

02-1545-CD
H. RUTH LOFFREDI vs. ROGER WALTER BELL II

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

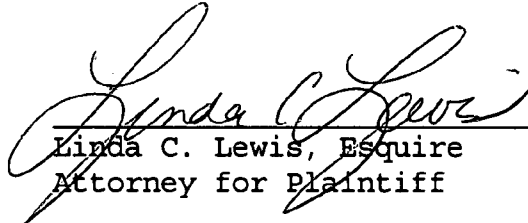
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No. 02 - - CD

PRAECIPE TO ISSUE WRIT OF SUMMONS

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please issue a writ of summons against Roger Walter Bell, II whose address is 237 West Sixth Avenue, Clearfield, Pennsylvania 16830.


Linda C. Lewis, Esquire
Attorney for Plaintiff

Dated: October 3, 2002

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

Lap over margin

FILED
1009 Summers
10/3/31
OCT 03 2002
to Atty
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William A. Shaw
Prothonotary

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

COPY

SUMMONS

H. Ruth Loffredi

Vs.

NO.: 2002-01545-CD

Roger Walter Bell II

TO: ROGER WALTER BELL II

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: 10/03/2002

William A. Shaw
Prothonotary

Issuing Attorney:

Linda C. Lewis
P.O. Box 552
Clearfield, PA 16830

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

No. 02-1545-C.D.

TYPE OF PLEADING:
**PRAECIPE FOR ENTRY
OF APPEARANCE**

TYPE OF CASE: CIVIL
FILED ON BEHALF OF:
DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:
JAMES M. HORNE, ESQ.
I.D. NO. 26908
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO, SCHWARTZ,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926
FAX#(814) 238-9624

FILED

OCT 16 2002

m/ 1:30 (us)
William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Please enter our appearance on behalf of the Defendant, ROGER WALTER BELL, II, in
the above-captioned matter.

We are authorized to accept service on his behalf.

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

Dated: October 14, 2002

By: 

James M. Horne, Esquire

I.D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

H: RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of our Praecipe for Entry of Appearance on behalf the Defendant, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 14th day of October, 2002, to the attorney of record:

Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: _____

James M. Horne, Esquire

I. D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

No. 02-1545-C.D.

TYPE OF PLEADING:
**PRAECIPE FOR RULE TO FILE
COMPLAINT**

TYPE OF CASE: CIVIL
FILED ON BEHALF OF:
DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:
JAMES M. HORNE, ESQ.
I.D. NO. 26908
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO, SCHWARTZ,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926
FAX#(814) 238-9624

FILED

NOV 25 2002

m/3:30pm
William A. Shaw
Prothonotary/Clerk of Courts
No Court
Rule to Att

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please issue a Rule on Plaintiffs to file their Complaint within twenty (20) days from
service thereof or suffer a judgment of non pros against them.

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

Dated: November 22, 2002

By: 

James M. Horne, Esquire

I.D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

Attorneys for Defendant

811 University Drive

State College, PA 16801

(814) 238-4926

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of our Praecipe for Rule to File Complaint on behalf the Defendant, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 22 day of November, 2002, to the attorney of record:

Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: _____

James M. Horne, Esquire

I. D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

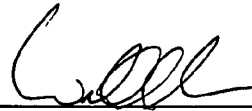
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No. 02-1545-C.D.

RULE

To: H. Ruth Loffredi
% Linda C. Lewis, Esquire

YOU ARE HEREBY RULED to file a Complaint in the above captioned matter within
twenty (20) days from service hereof, or a judgment of non pros may be entered against you.



William Shaw, Prothonotary
[SEAL]

Dated: November 25, 2002

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

: No. 02-1545-C.D.

:
: TYPE OF PLEADING:
: **CERTIFICATE OF SERVICE**

:
: TYPE OF CASE: CIVIL
: FILED ON BEHALF OF:
: **DEFENDANT**

:
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: JAMES M. HORNE, ESQ.
: I.D. NO. 26908
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO, SCHWARTZ,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926
: FAX#(814) 238-9624

FILED

DEC 02 2002

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the issued Rule to File Complaint on behalf the Defendant, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 27th day of November, 2002, to the attorney of record:

Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: _____

James M. Horne, Esquire
I.D. No. 26908

Katherine V. Oliver, Esquire
I.D. No. 77069

811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

FILED
NO
cc
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DEC 02 2002

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

: No. 02-1545-C.D.

: TYPE OF PLEADING:

: **CERTIFICATE OF SERVICE**

: Pertaining to Service of Defendant's
: First Set of Interrogatories Directed to
: Plaintiff

: TYPE OF CASE: CIVIL

: FILED ON BEHALF OF:

: **DEFENDANT**

:
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:

: JAMES M. HORNE, ESQ.

: I.D. NO. 26908

: KATHERINE V. OLIVER, ESQ.

: I.D. NO. 77069

: McQUAIDE, BLASKO, SCHWARTZ,

: FLEMING & FAULKNER, INC.

