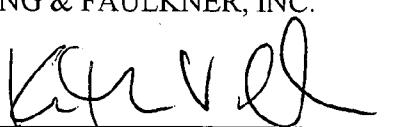
I hereby certify that a true and correct copy of the Praeclipe to Discontinue in the above-captioned matter was served via U.S. 1st Class Mail, postage prepaid, on this 11th day of April, 2003, to the attorneys of record:

John R. Lhota, Esquire
John R. Lhota, P.C.
110 North Second Street
Clearfield PA 16830

Dave Mason, Esquire
409 North Front Street
PO Box 28
Philipsburg PA 16866

Robert P. Petyak, Esquire
215 PNC Bank Building
Ebensburg PA 15931

McQUAIDE, BLASKO, SCHWARTZ,
FLEMING & FAULKNER, INC.

By: 

Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendants

FILED

3 Cert. of Disc.

mt:36061
APR 14 2003

to Amy Katherine Oliver
(Submitted Practice)

Copy of Disc. to C/A

William A. Shaw
Prothonotary

Spec

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ORPHAN'S COURT DIVISION

MICHAEL J. LESKOVANSKY,	:No. 02-1503-CD
an adult individual, as parent, natural	:
guardian and trustee ad litem of	:
MICHAEL J. LESKOVANSKY, JR.,	:
a minor child and JOSEPH L.	:
LESKOVANSKY, a minor child,	:
Plaintiff,	:
vs.	:
CARRIE HOLLIDAY, Administratrix	:
of the Estate of Mary Jean Hazel a/k/a	:
Mary J. Hazel, deceased,	:
Defendant	:

CERTIFICATE OF DISCONTINUANCE

AND NOW, this 14th day of April, 2003, upon Praeclipe of Plaintiff, the above matter is discontinued.

William A. Shaw, Prothonotary
[SEAL]

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

MICHAEL J. LESKOVANSKY, *
an adult individual, as *
parent, natural guardian *
and trustee ad litem of *
MICHAEL J. LESKOVANSKY, JR., *
a minor child and JOSEPH L. *
LESKOVANSKY, a minor child, *
Plaintiff *
* NO. 02-1503-CD
*
* TYPE OF CASE:
*
* Wrongful Death Action -
* Civil
*
* TYPE OF PLEADING:
* Certificate of Compliance
* with Order of Court dated
* March 28, 2003
*
* FILED ON BEHALF OF:
* Michael J. Leskovansky, as
* parent, natural guardian
* and trustee ad litem of
* Michael J. Leskovansky, Jr., a
* minor child and Joseph L.
* Leskovansky, a minor child,
* Plaintiff
*
* Counsel of Record for this
* party:
*
* John R. Lhota, Attorney at Law
* John R. Lhota, P.C.
* 110 North Second Street
* Clearfield, PA 16830
* (814) 765-9611
*
* Supreme Court ID# 24292

FILED

MAY 21 2003

William A. Shaw
Prothonotary

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

**CERTIFICATE OF COMPLIANCE WITH ORDER OF COURT
DATED MARCH 28, 2003**

AND NOW comes John R. Lhota, Attorney at Law, John R. Lhota, P.C., counsel of record to Michael J. Leskovansky a/k/a Michael J. Leskovansky, Sr., an adult individual, parent, natural guardian and trustee ad litem of Michael J. Leskovansky, Jr., a minor child and Joseph L. Leskovansky, a minor child, Plaintiff in the above captioned matter, who files this Certificate of Compliance with Order of Court dated March 28, 2003 in the above captioned matter, a statement of which is as follows:

1. A petition for settlement of survival and wrongful death actions pursuant to 20 Pa.CSA §3323(b) and Pennsylvania Rule of Civil Procedure 2039 was filed of record in the above captioned matter on or about January 30, 2003.

2. The aforesaid petition was approved under an Order of this Court dated March 28, 2003

3. Under the aforesaid Order of this Court dated March 28, 2003 (hereinafter referred to as the "Order") it was ordered that \$33,238.47 was to be paid into an interest bearing account for Michael J. Leskovansky, Jr. and that the same amount was to be paid into an interest bearing account for Joseph L. Leskovansky.

4. The Order further provided that said amounts were not to be removed without further Order of Court until the aforesaid Michael J. Leskovansky, Jr. and Joseph L. Leskovansky had attained the age of majority, eighteen (18) years of age. The Order also provided that any sum remaining in either account, including any interest, shall become the sole property of Michael J. Leskovansky, Jr. and Joseph L. Leskovansky upon his attaining the age of majority.

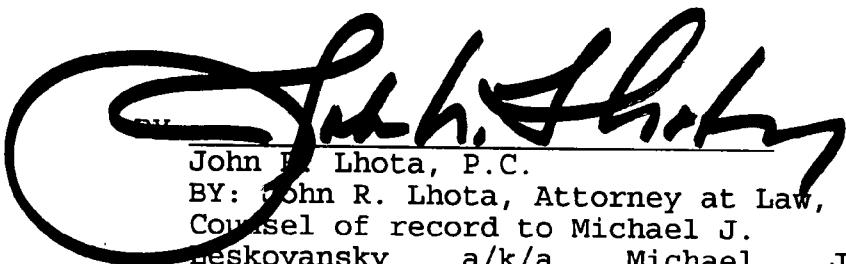
5. In compliance with the Order, the sum of \$33,000.00 was utilized to purchase a certificate of deposit in said amount and the remainder of said funds, \$238.47, was invested in a money market fund for the account of Michael J. Leskovansky, Sr., parent and natural guardian of Joseph L. Leskovansky, a minor child, as evidenced by a Parker-Hunter client statement dated as of April 30, 2003 which is attached hereto and made a part hereof.

6. In compliance with the Order, the sum of \$33,000.00 was utilized to purchase a certificate of deposit in said amount and the remainder of said funds, \$238.47, was invested in a money market fund for the account of Michael J. Leskovansky, Sr., parent and natural guardian of Michael J. Leskovansky, Jr., a minor child,

as evidenced by a Parker-Hunter client statement dated as of April 30, 2003 which is attached hereto and made a part hereof.

7. Said amounts have been invested, as aforesaid, and shall not be removed without further order of this Court until Michael J. Leskovansky, Jr. has attained the age of majority, eighteen (18) years of age, with respect to his account and until Joseph L. Leskovansky shall have attained the age of majority, eighteen (18) years of age, with respect to his account.

Respectfully submitted:



John R. Lhota, P.C.
BY: John R. Lhota, Attorney at Law,
Counsel of record to Michael J.
Leskovansky a/k/a Michael J.
Leskovansky, Sr., parent, natural
guardian and trustee ad litem of
Michael J. Leskovansky, Jr., a minor
child and Joseph L. Leskovansky, a
minor child, Plaintiff

DATED: May 21, 2003

Account Number	Tax ID Number
5171-0827 - DBDF	192-68-2429

Copy 000000-001709
 For the Period Page 1 of 2
 04/01/03 Through 04/30/03

JOHN R LHOTA PC ATTORNEY
 110 NORTH SECOND STREET
 CLEARFIELD PA 16830

855

Your Investment Executive

DANIEL FISHBONE

Office Serving Your Account

(814)371-5062
 484 JEFFERS STREET
 DUBOIS PA 15801

Account Registration

MICHAEL J LESKOVANSKY SR
 PARENT AND NATURAL GUARDIAN OF
 JOSEPH L LESKOVANSKY A MINOR
 CHILD
 RR 1 BOX 318

ACCOUNT VALUE SUMMARY

Description	Amount
CASH BALANCES NONE	
MONEY MARKET FUND BALANCES CASH TR SER PRIME CASH	\$ 238.47
TOTAL CASH & MNY FUND BALANCES	\$ 238.47
SECURITIES NONE	
TOTAL SECURITIES VALUE *	0.00
TOTAL ACCOUNT VALUE AS OF 04/30/03	\$ 238.47

* Does not include unpriced securities

SUMMARY OF INCOME

Description	Statement Period	Year-to-Date
-------------	------------------	--------------

NONE

ARE YOU ON TRACK TO MEET YOUR GOALS? YOU MAY WANT TO TALK TO YOUR INVESTMENT EXECUTIVE ABOUT PREPARING A FINANCIAL PLAN.

ACCOUNT HOLDINGS

QUANTITY	SECURITY DESCRIPTION	SYMBOL OR CUSIP	PRICE ON 04/30/03	APPROXIMATE MARKET VALUE	ACC TYPE
33,000	SECURITY CLASS CNL BANK ORLANDO FLA CTF DEP FDIC INS ACT/365 MONTHLY CPN 1.600% DUE 04/30/04 DTD 04/30/03 FC 05/30/03	12612GAJB		Not priced	01
	TOTAL VALUE OF SECURITY CLASS			0.00	
	TOTAL SECURITIES VALUE Does not include unpriced securities		\$	0.00	

Understanding Your Statement

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Customer free credit balances may be used in Parker/Hunter Incorporated's business subject to the limitations of the Securities Exchange Act of 1934. You have the right to receive from us in the course of normal business operations, upon demand, the delivery of (a) any free balances to which you are entitled; (b) any fully-paid securities to which you are entitled; (c) any securities purchased on margin upon full payment of any indebtedness to us.

Safekeeping Securities

All securities held by Parker/Hunter Incorporated for you, but which are not registered in your name, are commingled with identical securities being held for other clients. In the event any securities so held are "called" by the issuer, we will determine the beneficial ownership thereof by an impartial random selection system as required by New York Stock Exchange rules.