: 811 University Drive

: State College, PA 16801

: PH# (814) 238-4926

: FAX#(814) 238-9624

FILED

JAN 03 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

No. 02 - 1545 - C.D.

vs.

ROGER WALTER BELL, II,

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Defendant's Interrogatories and Request for Production of Documents Directed to Plaintiff (Set One) in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 2nd day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 238-9624

FILED

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cc

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William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

No. 02-1545-C.D.

TYPE OF PLEADING:

CERTIFICATE OF SERVICE

Pertaining to Service of Defendant's

Second Request for Production of

Documents and Tangible Things

Directed to Plaintiff

TYPE OF CASE: **CIVIL**

FILED ON BEHALF OF:

DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:

JAMES M. HORNE, ESQ.

I.D. NO. 26908

KATHERINE V. OLIVER, ESQ.

I.D. NO. 77069

McQUAIDE, BLASKO, SCHWARTZ,

FLEMING & FAULKNER, INC.

811 University Drive

State College, PA 16801

PH# (814) 238-4926

FAX#(814) 238-9624

FILED

JAN 03 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

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No. 02 - 1545 - C.D.

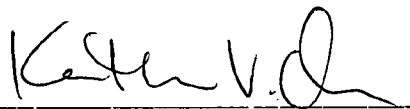
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Defendant's Second Request For Production of Documents and Tangible Things Directed to Plaintiff in the above-referenced matter was mailed by U.S. First Class Mail, postage paid, this 2nd day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: _____



Katherine V. Oliver
I.D. No. 77069
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 238-9624

FILED

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3:46 PM
JAN 03 2003
FBI

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

No. 02-1545-C.D.

TYPE OF PLEADING:

CERTIFICATE OF SERVICE

Pertaining to Service of Notice of
Intent to Serve Subpoenas to Produce
Documents and Things for Discovery
Pursuant to Rule 4009.21

TYPE OF CASE: **CIVIL**

FILED ON BEHALF OF:
DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:

JAMES M. HORNE, ESQ.

I.D. NO. 26908

KATHERINE V. OLIVER, ESQ.

I.D. NO. 77069

McQUAIDE, BLASKO, SCHWARTZ,

FLEMING & FAULKNER, INC.

811 University Drive

State College, PA 16801

PH# (814) 238-4926

FAX#(814) 238-9624

FILED

JAN 13 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

No. 02 - 1545 - C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Intent to Serve Subpoenas to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 10th day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
PO Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 9624

FILED

18:46:51
JAN 13 2003

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13128

LOFFREDI, H. RUTH

02-1545-CD

VS.

BELL, ROGER WALTER II

SUMMONS

SHERIFF RETURNS

NOW OCTOBER 9, 2002 AT 10:15 AM DST SERVED THE WITHIN SUMMONS ON
ROGER WALTER BELL II, DEFENDANT AT SHERIFF'S OFFICE, MARKET STREET,
CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROGER WALTER
BELL II A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE
KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: SNYDER

Return Costs

Cost	Description
7 23.37	SHFF. HAWKINS PD. BY: ATTY.
10.00	SURCHARGE PD. BY: ATTY.

Sworn to Before Me This

17th Day Of January 2003
William A. Shaw

So Answers,

Chester A. Hawkins
Chester A. Hawkins
Chester A. Hawkins
Sheriff

FILED

2:18 PM
JAN 17 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

No. 02-1545-C.D.

TYPE OF PLEADING:

CERTIFICATE OF SERVICE

of Subpoena to Produce Documents
and Things Directed to Dr. Mark Nartatez

TYPE OF CASE: **CIVIL**

FILED ON BEHALF OF:

DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:

JAMES M. HORNE, ESQ.

I.D. NO. 26908

KATHERINE V. OLIVER, ESQ.

I.D. NO. 77069

McQUAIDE, BLASKO, SCHWARTZ,

FLEMING & FAULKNER, INC.

811 University Drive

State College, PA 16801

PH# (814) 238-4926

FAX#(814) 238-9624

FILED

JAN 23 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

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No. 02 - 1545 - C.D.

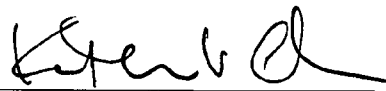
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Subpoena Duces Tecum Directed to Dr. Mark Nartatez in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 21st day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
PO Box 552
Clearfield, PA 16830

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

By: _____



Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 238-9624

FILED
JAN 11 05
JAN 23 2003
NB
CC

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

ROGER WALTER BELL, II,

Defendant.

: No. 02-1545-C.D.

: TYPE OF PLEADING:

: **CERTIFICATE OF SERVICE**

: of Subpoena to Produce

: Documents and Things Directed to

: Clearfield Hospital

: TYPE OF CASE: **CIVIL**

: FILED ON BEHALF OF:

: **DEFENDANT**

: COUNSEL OF RECORD FOR

: FOR THIS PARTY:

: JAMES M. HORNE, ESQ.