Portfolio Positions Price

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Parker/Hunter Incorporated, 600 Grant Street, Pittsburgh, PA 15219

Member New York Stock Exchange, Inc. and SIPC

Copy

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Account Number

Tax ID Number

For the Period Page 2 of 2

5171-0827 - DBDF

192-68-2429

04/01/03 Through 04/30/03

ACCOUNT ACTIVITY DETAIL: PROCEEDS AND INCOME

DATE	DESCRIPTION	QUANTITY	PRICE	CASH INTO ACCOUNT	ACC TYPE
	OPENING BALANCE		\$0.00		
04/28/03	FUNDS RECEIVED FROM YOU FUNDS RECD			33,238.47	01
04/30/03	MONEY MARKET FUNDS SOLD CASH TR SER PRIME CASH		1.00	33,000.00	01

ACCOUNT ACTIVITY DETAIL: PURCHASES AND CASH PAID OUT

DATE	DESCRIPTION	QUANTITY	PRICE	CASH OUT OF ACCOUNT	ACC TYPE
04/29/03	SECURITIES BOUGHT CNL BANK FOIC INS ACT/365 MONTHLY DTD 04/30/03 FC 05/30/03	33,000	100.00	33,000.00	01
04/29/03	MONEY MARKET FUNDS BOUGHT CASH TR SER PRIME CASH CLOSING BALANCE		1.00	33,238.47	01

MONEY MARKET FUND ACCOUNT ACTIVITY DETAIL

DATE	DESCRIPTION	DEDUCTED	ADDED	BALANCE
04/29/03	CASH TR SER PRIME CASH Net Yield 0.39 %			
04/30/03	Money from Brokerage Account Money to Brokerage Account	33,000.00	33,238.47	33,238.47 238.47

End of Statement

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Parker/Hunter Incorporated, 600 Grant Street, Pittsburgh, PA 15219

Member New York Stock Exchange, Inc. and SIPC

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000000-001711

Account Number

Tax ID Number

5171-1976 - DBDF

192-68-1700

For the Period

Page 1 of 2

04/01/03 Through 04/30/03

JOHN R LHOTA PC ATTORNEY
 110 NORTH SECOND STREET
 CLEARFIELD PA 16830

856

Your Investment Executive

DANIEL FISHBONE

Office Serving Your Account

(814)371-5062
 484 JEFFERS STREET
 DUBOIS PA 15801

Account Registration

MICHAEL J LESKOVANSKY SR
 PARENT-AND NATURAL GUARDIAN OF
 MICHAEL J LESKOVANSKY JR A
 MINOR CHILD
 RR 1 BOX 318

ACCOUNT VALUE SUMMARY

Description	Amount
CASH BALANCES NONE	
MONEY MARKET FUND BALANCES CASH TR SER PRIME CASH	\$ 238.47
TOTAL CASH & MNY FUND BALANCES	\$ 238.47
SECURITIES NONE	
TOTAL SECURITIES VALUE *	0.00
TOTAL ACCOUNT VALUE AS OF 04/30/03	\$ 238.47

SUMMARY OF INCOME

Description	Statement Period	Year-to-Date
NONE		

* Does not include unpriced securities

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ACCOUNT HOLDINGS

QUANTITY	SECURITY DESCRIPTION	SYMBOL OR CUSIP	PRICE ON 04/30/03	APPROXIMATE MARKET VALUE	ACC TYPE
33,000	SECURITY CLASS CNL BANK ORLANDO FLA CTF DEP FDIC INS ACT/365 MONTHLY CPN 1.600% DUE 04/30/04 DTD 04/30/03 FC 05/30/03	12612GAJ8		Not priced	01
	TOTAL VALUE OF SECURITY CLASS			0.00	
	TOTAL SECURITIES VALUE Does not include unpriced securities		\$	0.00	

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Member New York Stock Exchange, Inc. and SIPC

Copy

000000-001712

Account Number

Tax ID Number

For the Period

Page 2 of 2

5171-1976 - DBDF

192-68-1700

04/01/03 Through 04/30/03

ACCOUNT ACTIVITY DETAIL: PROCEEDS AND INCOME

DATE	DESCRIPTION	QUANTITY	PRICE	CASH INTO ACCOUNT	ACC TYPE
	OPENING BALANCE				
04/28/03	FUNDS RECEIVED FROM YOU FUNDS RECD			33,238.47	01
04/30/03	MONEY MARKET FUNDS SOLD CASH TR SER PRIME CASH		1.00	33,000.00	01

ACCOUNT ACTIVITY DETAIL: PURCHASES AND CASH PAID OUT

DATE	DESCRIPTION	QUANTITY	PRICE	CASH OUT OF ACCOUNT	ACC TYPE
04/29/03	SECURITIES BOUGHT CNL BANK FDIC INS ACT/365 MONTHLY DTD 04/30/03 FC 05/30/03	33,000	100.00	33,000.00	01
04/29/03	MONEY MARKET FUNDS BOUGHT CASH TR SER PRIME CASH CLOSING BALANCE		1.00	33,238.47	01

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DATE	DESCRIPTION	DEDUCTED	ADDED	BALANCE
04/29/03	CASH TR SER PRIME CASH Net Yield 0.39 %			
04/30/03	Money from Brokerage Account Money to Brokerage Account	33,000.00	33,238.47	33,238.47 238.47

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CLIFFFIELD, PENNSYLVANIA 16830
110 NORTH SECOND STREET
ATTORNEY AT LAW
JOHN R. LHOYA, P.C.

— Lap over margin —

FILED

4cc
John Lhotka
MAY 21 2003
FEB

William A. Shaw
Prothonotary

OK

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

MICHAEL J. LESKOVANSKY
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

- *
- * No. 02-1503-CD
- *
- *
- *
- *
- * TYPE OF CASE:
 - * Wrongful Death Action
 - *
 - *
- * TYPE OF PLEADING:
 - * Motion Under 46 J.D.R.C.P.
 - * Rule 206(d) Requesting Order of
 - * Court Authorizing Distribution
 - * of Settlement Proceeds to Michael
 - * J. Leskovansky, Jr., an adult
 - * individual
 - *
- * FILED ON BEHALF OF:
 - * Michael J. Leskovansky,
 - * as parent, natural guardian and
 - * trustee ad litem of Michael J.
 - * Leskovansky, Jr., formerly
 - * a minor child, now an adult
 - * individual, and Joseph L.
 - * Leskovansky, a minor child
 - *
- * COUNSEL OF RECORD:
 - * John R. Lhota, Attorney at Law
 - * John R. Lhota, P.C.
 - * 110 North Second Street
 - * Clearfield, PA 16830
 - * 814-765-9611
 - *
- * Supreme Court ID Number 22492

FILED

FEB 23 2005
6/3/05
William A. St. L.
Prothonotary/Clerk of Courts
3 cent to Army

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

MICHAEL J. LESKOVANSKY
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
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Plaintiff

vs.

CARRIE HOLLIDAY
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

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* No. 02-1503-CD
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*

TO: THE HONORABLE JUDGES OF THE ABOVE NAMED COURT

**MOTION UNDER 46 J.D.R.C.P. RULE 206 (d) REQUESTING ORDER OF
COURT AUTHORIZING DISTRIBUTION OF SETTLEMENT
PROCEEDS TO MICHAEL J. LESKOVANSKY, JR., AN ADULT INDIVIDUAL**

TO: THE HONORABLE JUDGES OF THE ABOVE NAMED COURT

AND NOW, comes John R. Lhota, Attorney at Law, John R. Lhota, P.C., counsel
of record to Michael J. Leskovansky, an adult individual as parent and natural guardian
and trustee ad litem of Michael J. Leskovansky, Jr., formerly a minor child, now an adult
individual and Joseph L. Leskovansky, a minor child, who files this motion under 46
J.D.R.C.P. Rule 206(d) requesting an Order of Court authorizing distribution of
settlement proceeds to Michael J. Leskovansky, Jr., an adult individual, a statement of

which is as follows:

1. Under an Order of this Court dated March 28, 2003 (hereinafter referred to as the Order), issued in response to a petition for settlement of survival and wrongful death actions pursuant to 20 Pa.C.S.A. § 3323(b) and Pennsylvania Rules of Civil Procedure Rule 2039 which was filed of record in the above captioned matter, the distribution of a One Hundred Thousand (\$100,000.00) Dollar survival and wrongful death settlement was approved and provided for.

2. The Order provided, among other things, that the sum of Thirty-Three Thousand Two Hundred Thirty-Eight Dollars and Forty-Seven Cents (\$33,238.47) was to be paid into an interest-bearing account for Michael J. Leskovansky, Jr., then a minor child and that said funds were not to be removed without further Order of Court until Michael J. Leskovansky, Jr. "...shall attain the age of majority, eighteen (18) years of age."

3. The Order further provided that any amount remaining in the aforesaid account, including interest thereon, shall become the sole property of Michael J. Leskovansky, Jr. upon his attaining the age of majority.

4. Pursuant to the Order, said funds were invested for the benefit of Michael J. Leskovansky, Jr. and his brother, Joseph L. Leskovansky, as evidenced of record in the above captioned matter, by a certificate of compliance with Order of Court dated March 28, 2003 which was filed of record in the above captioned matter on or about May 21, 2003.

5. The aforesaid funds were invested in certificates of deposit insured by the

Federal Deposit Insurance Corporation as evidenced, of record, by the aforesaid certificate of compliance with Order of Court dated March 28, 2003.

6. Movant engaged the services of Parker/Hunter Incorporated (hereinafter referred to as "Parker/ Hunter") to effect the aforesaid investment and to administer said funds.

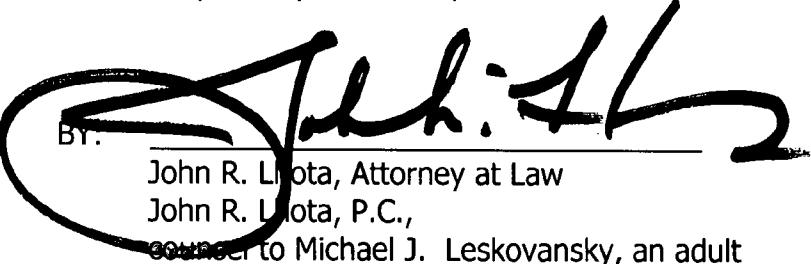
7. The aforesaid Michael J. Leskovansky, Jr., attained his age of majority, eighteen (18) years of age on January 29, 2005.