: I.D. NO. 26908

: KATHERINE V. OLIVER, ESQ.

: I.D. NO. 77069

: McQUAIDE, BLASKO, SCHWARTZ,

: FLEMING & FAULKNER, INC.

: 811 University Drive

: State College, PA 16801

: PH# (814) 238-4926

: FAX#(814) 238-9624

FILED

JAN 23 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

No. 02 - 1545 - C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Subpoena Duces Tecum Directed to Clearfield Hospital in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 21st day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
PO Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 238-9624

FILED
NO
7/11/05
JAN 23 2003
CC

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

: No. 02-1545-C.D.

:
: TYPE OF PLEADING:

: **CERTIFICATE OF SERVICE**

: of Subpoena to Produce Documents

: and Things Directed to State

: Farm Insurance Company

:
: TYPE OF CASE: **CIVIL**

: FILED ON BEHALF OF:

: **DEFENDANT**

:
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:

: JAMES M. HORNE, ESQ.

: I.D. NO. 26908

: KATHERINE V. OLIVER, ESQ.

: I.D. NO. 77069

: McQUAIDE, BLASKO, SCHWARTZ,

: FLEMING & FAULKNER, INC.

: 811 University Drive

: State College, PA 16801

: PH# (814) 238-4926

: FAX#(814) 238-9624

FILED

JAN 23 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

No. 02 - 1545 - C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Subpoena Duces Tecum Directed to State Farm Insurance Company in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 21st day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
PO Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 238-9624

FILED

NO
JAN 11 05 44
JAN 23 2003

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

No. 02 - 1545 - C.D.

CERTIFICATE PREREQUISITE TO SERVICE
OF SUBPOENAS PURSUANT TO RULE 4009.22

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant certifies that:

- (1) a Notice of Intent to Serve the Subpoenas with copies of the subpoenas attached thereto was mailed or delivered to Plaintiff's attorney;
- (2) a copy of the Notice of Intent, including the proposed subpoenas, is attached to this Certificate;
- (3) Counsel for Plaintiff has waived the 20 day waiting period to object to the subpoenas; and,
- (4) the subpoenas which will be served are identical to the subpoenas which are attached to the Notice of Intent to Serve the Subpoenas.

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 9624

FILED

JAN 23 2003

William A. Shaw
Prothonotary

Dated:

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

H. RUTH LOFFREDI,

Plaintiff,

No. 02 - 1545 - C.D.

vs.

ROGER WALTER BELL, II,

Defendant.

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT
TO RULE 4009.21**

Defendant intends to serve subpoenas identical to the ones that are attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned any objections to the subpoenas. If no objections are made, the subpoenas may be served.

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

By: 

Katherine V. Oliver, Esquire
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 238-9624

Dated: 1-10-03

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

H. Ruth Loffredi
Plaintiff(s)

Vs.

Roger Walter Bell II
Defendant(s)

No. 2002-01545-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO
RULE 4009.22

TO: STATE FARM INSURANCE COMPANY
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to
produce the following documents or things: **SEE ATTACHED.**

~~KATHERINE V. OLIVER, MCQUAIDE BLASKO, 811 UNIVERSITY DRIVE,~~
STATE COLLEGE, PA 16801
(Address)

You may deliver or mail legible copies of the documents or produce things requested by
this subpoena, together with the certificate of compliance, to the party making this request at the
address listed above. You have the right to seek in advance the reasonable cost of preparing the
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty
(20) days after its service, the party serving this subpoena may seek a court order compelling you
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: KATHERINE V. OLIVER, ESQUIRE

ADDRESS: 811 UNIVERSITY DRIVE

STATE COLLEGE PA 16801

TELEPHONE: (814) 238-4926

SUPREME COURT ID # 77069

ATTORNEY FOR: DEFENDANT

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, January 06, 2003
Seal of the Court

State Farm Insurance Company

DOCUMENTS TO BE PRODUCED

Any and all records and documents pertaining to a motor vehicle/pedestrian accident on October 16, 2000 involving H. RUTH LOFFREDI (SS# 166-34-3481; DOB: January 30, 1942), including but not limited to, the first party benefits file pertaining to Policy No. 6905476Foe38E, claim No. 38-J551-963, and any and all correspondence pertaining to H. RUTH LOFFREDI (regardless of source), etc.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

H. Ruth Loffredi
Plaintiff(s)

Vs.

Roger Walter Bell II
Defendant(s)

No. 2002-01545-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO
RULE 4009.22

TO: DR. MARK A. NARTATEZ

(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to
produce the following documents or things: SEE ATTACHED.

KATHERINE V. OLIVER, ESQUIRE, MCQUAIDE BLASKO, 811 UNIVERSITY DRIVE
STATE COLLEGE PA 16801

(Address)

You may deliver or mail legible copies of the documents or produce things requested by
this subpoena, together with the certificate of compliance, to the party making this request at the
address listed above. You have the right to seek in advance the reasonable cost of preparing the
copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty
(20) days after its service, the party serving this subpoena may seek a court order compelling you
to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: KATHERINE V. OLIVER, ESQUIRE

ADDRESS: 811 UNIVERSITY DRIVE
STATE COLLEGE PA 16801

TELEPHONE: (814) 238-4926

SUPREME COURT ID # 77069

ATTORNEY FOR: DEFENDANT

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

DATE: Monday, January 06, 2003

Seal of the Court

Dr. Mark A. Nartatez

DOCUMENTS TO BE PRODUCED

Any and all medical records for as long as you retain same and regardless of treating physician on H. RUTH LOFFREDI, (SS# 166-34-3481; DOB: January 30, 1942), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to H. RUTH LOFFREDI's health status (regardless of source), etc.

Clearfield Hospital

DOCUMENTS TO BE PRODUCED

Any and all medical records for as long as you retain same and regardless of treating physician on H. RUTH LOFFREDI, (SS# 166-34-3481; DOB: January 30, 1942), including but not limited to, treatment invoices and/or payment ledgers, treatment notes, reports, history/physical examination, progress notes, laboratory reports, x-ray/CT scan/MRI reports, consultation reports, physical/occupational/rehabilitation therapy progress notes (inpatient and outpatient), prognosis for future care and treatment, prescription records, any and all correspondence pertaining to H. RUTH LOFFREDI's health status (regardless of source), etc.

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

H. RUTH LOFFREDI,

Plaintiff,

No. 02 - 1545 - C.D.

vs.

ROGER WALTER BELL, II,

Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Intent to Serve Subpoenas to Produce Documents and Things for Discovery Pursuant to Rule 4009.21 in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 10th day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
PO Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 9624

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

No. 02 - 1545 - C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Certificate Prerequisite to Service of Subpoenas Directed to Clearfield Hospital, Mark A. Nartatez, M.D., and State Farm Insurance Company in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 21st day of January, 2003, to the attorney(s) of record:

Linda C. Lewis, Esquire
PO Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 9624

FILED NO cc

11:05 AM
JAN 23 2003

William A. Shaw
Prothonotary

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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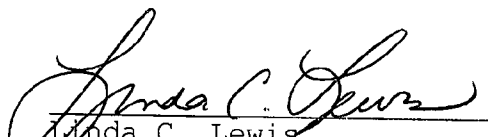
No. 02 - 1545 - CD

CERTIFICATE OF SERVICE

I, Linda C. Lewis, Esquire, do hereby certify that true and correct copies of Plaintiff's Answers to Defendant's Interrogatories and Plaintiff's Answers to Defendant's Second Request for Production of Documents filed in the above-captioned action was served on the following person and in the following manner on the 3rd day of September, 2003:

First-Class Mail, Postage Prepaid

Katherine V. Oliver
McQuaide, Blasko, Schwartz,
Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801


Linda C. Lewis
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
PO. BOX 5522
CLEARFIELD, PENNSYLVANIA 16830

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

: No. 02-1545-C.D.

:
: TYPE OF PLEADING:
: **CERTIFICATE OF SERVICE**
: of Notice of Depositions and
: Request for Production of
: Documents Directed to
: H. Ruth Loffredi

:
: TYPE OF CASE: **CIVIL**

:
: FILED ON BEHALF OF:
: **DEFENDANT**

:
: COUNSEL OF RECORD FOR
: FOR THIS PARTY:
: JAMES M. HORNE, ESQ.
: I.D. NO. 26908
: KATHERINE V. OLIVER, ESQ.
: I.D. NO. 77069
: McQUAIDE, BLASKO, SCHWARTZ,
: FLEMING & FAULKNER, INC.
: 811 University Drive
: State College, PA 16801
: PH# (814) 238-4926
: FAX#(814) 238-9624

FILED

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WAS

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

vs.

ROGER WALTER BELL, II,

Defendant.

No. 02 - 1545 - C.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Depositions of H. Ruth Loffredi, Eric Smith, and Monica Smith and Request for Production of Documents in the above-captioned matter was mailed by regular mail, postage prepaid, at the Post Office, State College, Pennsylvania, on this 3rd day of December, 2003, to the attorney(s) of record:

James A. Naddeo, Esquire
PO Box 552
Clearfield, PA 16830

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

By: 

Katherine V. Oliver
Attorneys for Defendant
ROGER WALTER BELL, II
811 University Drive
State College, PA 16801
(814) 238-4926
Fax: (814) 9624

William A. Shea,
Prothonotary/Clerk of Courts

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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No. 02 - 1545 - CD

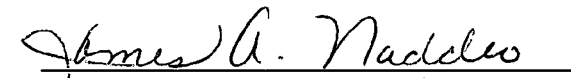
CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, Attorney for Plaintiff, do hereby certify that a true and correct copy of Notice of Deposition of Roger Walter Bell, II, in the above matter was served by first-class mail, postage prepaid, upon the following:

Katherine V. Oliver, Esquire
McQuaide Blasko Law Offices
811 University Drive
State College, PA 16801-6699

Sargent's Court Reporting Service
106 North Second Street
Clearfield, PA 16830

Said Notice of Deposition was mailed this 8th day of January, 2004.