8. The amount initially invested, Thirty-Three Thousand Two Hundred Thirty-Eight Dollars and Forty-Seven Cents (\$33,238.47) has increased in value and, as of the close of business on February 15, 2005, the value of said funds held by Parker/Hunter for the benefit of Michael J. Leskovansky, Jr. was Thirty-Four Thousand One Hundred Twenty-Four Dollars and Fifty-Two Cents (\$34,124.52).

WHEREFORE, Movant respectfully requests that this Court issue an Order providing that Parker/Hunter is authorized to release said funds, amounting, approximately to Thirty-Four Thousand One Hundred Twenty-Four Dollars and Fifty-Two Cents (\$34,124.52) to the aforesaid Michael J. Leskovansky, Jr., at such times, and in such a manner, as shall be mutually agreed upon by Parker/Hunter and Michael J. Leskovansky, Jr. less the sum of Three Hundred Forty-Two Dollars (\$342.00) which shall be paid to movant's counsel of record in the above captioned matter, John R. Lhota,

Attorney at Law, John R. Lhota, P.C., as counsel fees in connection with the preparation and filing of this motion and the distribution of said funds.

Respectfully submitted,

By: 

John R. Lhota, Attorney at Law
John R. Lhota, P.C.,
counsel to Michael J. Leskovansky, an adult
individual as parent, natural guardian and
trustee ad litem of Michael J. Leskovansky,
Jr., formerly a minor child, now an adult
individual, and Michael J. Leskovansky,
a minor child, Movant

Dated: February 22, 2005

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

MICHAEL J. LESKOVANSKY	*
an adult individual, as	*
parent, natural guardian	*
and trustee ad litem of	*
MICHAEL J. LESKOVANSKY, JR.,	*
formerly a minor child, now	*
an adult individual, and JOSEPH	*
L. LESKOVANSKY, a minor child,	*
Plaintiff	*
vs.	*
CARRIE HOLLIDAY	*
Administratrix of the	*
Estate of Mary Jean Hazel	*
a/k/a Mary J. Hazel, deceased,	*
Defendant	*

**AFFIDAVIT OF MICHAEL J. LESKOVANSKY, AN ADULT
INDIVIDUAL, AS PARENT, NATURAL GUARDIAN AND TRUSTEE
AD LITEM OF MICHAEL J. LESKOVANSKY, JR.,
FORMERLY A MINOR CHILD NOW AN ADULT INDIVIDUAL, and
JOSEPH L. LESKOVANSKY, A MINOR CHILD, PLAINTIFF,
AND MOVANT**

COMMONWEALTH OF PENNSYLVANIA :

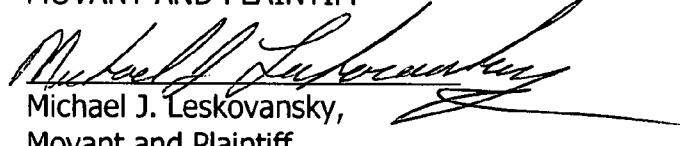
SS:

COUNTY OF CLEARFIELD :

The above named movant and plaintiff swears and affirms that the statements set forth in the attached and/or foregoing motion under 46 J.D.R.C.P. Rule 206(d) Requesting Order of Court Authorizing Distribution of Settlement Proceeds to Michael J.

Leskovansky, Jr., an adult individual, are true and correct to the best of his knowledge, information and belief.

MOVANT AND PLAINTIFF

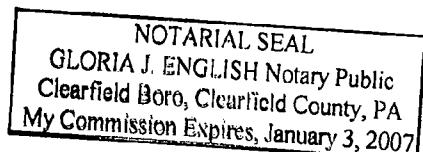


Michael J. Leskovansky,
Movant and Plaintiff

SWORN TO AND AFFIRMED AND
SUBSCRIBED BEFORE ME THIS
22ND DAY OF FEBRUARY, 2005.



Notary Public



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

MICHAEL J. LESKOVANSKY
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

*
* No. 02-1503-CD
*
*
*
* TYPE OF CASE:
* Wrongful Death Action
*
*
* TYPE OF PLEADING:
* Order
*
*
*
*
*
* FILED ON BEHALF OF:
* Michael J. Leskovansky,
* as parent, natural guardian and
* trustee ad litem of Michael J.
* Leskovansky, Jr., formerly
* a minor child, now an adult
* individual, and Joseph L.
* Leskovansky, a minor child
*
* COUNSEL OF RECORD:
* John R. Lhota, Attorney at Law
* John R. Lhota, P.C.
* 110 North Second Street
* Clearfield, PA 16830
* 814-765-9611
*
* Supreme Court ID Number 22492

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

MICHAEL J. LESKOVANSKY,
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY,
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