James A. Naddeo, Esquire
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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JAN 08 2004

Atty Naddeo

William A. Straw
Prothonotary/Clerk of Courts

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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No. 02 - 1545 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that true and correct copies of Plaintiff's Interrogatories Directed to Defendant filed in the above-captioned action was served on the following person and in the following manner on the 15th day of January, 2004:

First-Class Mail, Postage Prepaid

Katherine V. Oliver
McQuaide, Blasko, Schwartz,
Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801

James A. Naddeo
Attorney for Plaintiff

JAMES A. NADDEO

ATTORNEY AT LAW

P.O. BOX 552

CLEARFIELD, PENNSYLVANIA 16830

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William A. Shaw
Prothonotary

William A. Shaw
Prothonotary/Clerk of Courts

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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No. 02 - 1545 - CD

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURT HOUSE
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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No. 02 - 1545 - CD

COMPLAINT

NOW COMES the Plaintiff, H. Ruth Loffredi, and by her attorney, James A. Naddeo, Esquire, sets forth the following:

1. That the Plaintiff, H. Ruth Loffredi, is a sui-juris, adult individual who resides at 303 Turnpike Avenue, Clearfield, Pennsylvania 16830.

2. That the Defendant, Roger Walter Bell, II, is a sui-juris, adult individual who resides at 237 West Sixth Avenue, Clearfield, Pennsylvania 16830.

3. That on or about October 16, 2000 at approximately 7:18 p.m., the Plaintiff, H. Ruth Loffredi, was a pedestrian proceeding west along Weaver Street, Clearfield, Clearfield County, Pennsylvania.

4. That on the said date and at or about the said time, the Defendant, Roger Walter Bell, II, was the operator of

a 1981 Datsun 280ZX bearing Pennsylvania Registration No. AWL 0519 which vehicle was owned by the Defendant.

5. That Weaver Street is a two-lane, macadam highway which proceeds in a generally east-west direction through the Borough of Clearfield, Clearfield County, Pennsylvania.

6. That Nichols Street is a two-lane, macadam highway which proceeds in a generally north-south direction through the Borough of Clearfield, Clearfield County, Pennsylvania, which intersects with Weaver Street.

7. That on or about the said day and at or about the said time, it was dusk; there were no adverse weather conditions; and the roadway was dry.

8. That on or about the said date and at or about the said time, the Plaintiff, H. Ruth Loffredi, approached the intersection of Nichols and Weaver Streets where she looked in both directions and observed no vehicles coming from either direction.

9. That the Plaintiff, H. Ruth Loffredi, entered into the unmarked cross walk at the intersection described in Paragraph 6 hereof which is incorporated herein by reference, and had reached the mid-point of Weaver Street.

10. That the Defendant, Roger Walter Bell, II, suddenly and without warning made a left-hand turn from the intersection of Nichols Street where the Defendant struck the

Plaintiff in the middle of Weaver Street with the left front side of the vehicle that he was operating.

11. That as a result of the collision described in Paragraph 10 hereof which is incorporated herein by reference, the Plaintiff was thrown over the hood of the vehicle operated by the Defendant and to the ground causing the injuries hereinafter set forth.

12. That the Defendant, Roger Walter Bell, II, was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries to the Plaintiff, H. Ruth Loffredi, as follows:

A. That the Defendant, Roger Walter Bell, II, failed to have his vehicle under proper control;

B. That the Defendant, Roger Walter Bell, II, failed to maintain a proper lookout;

C. That the Defendant, Roger Walter Bell, II, violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3361, 75 P.S. Section 3361 and supplements thereto, in that he operated his vehicle upon Weaver and Nichols Street at a speed greater than was reasonable and prudent under the conditions then and there existing and without regard to the actual and/or potential hazards then and there existing and at a speed which was greater than would permit him to

bring his vehicle to a stop within the assured clear distance ahead.

D. That the Defendant, Roger Walter Bell, II, violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3542(a), 75 P.S. Section 3542(a) and supplements thereto, in that he failed to yield the right-of-way to the Plaintiff, H. Ruth Loffredi, who was a pedestrian crossing the roadway within an unmarked crosswalk at an intersection.

E. That the Defendant, Roger Walter Bell, Jr., violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3714, 75 P.S. Section 3714 and supplements thereto in that he operated his vehicle upon Weaver Street with careless disregard to the safety of the Plaintiff, H. Ruth Loffredi.

F. That the Defendant, Roger Walter Bell, Jr., violated the Motor Vehicle Code of 1976, June 17, P.O. 162, Section 3334(a), 75 P.S. Section 3334(a) and supplements thereto in that he made a left-hand turn unto Weaver Street without ascertaining that said movement could be made with reasonable safety.

G. That the Defendant, Roger Walter Bell, Jr., was negligent, careless and reckless in that he

failed to use due care under all of the circumstances of this case.

13. That as a result of the collision described in Paragraph 10 hereof which is incorporated herein by reference, the Plaintiff, H. Ruth Loffredi, suffered the following injuries which may and probably will be permanent:

A. Nondisplaced comminuted proximal humerus fracture left shoulder.

B. Periorbital ecchymosis and contusion of left eye.

C. Bruise of calf of right leg.

14. That as a result of the injuries referred to in Paragraph 13 hereof, the Plaintiff, H. Ruth Loffredi, has or will incur medical expenses for the treatment of said injuries in excess of her available first party medical benefits.

15. That the Plaintiff, H. Ruth Loffredi, claims a reasonable amount for the following:

A. Pain and suffering; past, present and future;


B. Privation and inconvenience; past, present and future;

C. Impairment of earning power;

D. Future medical expenses;

E. All other damages allowable by law.

WHEREFORE, the Plaintiff, H. Ruth Loffredi, claims
damage from the Defendant in excess of Twenty-five Thousand
(\$25,000.00) Dollars. Jury Trial Demanded.


James A. Naddeo
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

SS.

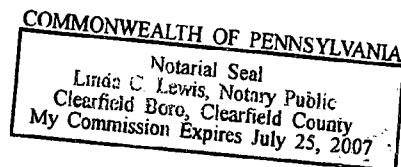
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared H. RUTH LOFFREDI, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

H. Ruth Loffredi
H. Ruth Loffredi

SWORN and SUBSCRIBED before me this 15th day of January, 2004.

James C. Lewis



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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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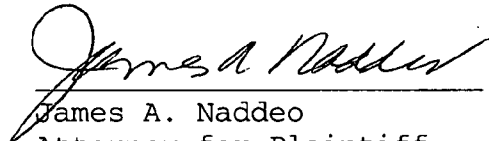
No. 02 - 1545 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that true and correct copies of Plaintiff's Complaint filed in the above-captioned action was served on the following person and in the following manner on the 16th day of January, 2004:

First-Class Mail, Postage Prepaid

Katherine V. Oliver
McQuaide, Blasko, Schwartz,
Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801


James A. Naddeo
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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FILED 1cc
JAN 16 2004
William A. Shaw
Prothonotary/Clerk of Courts
Atty Naddeo

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

No. 02-1545-C.D.

TYPE OF PLEADING:
**ANSWER WITH NEW MATTER
TO PLAINTIFF'S COMPLAINT**

TYPE OF CASE: CIVIL
FILED ON BEHALF OF:
DEFENDANT

COUNSEL OF RECORD FOR
FOR THIS PARTY:
JAMES M. HORNE, ESQ.
I.D. NO. 26908
KATHERINE V. OLIVER, ESQ.
I.D. NO. 77069
McQUAIDE, BLASKO, SCHWARTZ,
FLEMING & FAULKNER, INC.
811 University Drive
State College, PA 16801
PH# (814) 238-4926
FAX#(814) 238-9624

FILED

JAN 30 2004

m/12:30 PM
William A. Shaw

Prothonotary/Clerk of Courts

Wd CPM.

ER

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

NOTICE TO PLEAD

TO: H. Ruth Loffredi
% James A. Naddeo, Esquire

YOU ARE HEREBY notified to file a written response to the enclosed Answer
and New Matter within twenty (20) days from the date of service hereof or a judgment may be
entered against you.

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

Dated: January 29, 2004

By: 

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

H. RUTH LOFFREDI,	:	
	:	No. 02-1545-C.D.
Plaintiff,	:	
	:	
v.	:	
	:	
ROGER WALTER BELL, II,	:	
	:	
Defendant.	:	

DEFENDANT'S ANSWER WITH NEW MATTER
TO PLAINTIFF'S COMPLAINT

AND NOW, comes Defendant, Roger Walter Bell, II, by and through his counsel, McQuaide, Blasko, Schwartz, Fleming & Faulkner, Inc., and files the following response to Plaintiff's Complaint.

1. Denied. After reasonable investigation, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the averments of paragraph 1. The same are therefore denied and strict proof thereof demanded.

2. Admitted.

3. Denied. After reasonable investigation, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the averments regarding Plaintiff's path of travel before the accident. The same are therefore denied and strict proof thereof demanded.

4. Admitted.

5. Admitted in part and denied in part. The averments of this paragraph are admitted with the exception of the direction of travel on Weaver Street. On information and belief,

contrary to Plaintiff's averments, Defendant avers that Weaver Street runs in a generally north-south direction.

6. Admitted in part and denied in part. The averments of this paragraph are admitted with the exception of the direction of travel on Nichols Street. On information and belief, contrary to Plaintiff's averments, Defendant avers that Nichols Street runs in a generally east-west direction.