ORDER

AND NOW, this 1st day of March, 2005, having reviewed and considered the motion under 46 J.D.R.C.P. Rule 206(d) requesting order of court authorizing distribution of settlement proceeds to Michael J. Leskovansky, Jr., an adult individual, which has been filed of record in the above captioned matter, it is hereby ordered that Parker/Hunter Incorporated is hereby authorized to release the sum of Thirty-Four Thousand One Hundred Twenty-Four Dollars and Fifty-Two Cents (\$34,124.52) plus any interest which has accrued since the close of business on Tuesday, February 15, 2005 to the above captioned Michael J. Leskovansky, Jr., in such a manner and at such times as shall be mutually agreed upon between Parker/Hunter Incorporated and the aforesaid Michael J. Leskovansky, Jr. less only the sum of Three Forty-Two dollars (\$342.00) which the aforesaid Parker/Hunter Incorporated is hereby authorized to pay to John R. Lhota, Attorney at Law, John R. Lhota, P.C., counsel of record to Michael J. Leskovansky, an adult, individual, as parent, natural guardian and trustee ad litem of Michael J. Lekovansky, Jr., formerly a minor child, now an adult individual.

BY THE COURT

BY THE COURT

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

MICHAEL J. LESKOVANSKY
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

- *
- * No. 02-1503-CD
- *
- *
- *
- *
- * TYPE OF CASE:
- * Wrongful Death Action
- *
- *
- * TYPE OF PLEADING:
- * Order
- *
- *
- *
- *
- *
- * FILED ON BEHALF OF:
- * Michael J. Leskovansky,
- * as parent, natural guardian and
- * trustee ad litem of Michael J.
- * Leskovansky, Jr., formerly
- * a minor child, now an adult
- * individual, and Joseph L.
- * Leskovansky, a minor child
- *
- * COUNSEL OF RECORD:
- * John R. Lhota, Attorney at Law
- * John R. Lhota, P.C.
- * 110 North Second Street
- * Clearfield, PA 16830
- * 814-765-9611
- *
- * Supreme Court ID Number 22492

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

MICHAEL J. LESKOVANSKY,
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, a minor child,
Plaintiff

vs.

CARRIE HOLLIDAY,
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

*
* No. 02-1503-CD
*
*
*
* TYPE OF CASE:
* Wrongful Death Action
*
*
* TYPE OF PLEADING:
* Order
*
*
*
*

ORDER

AND NOW, this _____ day of February, 2005, having reviewed and considered the motion under 46 J.D.R.C.P. Rule 206(d) requesting order of court authorizing distribution of settlement proceeds to Michael J. Leskovansky, Jr., an adult individual, which has been filed of record in the above captioned matter, it is hereby ordered that Parker/Hunter Incorporated is hereby authorized to release the sum of Thirty-Four Thousand One Hundred Twenty-Four Dollars and Fifty-Two Cents (\$34,124.52) plus any interest which has accrued since the close of business on Tuesday, February 15, 2005 to the above captioned Michael J. Leskovansky, Jr., in such a manner and at such times as shall be mutually agreed upon between Parker/Hunter Incorporated and the aforesaid Michael J. Leskovansky, Jr. less only the sum of Three Forty-Two dollars (\$342.00) which the aforesaid Parker/Hunter Incorporated is hereby authorized to pay to John R. Lhota, Attorney at Law, John R. Lhota, P.C., counsel of record to Michael J. Leskovansky, an adult, individual, as parent, natural guardian and trustee ad litem of Michael J. Leskovansky, Jr., formerly a minor child, now an adult individual.

BY THE COURT

CA

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

MICHAEL J. LESKOVANSKY
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, now a minor child,
an adult individual as of December
21, 2005,

Plaintiff and
Movant

vs.

CARRIE HOLLIDAY,
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,

Defendant

- *
- * No. 02-1503-CD
- *
- *
- *
- *
- * TYPE OF CASE:
 - * Wrongful Death Action
 - *
 - *
 - *
 - *
 - *
- * TYPE OF PLEADING:
 - * Motion Under Local Rule
 - * 208.2(c), 20 Pa.C.S.A. §3323(b)
 - * and Pennsylvania Rules of Civil
 - * Procedure Rule 2039
 - * Requesting Order of Court
 - * Authorizing Distribution of
 - * Settlement Proceeds to Joseph
 - * L. Leskovansky
 - *
- * FILED ON BEHALF OF:
 - * Michael J. Leskovansky,
 - * as parent, natural guardian and
 - * trustee ad litem of Michael J.
 - * Leskovansky, Jr., formerly
 - * a minor child, now an adult
 - * individual, and Joseph L.
 - * Leskovansky, now a minor child,
 - * an adult individual as of
 - * December 21, 2005
 - *
- * COUNSEL OF RECORD:
 - * John R. Lhota, Attorney at Law
 - * John R. Lhota, P.C.
 - * 110 North Second Street
 - * Clearfield, PA 16830
 - * 814-765-9611
 - *
- * Supreme Court ID Number 22492

FILED
03/38 cm 300 AAC
DEC 13 2005 

William A. Shaw
Prothonotary

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

MICHAEL J. LESKOVANSKY	*
an adult individual, as	*
parent, natural guardian	*
and trustee ad litem of	*
MICHAEL J. LESKOVANSKY, JR.,	*
formerly a minor child, now	*
an adult individual and JOSEPH	*
L. LESKOVANSKY, now a minor child,	*
L. LESKOVANSKY, now a minor child,	*
an adult individual as of December	*
21, 2005,	*
Plaintiff and	*
Movant	*
vs.	*
CARRIE HOLLIDAY,	*
administratrix of the	*
estate of Mary Jean Hazel	*
a/k/a Mary J. Hazel, deceased,	*
Defendant	*

TO: THE HONORABLE JUDGES OF THE ABOVE NAMED COURT

**MOTION UNDER LOCAL RULE 208.2(c) 20 Pa.C.S.A. §3323(b)
and PENNSYLVANIA RULES OF CIVIL PROCEDURE RULE 2039
REQUESTING ORDER OF COURT AUTHORIZING DISTRIBUTION
OF SETTLEMENT PROCEEDS TO JOSEPH L. LESKOVANSKY**

TO: THE HONORABLE JUDGES OF THE ABOVE NAMED COURT

AND NOW, comes John R. Lhota, Attorney at Law, John R. Lhota, P.C., counsel of record to Michael J. Leskovansky, an adult individual as parent and natural guardian and trustee ad litem of Michael J. Leskovansky, Jr., formerly a minor child, now an adult individual and Joseph L. Leskovansky, a minor child (hereinafter referred to as

Pennsylvania Rules of Civil Procedure Rule 2039, requesting an Order of Court authorizing distribution of settlement proceeds to Joseph L. Leskovansky, currently a minor child, who shall reach his age of majority on December 21, 2005, a statement of which is as follows:

1. Under an Order of this Court dated March 28, 2003 (hereinafter referred to as the Order), issued in response to a petition for settlement of survival and wrongful death actions pursuant to 20 Pa.C.S.A. § 3323(b) and Pennsylvania Rules of Civil Procedure Rule 2039 which was filed of record in the above captioned matter, the distribution of a One Hundred Thousand (\$100,000.00) Dollar survival and wrongful death settlement was approved and provided for.

2. The Order provided, among other things, that the sum of Thirty-Three Thousand Two Hundred Thirty-Eight Dollars and Forty-Seven Cents (\$33,238.47) was to be paid into an interest-bearing account for Joseph L. Leskovansky., then a minor child and that said funds were not to be removed without further Order of Court until Joseph L. Leskovansky "...shall attain the age of majority, eighteen (18) years of age.".

3. The Order further provided that any amount remaining in the aforesaid account, including interest thereon, shall become the sole property of Joseph L. Leskovansky. upon his attaining the age of majority.

4. Pursuant to the Order, said funds were invested for the benefit of Joseph L. Leskovansky and his brother Michael J. Leskovansky, Jr., as evidenced of record in the above captioned matter by a certificate of compliance with Order of Court dated March 28, 2003 which was filed of record in the above captioned matter on or about May 21,

2003.

5. The aforesaid funds were invested in certificates of deposit insured by the Federal Deposit Insurance Corporation as evidenced, of record, by the aforesaid certificate of compliance with Order of Court dated March 28, 2003.

6. Movant engaged the services of Parker/Hunter Incorporated, now Janney Montgomery Scott, LLC (hereinafter referred to as "Janney Montgomery Scott") to effect the aforesaid investment and to administer said funds.

7. The aforesaid Joseph L. Leskovansky shall reach his age of majority, eighteen (18) years of age on December 21, 2005.

8. The amount initially invested, Thirty-Three Thousand Two Hundred Thirty-Eight Dollars and Forty-Seven Cents (\$33,238.47) has increased in value and, as of the close of business on November 15, 2005, the value of said funds held by Janney Montgomery Scott for the benefit of Joseph L. Leskovansky was Thirty-Four Thousand Six Hundred Fourteen Dollars and Seventy-Two Cents (\$34,614.72).

9. Movant is filing this motion shortly prior to December 21, 2005, so that Janney Montgomery Scott shall be authorized to release said funds, plus accrued interest thereon, to the aforesaid Joseph L. Leskovansky on December 21, 2005.

10. There is no opposing counsel of record in the above captioned matter. Accordingly, the certification required under Local Rule 208.2(d) is not applicable to this motion.

11. There is no opposing counsel of record in the above captioned matter. Accordingly, the certificate of service provided for under Local Rule 208.3(a)1E is not

attached hereto.

12. The undersigned counsel of record for Movant hereby certifies that he has read this motion and that to the best of his knowledge, information and belief, there are good grounds to support such motion and it is not interposed merely for delay.