7. Admitted in part and denied in part. It is admitted that there were no adverse weather conditions and that the roadway was dry. Defendant denies that it was "dusk" at the time of the accident. To the contrary, it was dark at the time of the accident.

8. Denied. After reasonable investigation, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the averments of paragraph 8. The same are therefore denied and strict proof thereof demanded. By way of further response, as Defendant lawfully and carefully approached the intersection, the headlights on his vehicle were on and his left turn signal was fully operational and in use.

9. Admitted in part and denied in part. It is admitted only that Plaintiff at some point entered into the intersection of Nichols and Weaver Streets. After reasonable investigation, Defendant does not know from which direction Plaintiff had been traveling prior to entering the intersection, and, therefore, whether she had reached the "mid-point" of the intersection. All allegations pertaining to these averments are therefore denied and strict proof thereof demanded. Defendant further responds that despite due care, including looking to both curbs before beginning his turn, Defendant did not see Plaintiff in the vicinity of the intersection until immediately before impact when Plaintiff was in his path of travel in the road.

10. Denied, except to the extent that Plaintiff avers that an impact between Defendant's vehicle and Plaintiff occurred. Contrary to Plaintiff's averments, Defendant was making a lawful left hand turn with his left turn signal on, and, despite lawful and due care, was unaware of the presence of Plaintiff within the intersection until immediately before impact.

11. Denied. Defendant denies that the accident occurred as alleged in Plaintiff's Complaint, and incorporates herein his responses to paragraph 1 through 10 above. It is further denied that Plaintiff was thrown over the hood of the vehicle. With respect to Plaintiff's allegations of damage and/or injuries, after reasonable investigation, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the same. The same are therefore denied and strict proof thereof demanded.

12. A. – G. Denied. Defendant denies the allegations of paragraphs 12 A through G pursuant to Pennsylvania Rule of Civil Procedure 1029(e). All allegations of negligence, recklessness, and carelessness are expressly denied.

13. Denied. Defendant denies that the collision occurred in the manner set forth in Plaintiff's Complaint, and incorporates by reference his responses to paragraphs 1 through 12 above. With respect to Plaintiff's allegations of injuries and/or damages, after reasonable investigation, Defendant is without sufficient knowledge or information to form a belief as to the truth of the same. The same are therefore denied and strict proof thereof demanded.

14. Denied. After reasonable investigation, Defendant is without sufficient knowledge or information to form a belief as to the truth of the averments of paragraph 14. The same are therefore denied and strict proof thereof demanded.

15. Denied. Defendant denies that Plaintiff is entitled to the damages claimed.

WHEREFORE, Defendant respectfully requests that Plaintiff's Complaint be dismissed with prejudice and costs of suit.

NEW MATTER

16. Defendant incorporates herein by reference paragraphs 1 through 15 of this Answer with New Matter, inclusive.

17. To the extent Plaintiff selected and/or was insured under a policy of insurance bearing a limited tort option, Plaintiff's claims herein are barred or reduced accordingly.

18. To the extent Plaintiff's medical expenses and/or wage losses were paid or are payable under a policy or policies of insurance, the same may not be pled, proven, or recovered in the instant action.

19. Defendant hereby raises and asserts all those defenses and/or limitations of damages available by reason of the terms and provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended.

20. Plaintiff's claims should be barred or reduced to the extent Plaintiff failed to mitigate any and all claimed losses and damages.

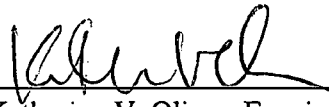
21. Defendant hereby raises the defenses of contributory and/or comparative negligence.

WHEREFORE, Defendant respectfully requests that Plaintiff's Complaint against him
be dismissed, with prejudice.

Respectfully submitted,

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

Dated: 1-29-04

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

Attorneys for Defendant

VERIFICATION

The undersigned verifies that he is authorized to make this Verification on his own behalf and that the statements made in the foregoing Answer with New Matter to Plaintiff's Complaint are true and correct to the best of his knowledge, information and belief. The undersigned understands that false statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, related to unsworn falsification to authority.

Dated: 1/28/, 2004



ROGER WALTER BELL, II

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

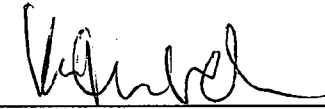
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Answer with New Matter, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 29th day of January, 2004, to the attorney of record:

James A. Naddeo, Esquire
Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: _____



James M. Horne, Esquire

I. D. No. 26908

Katherine V. Oliver, Esquire

I.D. No. 77069

811 University Drive

State College, PA 16801

(814) 238-4926

Attorneys for Defendant

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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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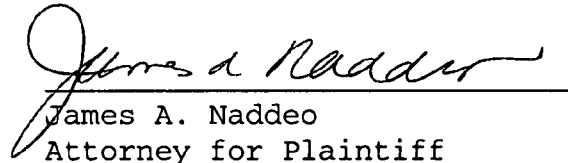
No. 02 - 1545 - CD

ANSWER TO NEW MATTER

NOW COMES the Plaintiff, H. Ruth Loffredi, and by her attorney, James A. Naddeo, Esquire, sets forth the following Answer to New Matter:

16. No answer required.
17. Conclusion of law to which no answer is required.
18. Conclusion of law to which no answer is required.
19. No answer required.
20. Conclusion of law to which no answer is required.
21. To the extent that an answer may be required, it is generally denied that Plaintiff was contributorily and/or comparatively negligent.

WHEREFORE, Plaintiff claims damages as set forth in her Complaint.


James A. Naddeo
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA)

ss.

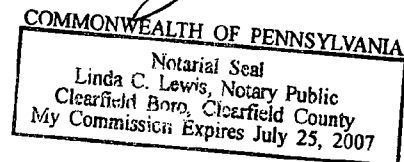
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared
H. RUTH LOFFREDI, who being duly sworn according to law, deposes
and states that the facts set forth in the foregoing Answer to
Matter are true and correct to the best of her knowledge,
information and belief.

H. Ruth Loffredi
H. Ruth Loffredi

SWORN and SUBSCRIBED before me this 16th day of February, 2004.

Linda C. Lewis



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

H. RUTH LOFFREDI,
an individual,
Plaintiff,

v.

ROGER WALTER BELL, II,
an individual,
Defendant.

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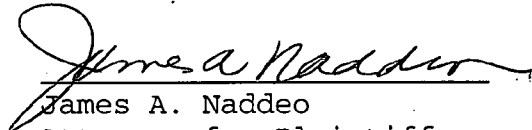
No. 02 - 1545 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that true and correct copies of Plaintiff's Answer to New Matter filed in the above-captioned action was served on the following person and in the following manner on the 17th day of February, 2004:

First-Class Mail, Postage Prepaid

Katherine V. Oliver
McQuaide, Blasko, Schwartz,
Fleming & Faulkner, Inc.
811 University Drive
State College, PA 16801


James A. Naddeo
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
211 1/2 EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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Prothonotary/Clerk of Courts

William A. Shaw

FEB 17 2004

FILED

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W. A. Shaw
J. A. Naddo

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

: No. 02-1545-C.D.

: TYPE OF PLEADING:

: **Plaintiff's Praecipe to Discontinue,**
: **With Prejudice**

: TYPE OF CASE: Civil

: FILED ON BEHALF OF:

: **Defendant**

: COUNSEL OF RECORD FOR
: FOR THIS PARTY:

: JAMES M. HORNE, ESQ.

: I.D. NO. 26908

: KATHERINE V. OLIVER, ESQ.

: I.D. NO. 77069

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

: 811 University Drive

: State College, PA 16801

: PH# (814) 238-4926

: FAX#(814) 238-9624

FILED

FEB 26 2004

William A. Shaw
Prothonotary

REC to ~~ATTN~~ Oliver
Cant to ~~ATTN~~
copy to a

6/27

William A. Shaw
Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

PRAECIPE TO DISCONTINUE, WITH PREJUDICE

TO: THE PROTHONOTARY

Please mark all claims in the above entitled matter as discontinued, with prejudice.

Dated: 2/18/04

By:

James A. Naddeo
James A. Naddeo, Esquire
Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

Attorneys for Plaintiff

CERTIFICATE OF DISCONTINUANCE

AND NOW, this ____ day of _____, 2004, upon Praecipe of

Plaintiff, the above matter is discontinued, with prejudice.

William Shaw, Prothonotary
[SEAL]

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

CIVIL DIVISION

H. Ruth Loffredi

Vs.

No. 2002-01545-CD

Roger Walter Bell II

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on February 26, 2004, marked:

Discontinued, Settled and Ended

Record costs in the sum of \$113.37 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 26th day of February A.D. 2004.

William A. Shaw, Prothonotary

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

H. RUTH LOFFREDI,

Plaintiff,

v.

ROGER WALTER BELL, II,

Defendant.

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No. 02-1545-C.D.

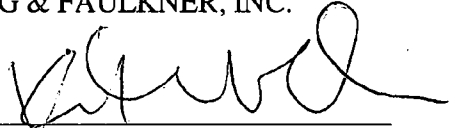
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Praecept to Discontinue, with Prejudice, in the above-captioned matter was mailed by U.S. 1st Class Mail, postage prepaid, on this 25th day of February, 2004, to the attorney of record:

James A. Naddeo, Esquire
Linda C. Lewis, Esquire
P.O. Box 552
Clearfield, PA 16830

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

By: _____


James M. Horne, Esquire
I. D. No. 26908
Katherine V. Oliver, Esquire
I.D. No. 77069
811 University Drive
State College, PA 16801
(814) 238-4926

Attorneys for Defendant

FILED

FEB 26 2004

William A. Shaw
Prothonotary

FILED

M 11:03 *11:03 to 11:04*
[Signature]

FEB 26 2004

William A. Shaw
Prothonotary