WHEREFORE, Movant respectfully requests that this Court issue an Order providing that Janney Montgomery Scott is authorized to release said funds, amounting to Thirty-Four Thousand Six Hundred Fourteen Dollars and Seventy-Two Cents (\$34,614.72) plus accrued interest from November 15, 2005 to December 21, 2005, to the aforesaid Joseph L. Leskovansky, on December 21, 2005 in such a manner as shall be mutually agreed upon by Janney Montgomery Scott and the aforesaid Joseph L. Leskovansky less only counsel fees which shall, in no event, exceed Four Hundred (\$400.00) Dollars without further order of this Court, which shall be paid to Movant's counsel of record in the above captioned matter, John R. Lhota, Attorney at Law, John R. Lhota, P.C., as counsel fees in connection with the preparation and filing of this motion and the distribution of said funds.

Respectfully submitted,

BY:

John R. Lhota, Attorney at Law

John R. Lhota, P.C.,

counsel to Michael J. Leskovansky, an adult individual, as parent, natural guardian and trustee ad litem of Michael J. Leskovansky, Jr., formerly a minor child, now an adult individual, and Joseph L. Leskovansky, now a minor child, an adult individual as of December 21, 2005, Movant

Dated: December 13, 2005

FILED

DEC 13 2005

William A. Shaw
Prothonotary

CA

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

MICHAEL J. LESKOVANSKY

an adult individual, as
parent, natural guardian
and trustee ad litem of

MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, now a minor child,
an adult individual as of
December 21, 2005

Plaintiff and Movant

vs.

CARRIE HOLLIDAY,
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

*

* No. 02-1503-CD

*

*

*

* TYPE OF CASE:

* Wrongful Death Action

*

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* TYPE OF PLEADING:

* Order

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*

* FILED ON BEHALF OF:

* Michael J. Leskovansky,
* as parent, natural guardian and
* trustee ad litem of Michael J.
* Leskovansky, Jr., formerly
* a minor child, now an adult
* individual, and Joseph L.
* Leskovansky, now a minor child,
* an adult individual as of
* December 21, 2005

*

* COUNSEL OF RECORD:

* John R. Lhota, Attorney at Law
* John R. Lhota, P.C.
* 110 North Second Street
* Clearfield, PA 16830
* 814-765-9611
*
* Supreme Court ID Number 22492

FILED 300 PM
01/11/2006
Atty Lhota
DEC 15 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

MICHAEL J. LESKOVANSKY
an adult individual, as
parent, natural guardian
and trustee ad litem of
MICHAEL J. LESKOVANSKY, JR.,
formerly a minor child, now
an adult individual and JOSEPH
L. LESKOVANSKY, now a minor child,
an adult individual as of
December 21, 2005

Plaintiff

vs.

CARRIE HOLLIDAY,
administratrix of the
estate of Mary Jean Hazel
a/k/a Mary J. Hazel, deceased,
Defendant

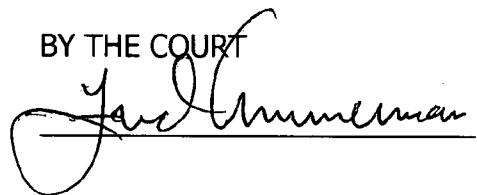
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* No. 02-1503-CD
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* TYPE OF CASE:
* Wrongful Death Action
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* TYPE OF PLEADING:
* Order
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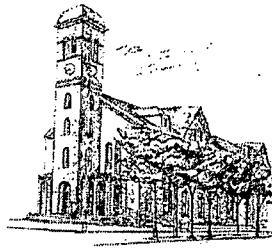
ORDER

AND NOW, this 15th day of December, 2005, having reviewed and considered the motion under Local Rule 208.2(c), 20 Pa. C.S.A. §3323(b) and Pennsylvania Rules of Civil Procedure Rule 2039 requesting an Order of Court authorizing distribution of settlement proceeds to Joseph L. Leskovansky which has been filed of record in the above captioned matter, it is hereby ordered that Janney Montgomery Scott, LLC is hereby authorized to release the sum of Thirty-Four Thousand Six Hundred Fourteen Dollars and Seventy-Two Cents (\$34,614.72) plus any interest which has accrued thereon since the close of business on November 15, 2005 to the above captioned Joseph L. Leskovansky, in such a manner and at such times as shall be mutually agreed upon by Janney Montgomery Scott, LLC and the aforesaid Joseph L. Leskovansky, less counsel fees which shall in no event exceed Four Hundred Dollars, which the aforesaid Janney Montgomery Scott, LLC is hereby authorized to pay to John R. Lhota, Attorney at Law, John R. Lhota, P.C., counsel of record to Michael J. Leskovansky, an adult, individual, as parent, natural guardian and trustee ad litem of Joseph L. Leskovansky, now a minor child, an adult individual as of December 21, 2005.

IT IS THE FURTHER ORDER OF THIS COURT that the aforesaid Janney
Montgomery Scott, LLC is not authorized to release said funds until December 21, 2005.

BY THE COURT

A handwritten signature in black ink, appearing to read "Judge H. John H. Ummerman". The signature is fluid and cursive, with "Judge" and "H. John H." stacked vertically, and "Ummerman" written below.



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

Date: September 19, 2005

Over the past several weeks, it has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

1215105 X You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions: