

2002-1810-CD
BRIDGET M. DOBROWSKI, ETAL. VS PETER REZK, ETAL.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET M. DOBROWSKI and,)	CIVIL DIVISION
ERIC J. DOBROWSKI,)	
)	
Plaintiffs,)	No. 02-1810-CQ
)	
)	
VS.)	
)	
PETER REZK and DUBOIS MEDICAL)	
SUPPLY COMPANY, INC.,)	
)	
Defendants.)	

PRAECIPE FOR WRIT OF SUMMONS

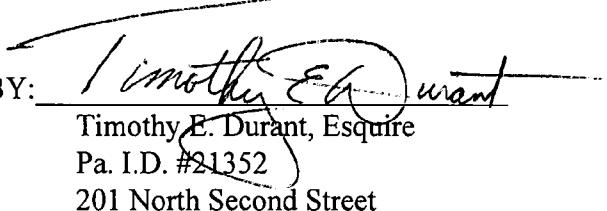
TO: WILLIAM SHAW, CLERK OF COURTS

Please issue a Writ of Summons against the Defendants, Peter Rezk and DuBois Medical Supply Company, Inc. On behalf of the Plaintiffs, Bridget M. Dobrowski and Eric. J. Dobrowski, in the above-captioned action.

Respectfully submitted,

LAW OFFICES OF
TIMOTHY E. DURANT, ESQUIRE

BY:


Timothy E. Durant, Esquire
Pa. I.D. #21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

FILED

NOV 18 2002

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and,)	CIVIL DIVISION
ERIC J. DOBROWSKI,)	
)	
Plaintiffs,)	No.
)	
vs.)	
)	
PETER REZK and DUBOIS MEDICAL)	
SUPPLY COMPANY, INC.,)	
)	
Defendants.)	

PRAECIPE FOR WRIT OF SUMMONS

TO: WILLIAM SHAW, CLERK OF COURTS

Please issue a Writ of Summons against the Defendants, Peter Rezk and DuBois Medical Supply Company, Inc. on behalf of the Plaintiffs, Bridget M. Dobrowski and Eric J. Dobrowski, in the above-captioned action.

Respectfully submitted,

LAW OFFICES OF
TIMOTHY E. DURANT, ESQUIRE

Respectfully submitted,

LEGER & BALL, P.C.

BY:

Timothy E. Durant, Esquire
Pa. I.D. #21352
201 North Second Street
Clearfield, PA 16830
(814) 765-1711

BY:

Andrew J. Leger, Jr., Esquire
Pa. I.D. #43702
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
Counsel for Plaintiffs

COPY

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

SUMMONS

**Bridget M. Dobrowski and
Eric J. Dobrowski**

Vs.

NO.: 2002-01810-CD

**Peter Rezk and
DuBois Medical Supply Company, Inc.**

**TO: PETER REZK
DUBOIS MEDICAL SUPPLY COMPANY, INC.**

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: 11/19/2002

William A. Shaw
Prothonotary

Issuing Attorney:

Timothy E. Durant
201 N. Second Street
Clearfield, PA 16830

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

BRIDGET M. DCBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

PETER REZK and
DUBOIS MEDICAL SUPPLY
COMPANY, INC.,
Defendants

No. 2002-01810-CD

Type of pleading:

**PRAECIPE FOR RULE TO
FILE COMPLAINT**

Filed on Behalf of:

DEFENDANT, DUBOIS
MEDICAL SUPPLY CO., INC.

Counsel of Record for This
Party:

Anthony S. Guido, Esq.
Supreme Court No. 05877
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

814-371-7768

FILED

DEC 09 2002 (Rw)
m / a:501 m
William A. Shaw
Prothonotary
No. 6500 copies
Rule to Atty. *EB*

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

BRIDGET M. DOBROWSKI and :
ERIC J. DOBROWSKI, :
Plaintiffs :
vs.

No. 2002-01810-CD

PETER REZK and :
DUBOIS MEDICAL SUPPLY :
COMPANY, INC., :
Defendants :
vs.

PRAECIPE FOR RULE TO FILE COMPLAINT

TO: WILLIAM SHAW, PROTHONOTARY

Please enter a Rule upon the Plaintiffs to file a Complaint within twenty (20) days of the service thereof, or suffer the entry of a judgment of non pros.



Anthony S. Guido

Attorney for DuBois Medical
Supply Company, Inc.

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

BRIDGET M. DOBROWSKI and :
ERIC J. DOBROWSKI, :
Plaintiffs :
:

vs.

No. 2002-01810-CD

PETER REZK and :
DUBOIS MEDICAL SUPPLY :
COMPANY, INC., :
Defendants :
:

RULE TO FILE COMPLAINT

AND NOW, upon Praecipe of the Defendant, DUBOIS MEDICAL SUPPLY COMPANY, INC., a Rule is hereby entered upon the Plaintiffs, BRIDGET M. DOBROWSKI and ERIC J. DOBROWSKI, to file a Complaint within twenty (20) days after service of this Rule or suffer the entry of a judgment of non pros.

Prothonotary

CERTIFICATE OF SERVICE

I do hereby certify that on the 4th day of December, 2002, I mailed a copy of the within Praecipe for Rule to File Complaint by first class mail, postage prepaid, to:

Timothy E. Durant, Esq.
201 N. Second Street
Clearfield, PA 16830

Anthony S. Guido
Anthony S. Guido
Attorney for DuBois Medical
Supply Company, Inc.

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

Bridget M. Dobrowski
Eric J. Dobrowski

Vs.
Peter Rezk
DuBois Medical Supply Company, Inc.

Case No. #2002-01810-CD

RULE TO FILE COMPLAINT

TO: Bridget M. Dobrowski and Eric J. Bobrowski, Plaintiffs

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

William A. Shaw, Prothonotary

Dated: December 9, 2002

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

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

COMPLAINT IN CIVIL ACTION

Filed on Behalf of Plaintiffs:
Bridget Dobrowski and
Eric Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

DEC 12 2002

**William A. Shaw
Prothonotary**

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs,

No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER
REZK,

Defendants.

COMPLAINT IN CIVIL ACTION

A Jury Trial Demanded

AND NOW, comes the Plaintiffs, Bridget Dobrowski and Eric Dobrowski, by and through their attorneys, Andrew J. Leger, Jr., Esquire, and Leger & Ball, P.C., and file this Complaint in Civil Action, upon a set of particulars of which the following is a statement:

1. Plaintiffs, Bridget Dobrowski and Eric Dobrowski, are husband and wife, and reside at 1476 Treasure Lake, Dubois, Clearfield County, Pennsylvania 15801.
2. Defendant, Paul Rezk, is an adult individual with a mailing address at 405 E. Sheridan Ave., Dubois, Clearfield County, Pennsylvania 15801.
3. Defendant, Dubois Medical Supply Company, Inc., ("DMS"), is a Pennsylvania Corporation with a place of business located at 405 E. Sheridan Ave., Dubois, Clearfield County, Pennsylvania 15801.
4. At all relevant times, Defendant Rezk was owner and manager of DMS, and as such had direct supervision over the Plaintiffs

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

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs,

No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER
REZK,

Defendants.

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and by 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 plaintiffs. 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:

**Keystone Legal Services Office
211 ½ E. Locust St.
Clearfield, PA 16830
1-800-326-9177**

LEGER & BALL, P.C.

Date: _____, 2002

By _____
Andrew J. Leger, Jr.
Attorneys for Plaintiff

5. Plaintiff Bridget Dobrowski began her employment with DMS as a clinical coordinator and/or sales and marketing representative sometime in the month of August, 1997.

6. Plaintiff Eric Dobrowski was also employed by DMS throughout the events detailed in this Complaint.

7. From August of 2000 until her resignation, Bridget Dobrowski was subjected to unwelcome sexual advances, touching, and veiled threats regarding her employment at DMS, all at the hands of Defendant Rezk.

8. In August of 2000, Defendant Rezk, after returning from a vacation, invited Bridget Dobrowski into his office to receive a gift. After presenting Bridget Dobrowski with a pair of earrings, Rezk placed his hands on the Plaintiff's face and proceeded to kiss her on the lips despite her objections, sending the Plaintiff out of his office in an emotionally distressed state.

9. Sometime around the third week of September, 2000, Defendant Rezk began to call Plaintiff Bridget Dobrowski into his office on a regular basis to kiss or attempt to kiss her, against her wishes and in an inappropriate fashion.

10. During October of 2000, Plaintiff Bridget Dobrowski was lured by Defendant Rezk to the Johnsonburg office of DMS.

11. While at this office, Defendant Rezk took Plaintiff Bridget Dobrowski to a back room in the office where he laid her down on the ground, laid on top of her, and continuously rubbed his body against hers until he climaxed.

12. In another incident in the Johnsonburg office, soon after the above-mentioned incident, Defendant Rezk held the Plaintiff against a countertop and again rubbed his body against hers in an inappropriate manner until he climaxed.

13. During both of these incidents at the Johnsonburg office, Plaintiff was confined to a bounded area, specifically the interior of the above described office, with no valid means of escape, due to the amount of control and influence the Defendant Rezk had over her actions as her manager at DMS.

14. Soon after the above-described events in Johnsonburg, Plaintiff Bridget Dobrowski was again in Defendant Rezk's office. At this time, Rezk began to undress Plaintiff Bridget Dobrowski's blouse. Bridget Dobrowski asked him to stop, but he refused, forcing her to continue to allow him to unbutton her shirt. He then began to rub his body against hers and to fondle her until he climaxed.

15. In another incident that took place at the end of October, 2000, Plaintiff Bridget Dobrowski was in the process of showing Defendant Rezk her home when Rezk led her into a spare room. At that time Rezk again laid Plaintiff Bridget Dobrowski on the ground and continuously rubbed his body against hers until he climaxed.

16. Again, the Sunday before Plaintiff Bridget Dobrowski resigned from her position with DMS, she was lured to the office by Defendant Rezk. While Plaintiff Bridget Dobrowski was viewing some information on a computer monitor, the Defendant began to kiss her and fondle her from behind. He then, again, laid Bridget Dobrowski on the ground and began to rub his body against hers. He then had her sit on his lap in his desk chair and continued in the same manner until he climaxed, after which Bridget Dobrowski again voiced her disapproval of his actions.

17. During these above described incidents, Plaintiff was in constant fear of losing her job with DMS, and this fear forced her to continue to allow Defendant Rezk to take advantage of her.

18. The terms of Bridget Dobrowski's successful employment with DMS, as well as those of her husband, Plaintiff Eric Dobrowski, were thereby made contingent upon her submission to Defendant Rezk's sexual advances.

19. Bridget Dobrowski was forced to interact with Defendant Rezk when she was at the DMS offices, and she was emotionally distressed when she was in his presence.

20. Bridget Dobrowski perceived Defendant Rezk's conduct as verbally and physically threatening and humiliating.

21. Bridget Dobrowski perceived Defendant Rezk's conduct as hostile and patently offensive.

22. Defendant Rezk's unwelcome sexual conduct created a hostile, intimidating and offensive work environment in which Bridget Dobrowski was forced to work and which caused her great emotional distress.

23. The sexual harassment to which Bridget Dobrowski was subjected would detrimentally affect a reasonable person of the same sex in the same position.

24. Defendant DMS knew, or should have known, about the alleged harassment and yet failed to take immediate and appropriate corrective action.

25. As a direct result of Defendant Rezk's sexual harassment, and the consequences of her resistance to it, the Plaintiffs became increasingly uncomfortable at work. They were therefore unable to continue their employment with DMS, and terminated their employment with DMS on or about November 20, 2000 due to the intolerable work environment.

26. As a direct and proximate result of the actions directed at Bridget Dobrowski by Defendant Rezk, as an agent, servant, and/or employee of Defendant DMS, Bridget Dobrowski has sustained the following injuries:

- a. loss of income and benefits and earning capacity, past and future;
- b. severe depression;
- c. great mental anguish and emotional strain;
- d. ruined opportunities for career advancement;
- e. deprivation of the ordinary pleasures in life;
- f. severe pain and suffering caused by the almost daily exposure to a hostile work environment; and
- g. severe inconvenience;
- h. other serious and severe injuries.

27. As a direct and proximate result of the actions directed at Bridget Dobrowski by Defendant Rezk, as an agent, servant, and/or employee of Defendant DMS, Eric Dobrowski has sustained the following injuries:

- a. loss of income and benefits;
- b. severe depression;
- c. great mental anguish and emotional strain;
- d. ruined opportunities for career advancement;
- e. deprivation of the ordinary pleasures of life; and
- f. severe inconvenience.

COUNT I

Bridget Dobrowski, Plaintiff v. Dubois Medical Supply Company, Inc., Defendant

SEXUAL HARRASSMENT / SEXUAL DISCRIMINATION

28. Plaintiff incorporates by reference paragraphs 1 through 27 as if fully set forth at length herein.

29. Plaintiff timely filed an administrative charge with the Pennsylvania Human Relations Commission (hereinafter "PHRC") on or about May 11, 2001 alleging that the Defendant, DMS, violated her rights under the Pennsylvania Human Relations Act, 43 P.S. §951 et seq., by subjecting her to the sexual harassment of Defendant Rezk.

30. The PHRC has had over a year now in which to resolve Plaintiff's charge, and has failed to do so.

31. Plaintiff received notification of her right to bring action in court in a letter from the PHRC dated August 1, 2002.

32. Defendant DMS made the acceptance of the sexual advances of Defendant Rezk the quid pro quo to Plaintiffs' ability to continue with their employment with DMS.

33. Defendant Rezk's sexual advances created a hostile environment which the Plaintiffs finally could no longer tolerate.

34. Defendant's conduct, as hereinbefore described, violated the Plaintiff's rights under the Pennsylvania Human Relations Act, 43 P.S. §951 et seq.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages, and that, in addition, she be awarded the costs of this litigation, including an award of attorneys' fees.

COUNT II

Bridget Dobrowski, Plaintiff v. Paul Rezk, Defendant

ASSAULT

35. Plaintiff incorporates by reference paragraphs 1 through 34 as if fully set forth at length herein.

36. At all times, as described above, Defendant intended to cause and did cause Plaintiff to suffer apprehension of an immediate harmful contact.

37. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT III

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

BATTERY

38. Plaintiff incorporates by reference paragraphs 1 through 37 as if fully set forth at length herein.

39. At all times, as described above, Defendant intended to cause and did cause a harmful contact with Plaintiff's person.

40. Plaintiff did not consent to Defendant's acts.

41. Defendant's acts were done knowingly, willfully, and with malicious intent, and as such constitute a battery.

42. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT IV

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

SEXUAL ASSAULT AND BATTERY

43. Plaintiff incorporates by reference paragraphs 1 through 42 as if fully set forth at length herein.

44. At the above described dates, times, and places, while Plaintiff and Defendant were working in their capacity as employees, agents, and/or servants of defendant DMS, Defendant Rezk did touch, grab, grope, fondle, and rub his body against, in a rude, offensive, vulgar, and sexual manner, the Plaintiff's person.

45. These acts were perpetrated by the Defendant at a time when he had undue influence over her due to her status as his employee.

46. Plaintiff did not consent to Defendant's acts.

47. Defendant's acts were done knowingly, willfully, and with malicious intent, and as such constitute a sexual assault and battery.

48. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT IV

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

FALSE IMPRISONMENT

49. Plaintiff incorporates by reference paragraphs 1 through 48 as if fully set forth at length herein.

50. At the above described dates, times, and places, while Plaintiff and Defendant were working in their capacity as employees, agents, and/or servants of defendant DMS, Defendant Rezk lure Plaintiff to DMS's Johnsonburg office in order to confine the Plaintiff within certain boundaries, specifically, the interior of that office.

51. These acts were perpetrated by the Defendant at a time when he had undue influence over her due to her status as his employee, and as such, these above described acts resulted in the Plaintiff feeling confined to the Johnsonburg office.

52. Plaintiff did not consent to Defendant's acts.

53. Any means of escape available to the Plaintiff would have caused her great inconvenience.

54. Defendant's acts were done knowingly, willfully, and with malicious intent, and as such constitute a false imprisonment of the Plaintiff.

55. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT V

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

56. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 55, inclusive, as if the same had been fully set forth at length herein.

57. The conduct of Defendant Rezk as described hereinabove was extreme and outrageous and intended to harm Bridget Dobrowski.

58. Rezk intended to sexually assault Plaintiff Bridget Dobrowski, and knew the harm that would result from his actions, alternatively, Rezk's conduct was of such a reckless nature that he knew the consequences would harm Bridget Dobrowski, but continued his course of action without regard to the harm it caused Bridget Dobrowski.

59. Rezk's conduct caused Bridget Dobrowski severe emotional distress.

60. As a direct and proximate result of Rezk's conduct, Bridget Dobrowski has suffered the injuries and damages as more fully set forth hereinbefore.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages, including punitive damages from the Defendant Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT VI

Bridget Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

61. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 60, inclusive, as if the same had been fully set forth at length herein.

62. The conduct of Defendant DMS, through the actions of their agent, servant, and/or employee Defendant Rezk, as described hereinabove was extreme and outrageous and intended to harm Bridget Dobrowski.

63. Rezk intended to sexually assault Plaintiff Bridget Dobrowski, and knew the harm that would result from his actions, and in allowing Rezk to continue this pattern of behavior, DMS's conduct was of such a reckless nature that DMS knew the consequences would harm Bridget Dobrowski, but allowed this course of action to continue without regard to the harm it caused Bridget Dobrowski.

64. DMS's conduct caused Bridget Dobrowski severe emotional distress.

65. As a direct and proximate result of DMS's conduct, Bridget Dobrowski has suffered the injuries and damages as more fully set forth hereinbefore.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages, including punitive damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT VII

Eric Dobrowski, Plaintiff v.
Paul Rezk, Defendant

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

66. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 65, inclusive, as if the same had been fully set forth at length herein.

67. The conduct of Defendant Rezk as described hereinabove was extreme and outrageous and intended to harm Eric Dobrowski.

68. Rezk intended to sexually assault Plaintiff Bridget Dobrowski, and knew the harm that would result from his actions, including the fact that his actions could cause severe emotional distress for the Plaintiff, Eric Dobrowski.

69. Rezk's conduct caused Eric Dobrowski severe emotional distress.

70. As a direct and proximate result of Rezk's conduct, Eric Dobrowski has suffered the injuries and damages as more fully set forth hereinbefore.

WHEREFORE, Plaintiff Eric Dobrowski claims damages, including punitive damages from the Defendant Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT VIII

Eric Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

71. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 70, inclusive, as if the same had been fully set forth at length herein.

72. The conduct of Defendant DMS, through the actions of their agent, servant, and/or employee Defendant Rezk, as described hereinabove was extreme and outrageous and intended to harm Eric Dobrowski.

73. Rezk intended to sexually assault Plaintiff Bridget Dobrowski, and knew the harm that would result from his actions, and in allowing Rezk to continue this pattern of behavior, DMS's conduct was of such a reckless nature that DMS knew the consequences would harm Eric Dobrowski, but allowed this course of action to continue without regard to the harm it caused Eric Dobrowski.

74. DMS's conduct caused Eric Dobrowski severe emotional distress.

75. As a direct and proximate result of DMS's conduct, Eric Dobrowski has suffered the injuries and damages as more fully set forth hereinbefore.

WHEREFORE, Plaintiff Eric Dobrowski claims damages, including punitive damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT IX

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS

76. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 75, inclusive, as if the same had been fully set forth at length herein.

77. At all times material and relevant hereto, Defendant Rezk owed a duty to Plaintiff Bridget Dobrowski and to all others similarly situated to exercise due care and caution with regard to his personal conduct towards the Plaintiff Bridget Dobrowski.

78. Rezk knew, or in the exercise of reasonable care should have known, that his above described conduct would cause Bridget Dobrowski to suffer extreme emotional distress.

79. As a direct and proximate result of Rezk's negligence, Bridget Dobrowski has suffered the injuries and damages as more fully set forth above.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages from the Defendant Paul Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT X

Bridget Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS

80. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 79, inclusive, as if the same had been fully set forth at length herein.

81. At all times material and relevant hereto, Defendant DMS owed a duty to Plaintiff Bridget Dobrowski and to all others similarly situated to exercise due care and caution with regard to the monitoring of the conduct of their employees, agents, and/or servants towards the Plaintiff Bridget Dobrowski, and with regard to the fostering of a work place environment free from the use of undue influence and overt hostility towards the Plaintiff.

82. DMS knew, or in the exercise of reasonable care should have known, that the above described conduct of their employee, agent, and/or servant, Paul Rezk, would cause Bridget Dobrowski to suffer extreme emotional distress.

83. As a direct and proximate result of DMS's negligence, Bridget Dobrowski has suffered the injuries and damages as more fully set forth above.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XI

Eric Dobrowski, Plaintiff v.
Paul Rezk, Defendant

NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS

84. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 83, inclusive, as if the same had been fully set forth at length herein.

85. At all times material and relevant hereto, Defendant Rezk owed a duty to Plaintiff Eric Dobrowski and to all others similarly situated to exercise due care and caution with regard to his personal conduct towards the Plaintiff Bridget Dobrowski.

86. Rezk knew, or in the exercise of reasonable care should have known, that his above described conduct would cause Eric Dobrowski to suffer extreme emotional distress.

87. As a direct and proximate result of Rezk's negligence, Eric Dobrowski has suffered the injuries and damages as more fully set forth above.

WHEREFORE, Plaintiff Eric Dobrowski claims damages from the Defendant Paul Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XII

Eric Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS

88. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 87, inclusive, as if the same had been fully set forth at length herein.

89. At all times material and relevant hereto, Defendant DMS owed a duty to Plaintiff Eric Dobrowski and to all others similarly situated to exercise due care and caution with regard to the monitoring of the conduct of their employees, agents, and/or servants towards the Plaintiff Bridget Dobrowski, and with regard to the fostering of a work place environment free from the use of undue influence and overt hostility towards the Plaintiff Eric Dobrowski.

90. DMS knew, or in the exercise of reasonable care should have known, that the above described conduct of their employee, agent, and/or servant, Paul Rezk, would cause Eric Dobrowski to suffer extreme emotional distress.

91. As a direct and proximate result of DMS's negligence in the supervision of the conduct of its employees, servants, and/or workmen, Eric Dobrowski has suffered the injuries and damages as more fully set forth above.

WHEREFORE, Plaintiff Eric Dobrowski claims damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XIII

Eric Dobrowski, Plaintiff v. Paul Rezk, Defendant

LOSS OF CONSORTIUM

92. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 91, inclusive, as if the same had been fully set forth at length herein.

93. Because of the injuries inflicted upon his wife, Plaintiff Eric Dobrowski has been deprived of her society, aid, comfort and her services in the management of his domestic affairs.

94. Plaintiff Eric Dobrowski has suffered and will continue to suffer the loss of services of his wife, and his comfort and happiness in her society and companionship have been impaired.

95. Plaintiff Eric Dobrowski is claiming Loss of Consortium due to his wife's injuries which she received as a result of the aforementioned incident, including loss of his wife's services, companionship and consortium.

WHEREFORE, Plaintiff Eric Dobrowski claims damages from the Defendant Paul Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XIV

Eric Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

LOSS OF CONSORTIUM

96. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 95, inclusive, as if the same had been fully set forth at length herein.

97. Because of the injuries inflicted upon his wife, Plaintiff Eric Dobrowski has been deprived of her society, aid, comfort and her services in the management of his domestic affairs.

98. Plaintiff Eric Dobrowski has suffered and will continue to suffer the loss of services of his wife, and his comfort and happiness in her society and companionship have been impaired.

99. Plaintiff Eric Dobrowski is claiming Loss of Consortium due to his wife's injuries which she received as a result of the aforementioned incident, including loss of his wife's services, companionship and consortium.

WHEREFORE, Plaintiff Eric Dobrowski claims damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XV

Bridget Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc.,
and Paul Rezk, Defendant

TORTIOUS INTERFERENCE WITH EXISTING CONTRACTUAL RELATIONS

100. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 99, inclusive, as if the same had been fully set forth at length herein.

101. Plaintiff Bridget Dobrowski had an existing contractual relationship with DMS at all times relevant to the events described herein.

102. Defendants DMS's and Rezk's intentional and negligent actions, as set forth in detail hereinbefore, were taken with the intent to injure the Plaintiff's existing contractual relationships.

103. Defendants DMS's and Rezk's intentional, inappropriate, and negligent actions, as set forth in detail hereinbefore, have led Plaintiff Bridget Dobrowski to terminate her contractual relationship with DMS, causing her to lose income and benefits, and opportunities for career advancement.

104. Defendants DMS's and Rezk's actions, as set forth in detail hereinbefore, were intentional, inappropriate, extreme, and outrageous, thereby justifying an award for punitive damages.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages, including punitive damages from the Defendants in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XVI

Eric Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc.,
and Paul Rezk, Defendant

TORTIOUS INTERFERENCE WITH EXISTING CONTRACTUAL RELATIONS

105. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 104, inclusive, as if the same had been fully set forth at length herein.

106. Plaintiff Eric Dobrowski had an existing contractual relationship with DMS at all times relevant to the events described herein.

107. Defendants DMS's and Rezk's intentional and negligent actions, as set forth in detail hereinbefore, were taken with the intent to injure the Plaintiff's existing contractual relationships.

108. Defendants DMS's and Rezk's intentional, inappropriate, and negligent actions, as set forth in detail hereinbefore, have led Plaintiff Eric Dobrowski to terminate his contractual relationship with DMS, causing him to lose income and benefits; and opportunities for career advancement.

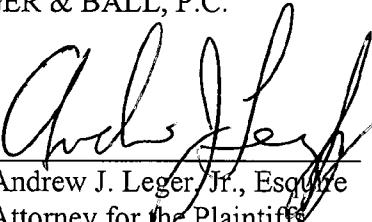
109. Defendants DMS's and Rezk's actions, as set forth in detail hereinbefore, were intentional, inappropriate, extreme, and outrageous, thereby justifying an award for punitive damages.

WHEREFORE, Plaintiff Eric Dobrowski claims damages, including punitive damages from the Defendants in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

A JURY TRIAL DEMANDED

LEGER & BALL, P.C.

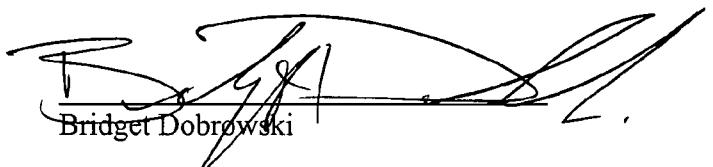
BY:


Andrew J. Leger, Jr., Esquire
Attorney for the Plaintiffs

VERIFICATION

I, Bridget Dobrowski, verify that the statements of fact made in the foregoing COMPLAINT are true and correct to the best of my knowledge, information, and belief. I understand that any false statements herein are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

Date 12-6-02



A handwritten signature in black ink, appearing to read "Bridget Dobrowski". The signature is fluid and cursive, with the name written in a stylized, overlapping manner.

Bridget Dobrowski

VERIFICATION

I, Eric Dobrowski, verify that the statements of fact made in the foregoing COMPLAINT are true and correct to the best of my knowledge, information, and belief. I understand that any false statements herein are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

Date 12-6-02

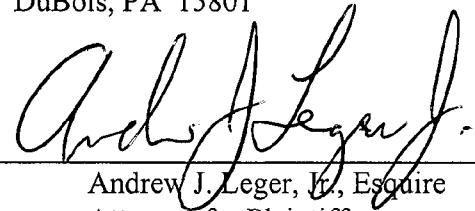

Eric Dobrowski

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Complaint was served upon the following by first-class mail, postage prepaid on this 11th day of December, 2002:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

Peter Rezk
405 E. Sheridan Avenue
DuBois, PA 15801


Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

FILED

11:30 AM
CC
DEC 12 2002
EFC

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13333

DOBROWSKI, BRIDGET M. & ERIC J.

02-1810-CD

VS.

REZK, PETER & DUBOIS MEDICAL SUPPLY COMPANY, INC.

SUMMONS

SHERIFF RETURNS

**NOW NOVEMBER 22, 2002 AT 9:53 AM EST SERVED THE WITHIN SUMMONS
ON DUBOIS MEDICAL SUPPLY COMPANY, INC., DEFENDANT AT EMPLOYMENT,
320 LIBERTY BLVD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING
TO DENISE KATCHMARCHI, ASST. MGR. A TRUE AND ATTESTED COPY OF THE
ORIGINAL SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: COUDRIET/RYEN**

**NOW NOVEMBER 22, 2002 AT 9:53 AM EST SERVED THE WITHIN SUMMONS
ON PETER REZK, DEFENDANT AT EMPLOYMENT 320 LIBERTY BLVD., DUBOIS,
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DENISE KATCHMARCHI,
ASST. MGR. A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND
MADE KNOWN TO HER THE CONTENTS THEREOF.**

SERVED BY: COUDRIET/RYEN

Return Costs

Cost	Description
36.72	SHFF. HAWKINS PAID BY; ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED

01/08/03
JAN 27 2003

W.A. Shaw
William A. Shaw
Prothonotary

Sworn to Before Me This

27th Day Of Jan 2003
W.A. Shaw

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

**PLAINTIFFS' MOTION TO
AMEND CAPTION**

JURY TRIAL DEMANDED

Filed on Behalf of Plaintiffs:
Bridget Dobrowski and
Eric Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

FEB 10 2003

William A. Shaw
Prothonotary

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

Bridget Dobrowski and
Eric Dobrowski,

vs.

No. -CD 2002-1810

DuBois Medical Supply Company, Inc. and
Peter Rezk,

February

NOW, this 15th day of ~~XXXX~~, 2003, upon consideration of the
attached Motion to (whatever it is), a Rule is hereby issued upon (whatever is applicable) to
Show Cause why the Motion should not be granted. Rule Returnable the 3rd
day of March, 2003, for filing written response.

NOTICE

A PETITION OR MOTION HAS BEEN FILED AGAINST YOU IN COURT.
IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE
FOLLOWING PETITION OR MOTION BY ENTERING A WRITTEN APPEARANCE
PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT
YOUR DEFENSES OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU.
YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED
WITHOUT YOU AND AN ORDER MAY BE ENTERED AGAINST YOU BY THE
COURT WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE
PETITIONER OR MOVANT. YOU MAY LOSE 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 Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641, Ext. 1300 or 1301

FILED

FEB 10 2003

William A. Shaw
Prothonotary

BY THE COURT:

Judge

FILED

01/321 2003

Angie Leger

FEB 10 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs, No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER
REZK,

Defendants.

PLAINTIFFS' MOTION TO AMEND CAPTION

AND NOW, come the Plaintiffs, Bridget Dobrowski and Eric Dobrowski, by and through their attorneys, Andrew J. Leger, Jr., Esquire and Leger & Ball, P.C., and files the following Motion to Amend Caption and in support thereof avers the following:

1. On November 19, 2002, Plaintiffs filed a Writ of Summons in Clearfield County with the above shown caption.
2. On December 12, 2002, Plaintiffs filed a Complaint, in Clearfield County, alleging various causes of action that arose from the Defendant's pattern of behavior during the time period of August through November of 2000.
3. The Plaintiff identified one of the Defendants in the caption as "Peter Rezk," while identifying this same Defendant in the body of the Complaint as "Paul Rezk."
4. This discrepancy is due to an inadvertent clerical error, as the caption should identify the Defendant as "Paul Rezk."

5. The Defendant's counsel refused to consent to this change, and so Plaintiffs are now seeking leave of court to amend the Caption as follows:

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

v.

DUBOIS MEDICAL SUPPLY
COMPANY, INC. and PAUL REZK,

Defendants.

WHEREFORE, Plaintiffs request that this Honorable Court issue the attached Order of Court amending the Complaint and Caption.

Respectfully submitted,

LEGER & BALL, P.C.

BY: 
Andrew J. Leger, Jr., Esquire
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs,

No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER
REZK,

Defendants.

ORDER OF COURT

AND NOW, to wit, this _____ day of _____, 2003, upon consideration of the foregoing Motion to Amend Complaint and Caption, it is hereby ordered that the same is granted. It is further ordered that for purposes of all future pleadings, trial, and any appeal, the caption is as follows:

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

v.

DUBOIS MEDICAL SUPPLY
COMPANY, INC. and PAUL REZK,

Defendants.

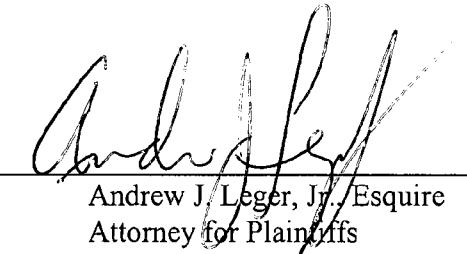
BY THE COURT:

J.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Motion to Amend Complaint and Caption was served upon the following by first-class mail, postage prepaid on this 7th day of February, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801


Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

FILED

FEB 11 2003
FEB 10 2003

1CC
Amy Leger

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

PETER REZK and
DUBOIS MEDICAL SUPPLY
COMPANY, INC.,
Defendants

Defendants

No. 2002-01810-CD

Type of pleading:

PRELIMINARY OBJECTIONS

Filed on Behalf of:

DEFENDANTS

Counsel of Record for This Party:

Anthony S. Guido, Esq.
Supreme Court No. 05877
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

814-371-7768

FILED

DEC 27 2002

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and	:	
ERIC J. DOBROWSKI,	:	
Plaintiffs	:	
vs.	:	
PETER REZK and	:	
DUBOIS MEDICAL SUPPLY	:	
COMPANY, INC.,	:	
Defendants	:	No. 2002-01810-CD

PRELIMINARY OBJECTIONS

AND NOW, comes DUBOIS MEDICAL SUPPLY COMPANY, INC., and PAUL REZK, by their attorneys, HANAK, GUIDO AND TALADAY, and files Preliminary Objections to the Complaint as follows:

I. Preliminary Objection for Lack of Conformity to Law.

A. The Plaintiffs initiated this action by filing a summons naming as Defendants DUBOIS MEDICAL SUPPLY, INC., and Peter Rezk.

B. In their Complaint, the Plaintiffs changed the name of the Defendant, Peter Rezk, to Paul Rezk without the consent of the adverse Defendants and/or leave of court as required by Pa.R.C.P. Rule 1033.

C. In Paragraph 32 of the Plaintiff's Complaint, the Plaintiff's allege that they received notification from the Pennsylvania Human

Relations Commission of the Plaintiff's right to bring action in court by letter dated August 1, 2002.

D. The Plaintiffs failed to attach a copy of said letter to the Complaint.

WHEREFORE, Defendants hereby request that the Court order the Plaintiff to comply with Pa.R.C.P. Rule 1033 and in addition to attach a copy of said letter from the Pennsylvania Human Relations Commission to the Complaint.

II. Preliminary Objections on the Ground of Insufficient Specificity of the Pleadings in the Complaint.

The Defendants above named make this objection pursuant to Rule 1028(a) of the Pennsylvania Rules of Civil Procedure on the ground that the Defendants are unable to ascertain from the pleadings in its present state the nature of the claims asserted with sufficient precision to prepare a responsive pleading to the Complaint.

The Defendants respectfully move this Court for its order requiring the Plaintiff to their Complaint more specific in the following respects and particulars:

(A) In Paragraph 12 of the Complaint, the Plaintiffs allege that soon after the incident which occurred in a Johnsonburg office in October of 2000, the Defendant Rezk held Plaintiff against the countertop and rubbed his body against the body of the Plaintiff without the specifying the date of said incident. The Defendants hereby request the Court order the Plaintiffs to specify the date of said incident.

(B) In subparagraph (h) of Paragraph 26, Plaintiff, BRIDGET DOBROWSKI, complained that she suffered "other serious and severe injuries" as a result of the complained of actions without specifying the nature of the alleged injuries. Defendants request that the Court order the Plaintiffs Amend their Complaint specify in particular the nature and extent of the alleged severe injuries.

(C) In Paragraphs 100 through 104 of the Complaint, Plaintiff, BRIDGET DOBROWSKI, alleges that the actions of the Defendants taken within the intent to injure to Plaintiffs' existing contractual relationships without specifying the nature and basis of said existing contractual relationships.

(D) In Paragraphs 105 through 109 the Plaintiff, ERIC DOBROWSKI, the actions of the Defendants were taken with the intent to injure the Plaintiffs existing contractual relations without specifying the nature and basis of the alleged contractual relationships.

WHEREFORE, Defendants request that the Court order the Plaintiffs to amend their Complaint to specify in particular the nature, extent and basis of the alleged existing contractual relationship.

III. Demurrer - Legal Insufficiency of Pleading.

(A) In Count VII of the Complaint, Plaintiff, ERIC DOBROWSKI, claims damages for intentional infliction of emotional distress as a result of the complained of actions against Defendant, PAUL REZK. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendant, PAUL REZK, and

the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendant, PAUL REZK, and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendant, PAUL REZK, respectfully requests that Count VII of the Complaint be dismissed with prejudice.

(B) In Count VIII of the Complaint, Plaintiff, ERIC DOBROWSKI, claims damages for intentional infliction of emotional distress as a result of the complained of actions by Defendant, DUBOIS MEDICAL SUPPLY, INC. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendant, DUBOIS MEDICAL SUPPLY, INC., and the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendant, DUBOIS MEDICAL SUPPLY, INC., and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendant, DUBOIS MEDICAL SUPPLY, INC., respectfully request that Count VIII of the Complaint be dismissed with prejudice.

(C) In Count XI of the Complaint, Plaintiff, ERIC DOBROWSKI, claims damages for negligent infliction of emotional distress as a result of the complained of actions by Defendant, PAUL REZK. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendant, PAUL REZK, and the further reason that the complained of actions do not show any

causal connection between the alleged acts or omissions of the Defendant, PAUL REZK, and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendant, PAUL REZK, respectfully request that Count XI of the Complaint be dismissed with prejudice.

(D) In Count XII of the Complaint, the Plaintiff, ERIC DOBROWSKI, claims damages for negligent infliction of emotional distress against the Defendant, DUBOIS MEDICAL SUPPLY, INC. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendant, DUBOIS MEDICAL SUPPLY, INC., and the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendant, DUBOIS MEDICAL SUPPLY, INC., and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendant, DUBOIS MEDICAL SUPPLY, INC., respectfully request that Count XII of the Complaint be dismissed with prejudice.

(E) In Count XIII of the Complaint, the Plaintiff, ERIC DOBROWSKI, claims damages for loss of consortium against Defendant, PAUL REZK. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendant, PAUL REZK, and the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendant, PAUL REZK, and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendant, PAUL REZK, respectfully request that Count XIII of the Complaint be dismissed with prejudice.

(F) In Count XIV of the Complaint, the Plaintiff, ERIC DOBROWSKI, claims damages for loss of consortium against DUBOIS MEDICAL SUPPLY, INC. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendant, DUBOIS MEDICAL SUPPLY, INC., and the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendant, DUBOIS MEDICAL SUPPLY, INC., and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendant, DUBOIS MEDICAL SUPPLY, INC., respectfully request that Count XIV of the Complaint be dismissed with prejudice.

(G) In Count XV of the Complaint, the Plaintiff, BRIDGET DOBROWSKI, claims damages for tortuous interference with contractual relations due to the complained of actions against the Defendants, DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendants, DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK, and the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendants, DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK, and the injuries and damages sustained by the Plaintiff, BRIDGET DOBROWSKI.

WHEREFORE, Defendants, DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK, respectfully request that Count XV of the Complaint be dismissed with prejudice.

(H) In Count XVI of the Complaint, the Plaintiff, ERIC DOBROWSKI, claims damages for tortious interference with contractual relations due to the complaint of actions against DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK. The Plaintiffs' Complaint fails to state facts constituting which would support such a cause of action against the Defendants, DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK, and the further reason that the complained of actions do not show any causal connection between the alleged acts or omissions of the Defendants, DUBOIS MEDICAL SUPPLY, INC., and PAUL REZK, and the injuries and damages sustained by the Plaintiff, ERIC DOBROWSKI.

WHEREFORE, Defendants respectfully request that Count XVI of the Complaint be dismissed with prejudice.

Respectfully submitted,



Anthony S. Guido
Attorney for Defendants

CERTIFICATE OF SERVICE

I do hereby certify that on the 26th day of December, 2002, I mailed a copy of the within Preliminary Objections by first class mail, postage prepaid, to:

Andrew J. Leger, Jr., Esq.
Leger & Ball, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219

Anthony J. Guido
Anthony S. Guido

FILED

1cc
m 10:34 AM
DEC 27 2002
EPA

Atty Guido
William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

**PLAINTIFFS' FIRST AMENDED
COMPLAINT IN CIVIL ACTION**

JURY TRIAL DEMANDED

Filed on Behalf of Plaintiffs:
Bridget Dobrowski and
Eric Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

FEB 18 2003

**William A. Shaw
Prothonotary**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs,

No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL
REZK,

Defendants.

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and by 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 plaintiffs. 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:

**Keystone Legal Services Office
211 ½ E. Locust St.
Clearfield, PA 16830
1-800-326-9177**

Date: 2/14/03, 2003

LEGER & BALL, P.C.

By Andrew J. Leger, Jr.
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs,

No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL
REZK,

Defendants.

**PLAINTIFFS' FIRST AMENDED
COMPLAINT IN CIVIL ACTION**

A Jury Trial Demanded

AND NOW, comes the Plaintiffs, Bridget Dobrowski and Eric Dobrowski, by and through their attorneys, Andrew J. Leger, Jr., Esquire, and Leger & Ball, P.C., and file Plaintiffs' First Amended Complaint in Civil Action, upon a set of particulars of which the following is a statement:

1. Plaintiffs, Bridget Dobrowski and Eric Dobrowski, are husband and wife, and reside at 1476 Treasure Lake, Dubois, Clearfield County, Pennsylvania 15801.
2. Defendant, Paul Rezk, is an adult individual with a mailing address at 405 E. Sheridan Ave., Dubois, Clearfield County, Pennsylvania 15801.
3. Defendant, Dubois Medical Supply Company, Inc., ("DMS"), is a Pennsylvania Corporation with a place of business located at 405 E. Sheridan Ave., Dubois, Clearfield County, Pennsylvania 15801.
4. At all relevant times, Defendant Rezk was owner and manager of DMS, and as

such had direct supervision over the Plaintiffs

5. Plaintiff Bridget Dobrowski began her employment, pursuant to an oral agreement, with DMS as a clinical coordinator and/or sales and marketing representative sometime in the month of August, 1997.

6. Plaintiff Eric Dobrowski was also employed pursuant to an oral agreement, by DMS throughout the events detailed in this Complaint.

7. From August of 2000 until her resignation, Bridget Dobrowski was subjected to unwelcome sexual advances, touching, and veiled threats regarding her employment at DMS, all at the hands of Defendant Rezk.

8. In August of 2000, Defendant Rezk, after returning from a vacation, invited Bridget Dobrowski into his office to receive a gift. After presenting Bridget Dobrowski with a pair of earrings, Rezk placed his hands on the Plaintiff's face and proceeded to kiss her on the lips despite her objections, sending the Plaintiff out of his office in an emotionally distressed state.

9. Sometime around the third week of September, 2000, Defendant Rezk began to call Plaintiff Bridget Dobrowski into his office on a regular basis to kiss or attempt to kiss her, against her wishes and in an inappropriate fashion.

10. During October of 2000, Plaintiff Bridget Dobrowski was lured by Defendant Rezk to the Johnsonburg office of DMS.

11. While at this office, Defendant Rezk took Plaintiff Bridget Dobrowski to a back room in the office where he laid her down on the ground, laid on top of her, and continuously rubbed his body against hers until he climaxed.

12. In another incident in the Johnsonburg office, sometime around the middle of October, Defendant Rezk held the Plaintiff against a countertop and again rubbed his body against hers in an inappropriate manner until he climaxed.

13. During both of these incidents at the Johnsonburg office, Plaintiff was confined to a bounded area, specifically the interior of the above described office, with no valid means of escape, due to the amount of control and influence the Defendant Rezk had over her actions as her manager at DMS.

14. Soon after the above-described events in Johnsonburg, Plaintiff Bridget Dobrowski was again in Defendant Rezk's office. At this time, Rezk began to undo Plaintiff Bridget Dobrowski's blouse. Bridget Dobrowski asked him to stop, but he refused, forcing her to continue to allow him to unbutton her shirt. He then began to rub his body against hers and to fondle her until he climaxed.

15. In another incident that took place at the end of October, 2000, Plaintiff Bridget Dobrowski was in the process of showing Defendant Rezk her home when Rezk led her into a spare room. At that time Rezk again laid Plaintiff Bridget Dobrowski on the ground and continuously rubbed his body against hers until he climaxed.

16. Again, the Sunday before Plaintiff Bridget Dobrowski resigned from her position with DMS, she was lured to the office by Defendant Rezk. While Plaintiff Bridget Dobrowski was viewing some information on a computer monitor, the Defendant began to kiss her and fondle her from behind. He then, again, laid Bridget Dobrowski on the ground and began to rub his body against hers. He then had her sit on his lap in his desk chair and continued in the same manner until he climaxed, after which Bridget Dobrowski again voiced her disapproval of his actions.

17. During these above described incidents, Plaintiff was in constant fear of losing her job with DMS, and this fear forced her to continue to allow Defendant Rezk to take advantage of her.

18. The terms of Bridget Dobrowski's successful employment with DMS, as well as those of her husband, Plaintiff Eric Dobrowski, were thereby made contingent upon her submission to Defendant Rezk's sexual advances.

19. Bridget Dobrowski was forced to interact with Defendant Rezk when she was at the DMS offices, and she was emotionally distressed when she was in his presence.

20. Bridget Dobrowski perceived Defendant Rezk's conduct as verbally and physically threatening and humiliating.

21. Bridget Dobrowski perceived Defendant Rezk's conduct as hostile and patently offensive.

22. Defendant Rezk's unwelcome sexual conduct created a hostile, intimidating and offensive work environment in which Bridget Dobrowski was forced to work and which caused her great emotional distress.

23. The sexual harassment to which Bridget Dobrowski was subjected would detrimentally affect a reasonable person of the same sex in the same position.

24. Defendant DMS knew, or should have known, about the alleged harassment and yet failed to take immediate and appropriate corrective action.

25. As a direct result of Defendant Rezk's sexual harassment, and the consequences of her resistance to it, the Plaintiffs became increasingly uncomfortable at work. They were therefore unable to continue their employment with DMS, and terminated their employment with DMS on or about November 20, 2000 due to the intolerable work environment.

26. As a direct and proximate result of the actions directed at Bridget Dobrowski by Defendant Rezk, as an agent, servant, and/or employee of Defendant DMS, Bridget Dobrowski has sustained the following injuries:

- a. loss of income and benefits and earning capacity, past and future;
- b. severe depression;
- c. great mental anguish and emotional strain;
- d. ruined opportunities for career advancement;
- e. deprivation of the ordinary pleasures in life;
- f. severe pain and suffering caused by the almost daily exposure to a hostile work environment; and
- g. severe inconvenience;
- h. other serious and severe injuries.

27. As a direct and proximate result of the actions directed at Bridget Dobrowski by Defendant Rezk, as an agent, servant, and/or employee of Defendant DMS, Eric Dobrowski has sustained the following injuries:

- a. loss of income and benefits;
- b. severe depression;
- c. great mental anguish and emotional strain;
- d. ruined opportunities for career advancement;
- e. deprivation of the ordinary pleasures of life; and
- f. severe inconvenience.

COUNT I

Bridget Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

SEXUAL HARRASSMENT / SEXUAL DISCRIMINATION

28. Plaintiff incorporates by reference paragraphs 1 through 27 as if fully set forth at length herein.

29. Plaintiff timely filed an administrative charge with the Pennsylvania Human Relations Commission (hereinafter "PHRC") on or about May 11, 2001 alleging that the Defendant, DMS, violated her rights under the Pennsylvania Human Relations Act, 43 P.S. §951 et seq., by subjecting her to the sexual harassment of Defendant Rezk.

30. The PHRC has had over a year now in which to resolve Plaintiff's charge, and has failed to do so.

31. Plaintiff received notification of her right to bring action in court in a letter from the PHRC dated August 1, 2002. (Please see a true and correct copy of this letter, which is attached to Plaintiffs' First Amended Complaint, and labeled as "Exhibit A.")

32. Defendant DMS made the acceptance of the sexual advances of Defendant Rezk the quid pro quo to Plaintiffs' ability to continue with their employment with DMS.

33. Defendant Rezk's sexual advances created a hostile environment which the Plaintiffs finally could no longer tolerate.

34. Defendant's conduct, as hereinbefore described, violated the Plaintiff's rights under the Pennsylvania Human Relations Act, 43 P.S. §951 et seq.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages, and that, in addition, she be awarded the costs of this litigation, including an award of attorneys' fees.

COUNT II

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

ASSAULT

35. Plaintiff incorporates by reference paragraphs 1 through 34 as if fully set forth at length herein.

36. At all times, as described above, Defendant intended to cause and did cause Plaintiff to suffer apprehension of an immediate harmful contact.

37. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT III

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

BATTERY

38. Plaintiff incorporates by reference paragraphs 1 through 37 as if fully set forth at length herein.

39. At all times, as described above, Defendant intended to cause and did cause a harmful contact with Plaintiff's person.

40. Plaintiff did not consent to Defendant's acts.

41. Defendant's acts were done knowingly, willfully, and with malicious intent, and as such constitute a battery.

42. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT IV

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

SEXUAL ASSAULT AND BATTERY

43. Plaintiff incorporates by reference paragraphs 1 through 42 as if fully set forth at length herein.

44. At the above described dates, times, and places, while Plaintiff and Defendant were working in their capacity as employees, agents, and/or servants of defendant DMS, Defendant Rezk did touch, grab, grope, fondle, and rub his body against, in a rude, offensive, vulgar, and sexual manner, the Plaintiff's person.

45. These acts were perpetrated by the Defendant at a time when he had undue influence over her due to her status as his employee.

46. Plaintiff did not consent to Defendant's acts.

47. Defendant's acts were done knowingly, willfully, and with malicious intent, and as such constitute a sexual assault and battery.

48. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT V

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

FALSE IMPRISONMENT

49. Plaintiff incorporates by reference paragraphs 1 through 48 as if fully set forth at length herein.

50. At the above described dates, times, and places, while Plaintiff and Defendant were working in their capacity as employees, agents, and/or servants of defendant DMS, Defendant Rezk lure Plaintiff to DMS's Johnsonburg office in order to confine the Plaintiff within certain boundaries, specifically, the interior of that office.

51. These acts were perpetrated by the Defendant at a time when he had undue influence over her due to her status as his employee, and as such, these above described acts resulted in the Plaintiff feeling confined to the Johnsonburg office.

52. Plaintiff did not consent to Defendant's acts.

53. Any means of escape available to the Plaintiff would have caused her great inconvenience.

54. Defendant's acts were done knowingly, willfully, and with malicious intent, and as such constitute a false imprisonment of the Plaintiff.

55. As a direct and proximate result of the Defendant's conduct, Plaintiff suffered the injuries and damages more fully set forth hereinbefore.

WHEREFORE, Plaintiff requests that judgment be entered in her favor in a sum in excess of \$25,000.00 for both compensatory and punitive damages.

COUNT VI

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

56. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 55, inclusive, as if the same had been fully set forth at length herein.

57. The conduct of Defendant Rezk as described hereinabove was extreme and outrageous and intended to harm Bridget Dobrowski.

58. Rezk intended to sexually assault Plaintiff Bridget Dobrowski, and knew the harm that would result from his actions, alternatively, Rezk's conduct was of such a reckless nature that he knew the consequences would harm Bridget Dobrowski, but continued his course of action without regard to the harm it caused Bridget Dobrowski.

59. Rezk's conduct caused Bridget Dobrowski severe emotional distress.

60. As a direct and proximate result of Rezk's conduct, Bridget Dobrowski has suffered the injuries and damages as more fully set forth hereinbefore.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages, including punitive damages from the Defendant Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT VII

Bridget Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

61. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 60, inclusive, as if the same had been fully set forth at length herein.

62. The conduct of Defendant DMS, through the actions of their agent, servant, and/or employee Defendant Rezk, as described hereinabove was extreme and outrageous and intended to harm Bridget Dobrowski.

63. Rezk intended to sexually assault Plaintiff Bridget Dobrowski, and knew the harm that would result from his actions, and in allowing Rezk to continue this pattern of behavior, DMS's conduct was of such a reckless nature that DMS knew the consequences would harm Bridget Dobrowski, but allowed this course of action to continue without regard to the harm it caused Bridget Dobrowski.

64. DMS's conduct caused Bridget Dobrowski severe emotional distress.

65. As a direct and proximate result of DMS's conduct, Bridget Dobrowski has suffered the injuries and damages as more fully set forth hereinbefore.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages, including punitive damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT VIII

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS

66. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 65, inclusive, as if the same had been fully set forth at length herein.

67. At all times material and relevant hereto, Defendant Rezk owed a duty to Plaintiff Bridget Dobrowski and to all others similarly situated to exercise due care and caution with regard to his personal conduct towards the Plaintiff Bridget Dobrowski.

68. Rezk knew, or in the exercise of reasonable care should have known, that his above described conduct would cause Bridget Dobrowski to suffer extreme emotional distress.

69. As a direct and proximate result of Rezk's negligence, Bridget Dobrowski has suffered the injuries and damages as more fully set forth above.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages from the Defendant Paul Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT IX

Bridget Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS

70. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 69, inclusive, as if the same had been fully set forth at length herein.

71. At all times material and relevant hereto, Defendant DMS owed a duty to Plaintiff Bridget Dobrowski and to all others similarly situated to exercise due care and caution with

regard to the monitoring of the conduct of their employees, agents, and/or servants towards the Plaintiff Bridget Dobrowski, and with regard to the fostering of a work place environment free from the use of undue influence and overt hostility towards the Plaintiff.

72. DMS knew, or in the exercise of reasonable care should have known, that the above described conduct of their employee, agent, and/or servant, Paul Rezk, would cause Bridget Dobrowski to suffer extreme emotional distress.

73. As a direct and proximate result of DMS's negligence, Bridget Dobrowski has suffered the injuries and damages as more fully set forth above.

WHEREFORE, Plaintiff Bridget Dobrowski claims damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT X

Eric Dobrowski, Plaintiff v.
Paul Rezk, Defendant

LOSS OF CONSORTIUM

74. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 73, inclusive, as if the same had been fully set forth at length herein.

75. Because of the injuries inflicted upon his wife, Plaintiff Eric Dobrowski has been deprived of her society, aid, comfort and her services in the management of his domestic affairs.

76. Plaintiff Eric Dobrowski has suffered and will continue to suffer the loss of services of his wife, and his comfort and happiness in her society and companionship have been impaired.

77. Plaintiff Eric Dobrowski is claiming Loss of Consortium due to his wife's injuries which she received as a result of the aforementioned incident, including loss of his wife's services, companionship and consortium.

WHEREFORE, Plaintiff Eric Dobrowski claims damages from the Defendant Paul Rezk in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

COUNT XI

Eric Dobrowski, Plaintiff v.
Dubois Medical Supply Company, Inc., Defendant

LOSS OF CONSORTIUM

78. Plaintiff hereby incorporates by reference each and every allegation contained in paragraphs 1 through 77, inclusive, as if the same had been fully set forth at length herein.

79. Because of the injuries inflicted upon his wife, Plaintiff Eric Dobrowski has been deprived of her society, aid, comfort and her services in the management of his domestic affairs.

80. Plaintiff Eric Dobrowski has suffered and will continue to suffer the loss of services of his wife, and his comfort and happiness in her society and companionship have been impaired.

81. Plaintiff Eric Dobrowski is claiming Loss of Consortium due to his wife's injuries which she received as a result of the aforementioned incident, including loss of his wife's services, companionship and consortium.

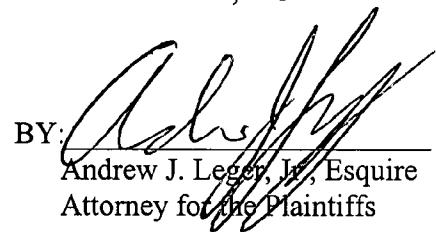
WHEREFORE, Plaintiff Eric Dobrowski claims damages from the Defendant DMS in an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000).

A JURY TRIAL DEMANDED

LEGER & BALL, P.C.

BY:

Andrew J. Leger, Jr., Esquire
Attorney for the Plaintiffs



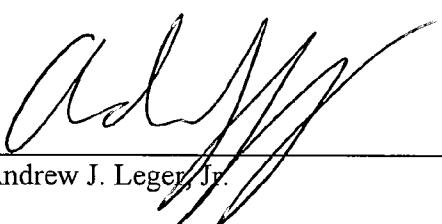
VERIFICATION

I, Andrew J. Leger, Jr., counsel for the Plaintiffs Bridget Dobrowski and Eric Dobrowski, verify that the statements of fact made in the foregoing Plaintiffs' First Amended Complaint are true and correct to the best of my knowledge, information, and belief. I understand that any false statements herein are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

I am authorized to make this Verification on behalf of the Plaintiffs, Bridget Dobrowski and Eric Dobrowski.

Date

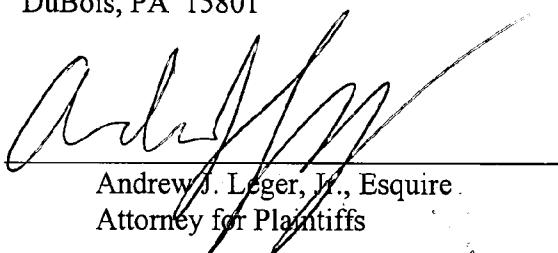
2/14/03


Andrew J. Leger, Jr.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing First Amended Complaint was served upon the following by first-class mail, postage prepaid on this 14th day of February, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801


Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

FILED

M 11:30 AM
FEB 18 2003

NO
CC

CC

*William A. Shaw
Prestonary*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

**VERIFICATIONS TO
PLAINTIFFS' FIRST AMENDED
COMPLAINT IN CIVIL ACTION**

JURY TRIAL DEMANDED

Filed on Behalf of Plaintiffs:
Bridget Dobrowski and
Eric Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

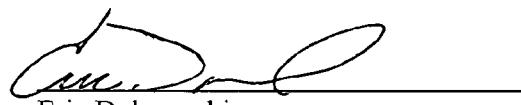
MAR 05 2003

**William A. Shaw
Prothonotary**

VERIFICATION

I, Eric Dobrowski, verify that the statements of fact made in the foregoing AMENDED COMPLAINT are true and correct to the best of my knowledge, information, and belief. I understand that any false statements herein are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

Date 2-27-2003



Eric Dobrowski

VERIFICATION

I, Bridget Dobrowski, verify that the statements of fact made in the foregoing AMENDED COMPLAINT are true and correct to the best of my knowledge, information, and belief. I understand that any false statements herein are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

Date 2-27-03

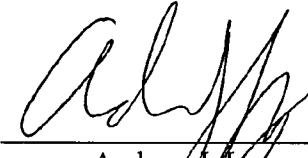


Bridget Dobrowski

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Verifications to First Amended Complaint was served upon the following by first-class mail, postage prepaid on this 3rd day of March, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

FILED

MAR 15 2003
MAR 05 2003
cc

William A. Shaw
Prothonotary

WPA

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

PETER REZK and
DUBOIS MEDICAL SUPPLY
COMPANY, INC.,
Defendants

No. 2002-01810-CD

Type of pleading:

**CERTIFICATE PREREQUISITE
TO SERVICE OF
SUBPOENAS PURSUANT TO
RULE 4009.22**

Filed on Behalf of:

DEFENDANT, DUBOIS
MEDICAL SUPPLY CO., INC.

Counsel of Record for This
Party:

Anthony S. Guido, Esq.
Supreme Court No. 05877
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

814-371-7768

FILED

MAR 17 2003

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and	:	
ERIC J. DOBROWSKI,	:	
Plaintiffs	:	
vs.	:	
PETER REZK and	:	No. 2002-01810-CD
DUBOIS MEDICAL SUPPLY	:	
COMPANY, INC.,	:	
Defendants	:	

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 subpoena with a copy of the subpoenas attached hereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the subpoenas are sought to be served,
- 2) A copy of the notice of intent, including the proposed subpoenas, is attached to this certificate,
- 3) No objection to the subpoena has been received and the subpoena which will be served is identical to the subpoena which is attached to the Notice of Intent to Serve the Subpoena.

Anthony J. Guido

Anthony J. Guido
Attorney for Defendant
498 Jeffers St.
P. O. Box 487
DuBois, PA 15801

Date: March 13, 2003

CERTIFICATE OF SERVICE

I do hereby certify that on the 13th day of March, 2003, I mailed a copy of the within Certificate Prerequisite to Service of Subpoenas Pursuant to Rule 4009.22 by first class mail, postage prepaid, to:

Andrew J. Leger, Jr., Esq.
Leger and Eall, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219



Anthony S. Guido
Attorney for DuBois Medical
Supply Company, Inc.

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

PETER REZK and
DUBOIS MEDICAL SUPPLY
COMPANY, INC.,
Defendants

No. 2002-01810-CD

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

Defendant, DuBois Medical Supply Company, Inc., intends to serve a subpoena identical to the one attached to this notice. You have twenty (20) days from the date listed below to file of record and serve upon the undersigned objections to the subpoena. If no objections are made, the subpoena may be served.

Anthony S. Guido
Anthony S. Guido
Attorney for DuBois Medical
Supply Company, Inc.

2/20/03

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Bridget M. Dobrowski
Eric J. Dobrowski
Plaintiff(s)

Vs. *
Peter Rezk *
DuBois Medical Supply Company, Inc.
Defendant(s)

No. 2002-01810-CD

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

TO: Howard C. Floyd, Executive Director, Commonwealth of PA,
(Name of Person or Entity) PA Human Relations Commission

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

All documents related to Bridget Dobrowski v. DuBois Medical Supply
Company, Inc.

(Address)

Docket No. E-99908

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: Anthony S. Guido, Esq.

ADDRESS: P O Box 407
DuBois PA 15801

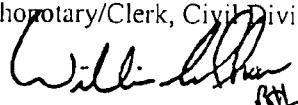
TELEPHONE: 814-371-7768

SUPREME COURT ID # 058877

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Tuesday, January 07, 2003

Seal of the Court

FILED

NO
CC

111-05-061
MAR 17 2003

CD
KEL

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs : No. 2002-01810-CD
vs. : Type of pleading:
PETER REZK and
DUBOIS MEDICAL SUPPLY
COMPANY, INC.,
Defendants : **NOTICE OF
SERVICE**
: Filed on Behalf of:
: DEFENDANTS
: Counsel of Record for This
Party:
: Anthony S. Guido, Esq.
: Supreme Court No. 05877
: Hanak, Guido and Taladay
: 498 Jeffers Street
: P. O. Box 487
: DuBois, PA 15801
: 814-371-7768

FILED

APR 01 2003

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and :
ERIC J. DOBROWSKI, :
Plaintiffs :
vs. : No. 2002-01810-CD
PETER REZK and :
DUBOIS MEDICAL SUPPLY :
COMPANY, INC., :
Defendants :
:

NOTICE OF SERVICE

I, Anthony S. Guido, of Hanak, Guido and Taladay, being
counsel of record for Defendants, do hereby certify that I propounded
on Plaintiffs, via United States mail, first class, postage pre-paid, this
31st day of March, 2003, Defendants' FIRST SET OF
INTERROGATORIES DIRECTED TO PLAINTIFF BRIDGET M.
DOBROWSKI and Defendants' FIRST SET OF INTERROGATORIES
DIRECTED TO PLAINTIFF ERIC J. DOBROWSKI to the below indicated
person, at said address, being counsel of record for the Plaintiff:

Andrew J. Leger, Jr., Esq.
Leger & Ball, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219

Anthony S. Guido
Anthony S. Guido
Attorney for Defendants

FILED

NO
CC

APR 01 2003

10:57 AM
EST

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

**PLAINTIFFS' SECOND AMENDED
COMPLAINT IN CIVIL ACTION**

JURY TRIAL DEMANDED

Filed on Behalf of Plaintiffs:
Bridget Dobrowski and
Eric Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

JUN 09 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,)	CIVIL DIVISION
ERIC DOBROWSKI,)	
)	
Plaintiffs,)	No. 2002-1810-CD
)	
vs.)	
)	
DUBOIS MEDICAL SUPPLY)	
COMPANY, INC., and PAUL)	
REZK,)	
)	
Defendants.)	

PLAINTIFFS' SECOND AMENDED COMPLAINT

AND NOW, come the Plaintiffs, Bridget Dobrowski and Eric Dobrowski, by and through their attorneys, Andrew J. Leger, Jr., Esquire and Leger & Ball, P.C., and files Plaintiffs' Second Amended Complaint upon a set of particulars of which the following is a statement:

1. Plaintiffs hereby incorporate Paragraphs 1 through 13, 15 through 26 and 28 through 81, inclusive, and all Counts, Headings and Wherefore clauses, as if the same had been fully set forth at length herein.
2. Plaintiffs hereby amend Paragraph 14 of the Complaint as follows:

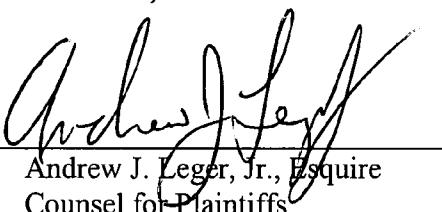
“14. Soon after the above-described events in Johnsonburg and no later than the date of her resignation, Plaintiff, Bridget Dobrowski, was again in Defendant Rezk's office. At this time, Rezk began to undo Plaintiff, Bridget Dobrowski's blouse. Bridget Dobrowski asked him to stop, but he refused, forcing her to continue to allow him to unbutton her shirt. He then began to rub his body against hers and to fondle her until he climaxed.”

WHEREFORE, Plaintiffs demand damages from Defendants, Dubois Medical Supply Company, Inc. and Paul Rezk in an amount in excess of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00).

A JURY TRIAL DEMANDED

Respectfully submitted,

LEGER & BALL, P.C.

BY: 

Andrew J. Leger, Jr., Esquire
Counsel for Plaintiffs

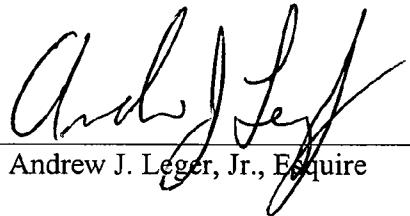
VERIFICATION

I, Andrew J. Leger, Jr., Esquire, counsel for the Plaintiffs, Bridget Dobrowski and Eric Dobrowski verify that the statements of fact made in the foregoing Second Amended Complaint are true and correct to the best of my knowledge, information, and belief. I understand that any false statements herein are made subject to the penalties of 18 Pa C.S.A. § 4904 relating to unsworn falsification to authorities.

I am authorized to make this Verification on behalf of the Plaintiffs, Bridget Dobrowski and Eric Dobrowski.

Date

6/5/03

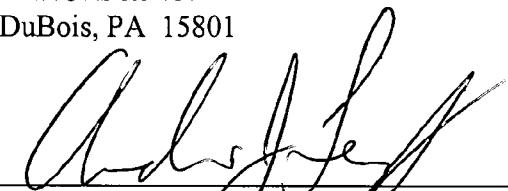


Andrew J. Leger, Jr., Esquire

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Notice of Deposition was served upon the following via facsimile and by first-class mail, postage prepaid on this 5th day of June, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801


Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

FILED
M 1:30 PM
JUN 09 2003
CO REC'D
FBI

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

CIVIL ACTION - AT LAW

No. 2002-01810-CD

Type of pleading:

ANSWER AND NEW MATTER

Filed on Behalf of:

DEFENDANTS

Counsel of Record for this
Party:

Anthony S. Guido, Esq.
Supreme Court No. 05877
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

814-371-7768

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

ASW

FILED

JUN 20 2003

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK

Defendants

No. 2002-01810-CD

ANSWER AND NEW MATTER
TO SECOND AMENDED COMPLAINT

AND NOW, comes the Defendants, DUBOIS MEDICAL SUPPLY COMPANY, INC. ("DMS"), and PAUL REZK ("Rezk"), and by their attorneys, HANAK, GUIDO AND TALADAY, and file this Answer and New Matter to the Second Amended Complaint filed by the Plaintiffs to the above entitled action as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied as stated. Defendant Rezk is the President and owner of common stock of Defendant DMS and has not acted as Manager of DMS. It is admitted that as President, Defendant Rezk had direct supervision over the Plaintiffs.

5. Denied as stated. Wife Plaintiff commenced her employment with DMS as a part-time employee on April 20, 1999, and became a full-time employee on August 16, 1999, not 1997 as stated.

6. Denied as stated. Husband Plaintiff, Eric Dobrowski, was employed as a part-time employee of DMS on February 18, 1997, and became a full-time employee on September 22, 1997.

7. Denied. Any alleged sexual contact between Wife Plaintiff, Bridget Dobrowski, and Rezk was by mutual consent. Consequentially, it is denied that Wife Plaintiff, Bridget Dobrowski, was subject to unwelcome sexual advances, touching or veiled threats regarding her employment at DMS. It is further denied that Defendant Rezk or any other employee with position of authority of DMS made any threats, veiled or otherwise, to Wife Plaintiff, Bridget Dobrowski, regarding her employment at DMS.

8. Denied. Wife Plaintiff, Bridget Dobrowski, had asked Rezk to bring her a gift when Rezk returned from a vacation as she liked jewelry and could wear multiple sets of earrings. After Rezk gave the earrings to Wife Plaintiff, Bridget Dobrowski, in his office, Wife Plaintiff left Rezk's office to go to the ladies room to try on the earrings. When Wife Plaintiff, Bridget Dobrowski, returned, she was thrilled about the fact that she liked the earrings so much and that the diamonds were larger than the diamonds that Husband Plaintiff, Eric Dobrowski, had given her. Then Rezk and Wife Plaintiff kissed three times by mutual consent, after which Wife Plaintiff advised Rezk that

she did not want to return the earrings that she loved them so much. Approximately 15 minutes later that day, Wife Plaintiff left the office for the day.

9. Denied as stated. Defendant Rezk had been having regular business meetings with Wife Plaintiff since January or February 2000. In the third week of September at one of the meetings, Wife Plaintiff initiated physical contact by kissing Defendant Rezk passionately, after which date Wife Plaintiff and Rezk had physical contact on a consensual basis.

10. Denied. Rezk did not lure Wife Plaintiff to the Johnsonburg office of DMS as alleged. At the time in question, the purpose of being at the Johnsonburg office was due to the fact that Wife Plaintiff and Rezk were performing a luncheon in-service for a physician's office staff.

11. Denied. After the luncheon in-service for the physician's office had concluded, Rezk and Wife Plaintiff engaged in consensual physical contact. After Wife Plaintiff locked the front door, during the consensual physical contact, Wife Plaintiff opened her blouse, and the parties fondled each other until both reached climax.

12. Denied. On the date in question, Wife Plaintiff and Rezk had a business meeting in St. Marys, after which the parties decided to go the Johnsonburg office to be alone together. Wife Plaintiff followed Rezk to Johnsonburg in her company car. Any alleged physical contact between the parties was consensual. At the

time in question, the parties kissed and fondled each other on a consensual basis until Wife Plaintiff had a climax, but Rezk did not.

13. Denied. The Johnsonburg office of DMS is in an office building with four or five other offices. If so inclined, Wife Plaintiff could have left at any time or could have gotten help. In fact, Wife Plaintiff was the one who locked the door for privacy on the first visit, and on the second visit, Wife Plaintiff followed Rezk to the Johnsonburg office from St. Marys. It is further denied that the physical contact was due to any control or influence asserted by Rezk over the Wife Plaintiff's actions or as the Wife Plaintiff's superior. Any physical contact between the parties was consented to and engaged in willfully by Wife Plaintiff.

14. Denied. It is admitted that Wife Plaintiff and Rezk had regular physical contact on a consensual basis in Rezk's office from September 2000 until her resignation on November 19, 2000. At no time did Wife Plaintiff ever object to any physical contact that she had with Rezk. Both parties reached climax during these encounters. In fact, Wife Plaintiff brought lipstick and items to use in his office to re-do herself when she left Rezk's office so that the other office staff would not notice anything unusual about the physical appearance of Wife Plaintiff. At no time did Wife Plaintiff ever ask Rezk to stop or object to any of the physical contacts. In fact, Wife Plaintiff indicated to Rezk that she enjoyed the physical contact with Rezk.

15. Denied as stated. On the occasion in question, Wife Plaintiff had requested that Rezk drive Wife Plaintiff to her home to

retrieve her car keys. On arrival, Wife Plaintiff invited Rezk to come inside, which Rezk initially declined, however, Wife Plaintiff again invited Rezk inside. While inside, the parties had physical contact on a consensual basis in the downstairs of Wife Plaintiff's home and then moved upstairs where the parties continued the consensual physical contact until both climaxed.

16. Denied. On the date in question, November 19, 2000, David Dietz, another employee of DMS, was called on a service call and needed something from Wife Plaintiff, Bridget Dobrowski. Mr. Dietz offered to meet Wife Plaintiff at the Treasure Lake front gate, but Wife Plaintiff advised Mr. Dietz that she would come to the office. After meeting with David Dietz at approximately 12:30 p.m., Wife Plaintiff stayed with Rezk in the office until 5:00 p.m. During that time, Wife Plaintiff and Rezk engaged in consensual physical encounters during which time Wife Plaintiff climaxed three times. During the encounter, Wife Plaintiff removed Rezk's shirt, jeans and underwear. Wife Plaintiff returned to the office after she had left at 5:00 p.m. in a frantic state stating that her Husband Plaintiff had been trying to reach her on her cell phone since about 3:00 p.m. When Wife Plaintiff returned to her home, Husband Plaintiff accused Wife Plaintiff of engaging in an affair with Rezk due to the fact that he recognized the smell of Rezk's cologne. After an argument, Wife Plaintiff called Rezk and asked Rezk what they were going to do. After several encounters with Husband Plaintiff, Wife Plaintiff admitted to Husband Plaintiff that she was having an affair with Rezk. Wife Plaintiff called Rezk at least two times

on his cell phone after the encounters with Husband Plaintiff to advise Rezk as to what had transpired between Wife Plaintiff and Husband Plaintiff. Consequently, it is denied that Rezk lured Wife Plaintiff to the office. At no time, and it is specifically denied that Wife Plaintiff voiced her disapproval of any actions of Rezk. To the contrary, Wife Plaintiff willingly and consentually engaged in the physical contact with Rezk at the time in question.

17. Denied. In response thereto, the answers to Paragraphs 7 through 16 inclusive, are incorporated herein by reference thereto as though fully set forth herein.. In further answer thereto, Wife Plaintiff had no basis for fearing the loss of her job with DMS, and any physical contact between Rezk and Wife Plaintiff was on a consensual basis, and Wife Plaintiff willingly engaged in the physical contact as previously alleged.

18. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

19. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

20. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

21. Denied. In answer thereto, the answers to Paragraphs

7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

22. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

23. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

24. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

25. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein.

26. Denied. In answer thereto, the answers to Paragraphs 7 through 17 inclusive, are incorporated herein by reference thereto as though fully set forth herein. It is further denied that Wife Plaintiff suffered any of the alleged injuries as a result of the physical contact which she had with Rezk. Such physical contact was consensual, and that Wife Plaintiff willingly engaged in such physical contact with Rezk.

27. No answer is required as the allegations of Paragraph 27 have been withdrawn by the Plaintiffs.

WHEREFORE, Defendants demand that Plaintiffs' Complaint be dismissed.

COUNT I

Bridget Dobrowski, Plaintiff v.
DuBois Medical Supply Company, Inc., Defendant

Sexual Harassment/Sexual Discrimination

28. Denied. In answer thereto, the answers to Paragraphs 1 through 27 inclusive are incorporated as though fully set forth herein.

29. It is admitted that the Plaintiff did file a complaint with the Pennsylvania Human Relations Commission, but it is denied that the Wife Plaintiff was subjected to sexual harassment by Defendant Rezk.

30. The allegations of Paragraph 30 are neither admitted nor denied as all the means of proof thereof are in the possession of the Plaintiffs. Strict proof thereof is demanded at the trial of this case.

31. Admitted.

32. Denied. Any sexual activities between the Wife Plaintiff and Rezk were consented to and engaged in willingly by Wife Plaintiff. Therefore, the acceptance of sexual advances by Defendant Rezk were not quid pro quo to Plaintiffs' ability to continue employment with DMS. In further answer thereto, the answers to Paragraphs 7 through 17 are incorporated herein by reference thereto as though fully set forth herein.

33. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and the answer to Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

34. Denied. The allegations set forth in Paragraph 34 are legal conclusions, and, therefore, no response is required pursuant to the Pennsylvania Rules of Civil Procedure.

WHEREFORE, DMS demands that the Plaintiffs' Complaint based on sexual harassment/sexual discrimination be dismissed.

COUNT II

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

Assault

35. Denied. Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 34 as though fully set forth herein.

36. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

37. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Wife Plaintiff's Complaint for assault be dismissed.

COUNT III

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

Battery

38. Denied. In answer thereto, Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 37 as though fully set forth herein.

39. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

40. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

41. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

42. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Wife Plaintiff's cause of action for assault be dismissed.

COUNT IV

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

Sexual Assault and Battery

43. Denied. In answer thereto, Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 42 as though fully set forth herein.

44. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

45. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

46. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

47. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

48. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Wife Plaintiff's cause of action for sexual assault and battery be dismissed.

COUNT V

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

False Imprisonment

49. Denied. In answer thereto, Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 48 as though fully set forth herein.

50. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

51. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

52. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

53. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

54. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

55. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Wife Plaintiff's cause of action for false imprisonment be dismissed.

COUNT VI

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

Intentional Infliction of Emotional Distress

56. Denied. In answer thereto, Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 55 as though fully set forth herein.

57. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

58. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

59. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

60. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Wife Plaintiff's cause of action for intentional infliction of emotional distress be dismissed.

COUNT VII

Bridget Dobrowski, Plaintiff v.
DuBois Medical Supply Company, Inc., Defendant

Intentional Infliction of Emotional Distress

61. Denied. In answer thereto, Defendant DMS incorporates by reference the answers to Paragraphs 1 through 60 as though fully set forth herein.

62. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

63. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

64. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

65. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant DMS demands that Wife Plaintiff's cause of action for intentional infliction of emotional distress be dismissed.

COUNT VIII

Bridget Dobrowski, Plaintiff v.
Paul Rezk, Defendant

Negligent Infliction of Emotional Distress

66. Denied. In answer thereto, Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 65 as though fully set forth herein.

67. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

68. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

69. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Wife Plaintiff's cause of action for negligent infliction of emotional distress be dismissed.

COUNT IX

Bridget Dobrowski, Plaintiff v.
DuBois Medical Supply Company, Inc., Defendant

Negligent Infliction of Emotional Distress

70. Denied. In answer thereto, Defendant DMS incorporates by reference the answers to Paragraphs 1 through 69 as though fully set forth herein.

71. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

72. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

73. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant DMS demands that Wife Plaintiff's cause of action for negligent infliction of emotional distress be dismissed.

COUNT X

Eric Dobrowski, Plaintiff v.
Paul Rezk, Defendant

Loss of Consortium

74. Denied. In answer thereto, Defendant Rezk incorporates by reference the answers to Paragraphs 1 through 73 as though fully set forth herein.

75. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraph 32 are incorporated herein by reference thereto as though fully set forth herein. In further answer thereto, it is denied that Plaintiff Eric Dobrowski has been deprived of Wife Plaintiff's society, aid, comfort and her services in the management of his domestic affairs.

76. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraphs 32 and 75 are incorporated herein by reference thereto as though fully set forth herein.

77. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraphs 32 and 75 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant Rezk demands that Plaintiff Eric Dobrowski's cause of action for loss of consortium be dismissed.

COUNT XI

Eric Dobrowski, Plaintiff v.
DuBois Medical Supply Company, Inc., Defendant

Loss of Consortium

78. Denied. In answer thereto, Defendant DMS incorporates by reference the answers to Paragraphs 1 through 77 as though fully set forth herein.

79. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraphs 32 and 75 are incorporated herein by reference thereto as though fully set forth herein.

80. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraphs 32 and 75 are incorporated herein by reference thereto as though fully set forth herein.

81. Denied. In answer thereto, the answers to Paragraphs 7 through 17 and Paragraphs 32 and 75 are incorporated herein by reference thereto as though fully set forth herein.

WHEREFORE, Defendant DMS demands that Plaintiff Eric Dobrowski's cause of action for loss of consortium be dismissed.

NEW MATTER

AND NOW, come the Defendants, DuBois Medical Supply Company, Inc. and Paul Rezk, by their attorneys, HANAK, GUIDO AND TALADAY, and file this New Matter to the Complaint filed by the Plaintiffs in the above entitled matter as follows:

82. Defendants, Rezk and DMS, incorporate by reference the Defendants' answers to Paragraphs 1 through 81 inclusive as though fully set forth herein.

83. Wife Plaintiff seeks damages from the Defendants alleging sexual harassment/sexual discrimination - Count I, assault - Count II, battery - Count III, sexual assault and battery - Count IV, false imprisonment - Count V, intentional infliction of emotional distress - Count VI and Count VII, and negligent infliction of emotional distress - Count VIII and Count IX.

84. The applicable Pennsylvania Statute of Limitations, 40 Pa. C.S.A. §5524 requires that such causes of action be commenced within two years from the date on which the cause of action accrued.

85. Wife Plaintiff initiated this action by a summons that was filed in the Court of Common Pleas of Clearfield County, Pennsylvania, on November 19, 2002. Wife Plaintiff's cause of action accrued on November 19, 2000. As a consequence, any causes of action based on any allegations of wrongdoing by Defendant Rezk which occurred prior to November 19, 2000, are barred by the applicable statute of limitations.

86. Wife Plaintiff's cause of action of false imprisonment against Defendant Rezk Count V is based upon the events which occurred at the Johnsonburg office. The events occurred prior to November 19, 2000.

87. Wife Plaintiff's action for false imprisonment is accordingly barred by the applicable statute of limitations.

88. Wife Plaintiff brought causes of action against DMS for sexual harassment/sexual discrimination - Count I, intentional infliction of emotional distress - Count VII, negligent infliction of emotional distress - Count IX. The applicable statute of limitations 42 Pa.C.S.A. §5524 requires that suit for such causes of action be commenced within two years of the date on which the cause of action accrued.

89. Wife Plaintiff initiated this action against DMS by a summons which is filed in the Office of the Court of Common Pleas of Clearfield County, Pennsylvania, on November 19, 2002.

90. Wife Plaintiff's actions against DMS based on any alleged wrongdoing which occurred prior to November 19, 2000, are barred by the applicable statute of limitations.

91. Plaintiff, Eric Dobrowski, complaint filed against Defendants DMS and Rezk includes a cause of action for loss of consortium against Rezk - Count X, and a cause of action for loss of consortium against DMS - Count XI. The applicable statute of limitations 42 Pa.C.S.A. §5524 requires that suit for such causes of

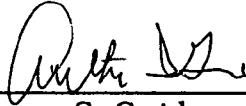
action be commenced within two years of the date on which the cause of action accrued.

92. Husband Plaintiff commenced this action by filing a summons in the Office of the Court of Common Pleas of Clearfield County, Pennsylvania, on November 19, 2002.

93. The Husband Plaintiff's causes of action which are based on any alleged wrongdoing occurring prior to November 19, 2000, are barred by the applicable statute of limitations.

94. The Plaintiffs actions against DMS and Rezk are barred as being covered by workmen's compensation, and, therefore, this action must be dismissed as any alleged injuries caused to employees during their course of employment are limited to the remedies provided by the Workmen's Compensation Act.

WHEREFORE, Defendants demand that Plaintiffs' Complaint be dismissed.



Anthony S. Guido
Attorney for Defendants

VERIFICATION

I, PAUL REZK, do hereby verify that I have read the foregoing ANSWER AND NEW MATTER. The statements therein are correct to the best of my personal knowledge or information and belief.

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

Date: 6-12-03

Paul Rezk
Paul Rezk

VERIFICATION

I, PAUL REZK, President of DuBois Medical Supply Company, Inc., do hereby verify that I have read the foregoing ANSWER AND NEW MATTER. The statements therein are correct to the best of my personal knowledge or information and belief.

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

DUBOIS MEDICAL SUPPLY
COMPANY, INC.

Date: 6-18-03

By: Paul Rezk PRES.
Paul Rezk
President

CERTIFICATE OF SERVICE

I do hereby certify that on the 19th day of June, 2003,
I mailed a copy of the ANSWER AND NEW MATTER by first class mail,
postage prepaid, to:

Andrew J. Leger, Jr., Esq.
Leger & Ball, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219



Anthony S. Guido
Attorney for Defendants

FILED

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CC

JUN 10 2003
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William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

CIVIL ACTION - AT LAW

No. 2002-01810-CD

Type of Pleading:

Certificate of Service

Filed on Behalf of:

Defendants

Counsel of Record for This
Party:

Anthony S. Guido, Esq.
Supreme Court No. 05877
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

JUN 20 2003

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and	:	
ERIC J. DOBROWSKI,	:	
Plaintiffs	:	
vs.	:	No. 2002-01810-CD
DUBOIS MEDICAL SUPPLY	:	
COMPANY, INC., and	:	
PAUL REZK,	:	
Defendants	:	

CERTIFICATE OF SERVICE

I do hereby certify that on the 19th day of June, 2003,
I mailed a copy of DEFENDANTS' MOTION FOR SANCTIONS by first
class mail, postage prepaid, to:

Andrew J. Leger, Jr., Esq.
Attorney for Plaintiffs
Leger & Ball, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219



Anthony S. Guido
Attorney for Defendants

FILED

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JUN 20 2003
cc
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William A. Shaw
Notary Public

CA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET M. DOBROWSKI and : CIVIL ACTION - AT LAW
ERIC J. DOBROWSKI, :
Plaintiffs : No. 2002-01810-CD
vs. :
DUBOIS MEDICAL SUPPLY : Type of Pleading:
COMPANY, INC., and :
PAUL REZK, : **Motion for Sanctions**
Defendants : Filed on Behalf of:
 : Defendants
 : Counsel of Record for This
Party: :
 : Anthony S. Guido, Esq.
 : Supreme Court No. 05877
 : Hanak, Guido and Taladay
 : 498 Jeffers Street
 : P. O. Box 487
 : DuBois, PA 15801
 :
 : (814) 371-7768

FILED

JUN 20 2003

William A. Shaw
Prothonotary

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

No. 2002-01810-CD

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

**MOTION OF DEFENDANTS FOR SANCTIONS
AGAINST PLAINTIFFS FOR PLAINTIFFS' FAILURE
TO ANSWER DEFENDANTS' INTERROGATORIES TO PLAINTIFFS**

AND NOW, comes the Defendants, DUBOIS MEDICAL SUPPLY COMPANY, INC. ("DMS"), and PAUL REZK ("Rezk"), by their undersigned counsel, hereby moves this Court to enter an Order pursuant to Pa.R.C.P. No. 4019(a)(1)(i) directing Plaintiffs to serve full and complete answers to Defendants' Interrogatories propounded to the Plaintiffs or suffer sanctions and in support thereof aver the following:

1. The instant action was instituted by Plaintiffs filing a Summons in the Court of Common Pleas of Clearfield County, Pennsylvania, on November 19, 2000. Thereafter, the Plaintiffs filed a Complaint and an Amended Complaint in this case.

2. On March 31, 2003, Defendants served a set of Interrogatories upon Counsel for the Plaintiffs for answer by Plaintiff

Bridget M. Dobrowski and by Plaintiff Eric J. Dobrowski. A copy of Defendants' transmittal letter of March 31, 2003 is attached hereto as Exhibit "A".

3. Pursuant to Pa.R.C.P. No. 4006(a)(2), Plaintiffs' answers and objections, if any, to the Interrogatories were due on or before May 1, 2003.

4. A period of more than thirty days has elapsed since the Interrogatories were served upon Counsel for the Plaintiffs and no response of any kind has been provided.

5. By letter dated May 19, 2003, Counsel for Plaintiffs was notified by Counsel for Defendants that Plaintiffs' responses to the Interrogatories were overdue and that a motion would be filed if the answers were not transmitted within ten days of May 19, 2003.

6. Nevertheless, to date, Counsel for Plaintiffs has not filed answers to the subject Interrogatories. A true and correct copy of Defendants' letter of May 19, 2003 is attached hereto as Exhibit "B".

7. For the foregoing reasons, Defendants believe and aver that Plaintiffs will not answer Defendants' Interrogatories absent a Court Order pursuant to Pa.R.C.P. 4019(a)(1)(i).

WHEREFORE, Defendants request that your Honorable Court enter an Order directing the Plaintiffs to file full and correct answers to Defendants' Interrogatories within ten days or suffer

appropriate sanctions to be imposed upon further application to the Court.

Respectfully Submitted,

HANAK, GUIDO and TALADAY

By


Anthony S. Guido
Attorney for Defendants

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

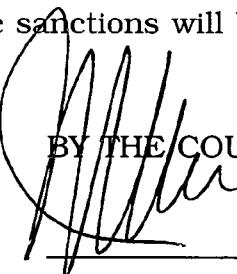
vs.

No. 2002-01810-CD

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

**SANCTION ORDER DIRECTING
ANSWERS TO INTERROGATORIES**

AND NOW, this 23rd day of June, 2003,
upon consideration of Defendants' Motions for Sanctions against
Plaintiffs for Plaintiffs' failure to answer Defendants' Interrogatories, IT
IS HEREBY ORDERED that the Motion is granted and Plaintiffs shall
file answers to Defendants' Interrogatories within ten days from the
date of this Order or appropriate sanctions will be imposed upon
further application to the Court.


BY THE COURT,

FILED

JUN 23 2003

William A. Shaw
Prothonotary

FILED JCC
JUN 23 2003 *John A. Giusto*
for

William A. Shaw
Prothonotary

HANAK, GUIDO and TALADAY
Attorneys at Law

Robert M. Hanak
Anthony S. Guido
Matthew B. Taladay

Nicole Hanak Bankovich
Jeffrey S. DuBois
S. Casey Bowers

Telephone: (814) 371-7768
Fax: (814) 371-1974

498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

March 31, 2003

Andrew J. Leger, Jr., Esq.
Leger & Ball, P.C.
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219

Re: Dobrowski v. Rezk, et al.
No. 2002-01810-CD

Dear Mr. Leger:

With regard to the above referenced case, enclosed please find the following:

1. Original and one copy of Interrogatories Directed to Plaintiff Bridget M. Dobrowski.
2. Original and one copy of Interrogatories Directed to Plaintiff Eric J. Dobrowski.
3. Copy of my letter addressed to William Shaw, Prothonotary, as well as a copy of the Notice of Service included with Mr. Shaw's letter.

If you should have any questions concerning the enclosed, please do not hesitate to contact me.

Very truly yours,

Anthony S. Guido
ANTHONY S. GUIDO

ASG:kam
Encs.
cc: Paul Rezk

HANAK, GUIDO and TALADAY
Attorneys at Law

Robert M. Hanak
Anthony S. Guido
Matthew B. Taladay

Nicole Hanak Bankovich
Jeffrey S. DuBois
S. Casey Bowers

Telephone: (814) 371-7768
Fax: (814) 371-1974

498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

May 19, 2003

Andrew J. Leger, Jr., Esq.
Leger & Ball, P.C.
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219

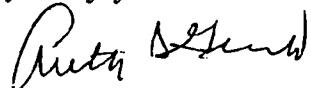
Re: Dobrowski v. Rezk, et al.
No. 2002-01810-CD

Dear Mr. Leger:

According to our records, by letter dated March 31st we forwarded to you Interrogatories for answer by the Plaintiffs, Eric J. and Bridget M. Dobrowski. Accordingly, the answers to the Interrogatories are past due. Please file the answers within the next ten (10) days or otherwise we will have no alternative except to file a motion with the court to compel.

If you should have any questions, please advise.

Very truly yours,



ANTHONY S. GUIDO

ASG/bab
cc: Paul Rezk

FILED

NO
cc

012.5000
JUN 20 2003

SK

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

CIVIL ACTION - AT LAW

No. 2002-01810-CD

Type of Pleading:

CERTIFICATE OF SERVICE

Filed on Behalf of:

DEFENDANTS

Counsel of Record for This
Party:

Anthony S. Guido, Esq.
Supreme Court No. 05877
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

(814) 371-7768

FILED

JUN 27 2003

William A. Shaw
Prothonotary

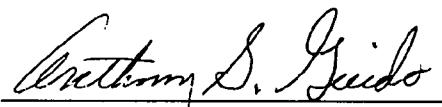
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - AT LAW

BRIDGET M. DOBROWSKI and :
ERIC J. DOBROWSKI, :
Plaintiffs :
vs. : No. 2002-01810-CD
DUBOIS MEDICAL SUPPLY :
COMPANY, INC., and :
PAUL REZK, :
Defendants :

CERTIFICATE OF SERVICE

I do hereby certify that on the 26th day of June, 2003,
I faxed and mailed a copy of the SANCTION ORDER DIRECTING
ANSWERS TO INTERROGATORIES by first class mail, postage
prepaid, to:

Andrew J. Leger, Jr., Esq.
Attorney for Plaintiffs
Leger & Ball, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219



Anthony S. Guido
Attorney for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

STIPULATION

JURY TRIAL DEMANDED

Filed on Behalf of Plaintiffs:
Bridget Dobrowski and
Eric Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

JUN 30 2003

William A. Shaw
Prothonotary

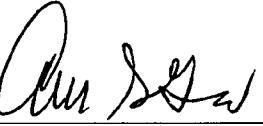
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,)	CIVIL DIVISION
ERIC DOBROWSKI,)	
)	
Plaintiffs,)	No. 2002-1810-CD
)	
vs.)	
)	
DUBOIS MEDICAL SUPPLY)	
COMPANY, INC., and PAUL)	
REZK,)	
)	
Defendants.)	

STIPULATION

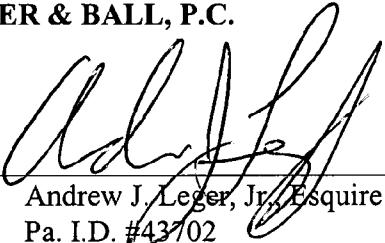
It is hereby stipulated by the parties, by and through their duly authorized representatives, that Paragraph 27 of the Amended Complaint is deleted.

HANAK, GUIDO & TALADAY

BY: 

Anthony S. Guido, Esquire
Pa. I.D. #05877
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768
Counsel for Defendants

LEGER & BALL, P.C.

BY: 

Andrew J. Leger, Jr., Esquire
Pa. I.D. #43702
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Stipulation was served upon the following via facsimile and by first-class mail, postage prepaid on this 25th day of June, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

Andrew J. Leger, Jr., Esq.
Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs
vs.
DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

: CIVIL ACTION - AT LAW
: No. 2002-01810-CD
:
: Type of Pleading:
: **CERTIFICATE OF SERVICE**
:
: Filed on Behalf of:
: **DEFENDANTS**
:
: Counsel of Record for This
: Party:
:
: Anthony S. Guido, Esq.
: Supreme Court No. 05877
: Hanak, Guido and Taladay
: 498 Jeffers Street
: P. O. Box 487
: DuBois, PA 15801
:
: 814-371-7768

FILED

JUL 18 2003

mjl:ob/nock
William A. Shaw
Prothonotary

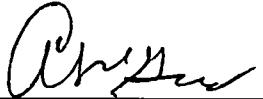
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

BRIDGET M. DOBROWSKI and	:	
ERIC J. DOBROWSKI,	:	
Plaintiffs	:	
vs.	:	No. 2002-01810-CD
DUBOIS MEDICAL SUPPLY	:	
COMPANY, INC., and	:	
PAUL REZK,	:	
Defendants	:	

CERTIFICATE OF SERVICE

I do hereby certify that on the 17th day of July, 2003,
I mailed two original Notices of Deposition, copies of which are
attached hereto, by first class mail, postage prepaid, to:

Andrew J. Leger, Jr., Esq.
Leger & Ball, P.C.
3100 Grant Bldg.
330 Grant Street
Pittsburgh, PA 15219



Anthony S. Guido
Attorney for Defendants

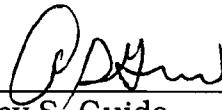
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

BRIDGET M. DOBROWSKI and	:	
ERIC J. DOBROWSKI,	:	
Plaintiffs	:	
vs.	:	No. 2002-01810-CD
DUBOIS MEDICAL SUPPLY	:	
COMPANY, INC., and	:	
PAUL REZK,	:	
Defendants	:	

NOTICE OF DEPOSITION

TO: ERIC J. DOBROWSKI
c/o Andrew J. Leger, Jr., Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Monday, August 11, 2003 at 10:00 a.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.



Anthony S. Guido,
Attorney for Defendants

cc: Schreiber Reporting Service

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

BRIDGET M. DOBROWSKI and
ERIC J. DOBROWSKI,
Plaintiffs

vs.

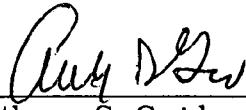
No. 2002-01810-CD

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and
PAUL REZK,
Defendants

NOTICE OF DEPOSITION

TO: BRIDGET M. DOBROWSKI
c/o Andrew J. Leger, Jr., Esq.

TAKE NOTICE that your deposition by oral examination
will be taken on **Monday, August 11, 2003 at 10:00 a.m.** at the law
office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois,
Pennsylvania. This deposition is being taken for the purpose of
discovery and for use at trial, pursuant to the Pennsylvania Rules of
Civil Procedure regarding Discovery.



Anthony S. Guido,
Attorney for Defendants

cc: Schreiber Reporting Service

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

v.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL REZK,

Defendants.

JURY TRIAL DEMANDED

CIVIL DIVISION

NO: 2002-1810-CD

**PLAINTIFFS' REPLY TO
DEFENDANTS' NEW MATTER**

Code:

Filed on behalf of Plaintiffs:
Bridget Dobrowski and Eric
Dobrowski

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. #43702

LEGER & BALL, P.C.
Firm I.D. #142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

Jul 23 2003

William A. Shum
prost

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

CIVIL DIVISION

NO: 2002-1810-CD

v.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PAUL REZK,

Defendants.

PLAINTIFFS' REPLY TO DEFENDANTS' NEW MATTER

AND NOW, comes Plaintiffs, Bridget Dobrowski and Eric Dobrowski, by and though their counsel, Andrew J. Leger, Jr., Esquire and Leger & Ball, P.C., and file the following Reply to Defendants' New Matter and in support thereof aver the following:

1. In response to the allegations contained in Paragraph 82 of Defendants' New Matter, it is averred that the same is merely an incorporation of the Answer for which no response is required.
2. In response to the allegations contained in Paragraph 83 of Defendants' New Matter, it averred that the same set forth conclusions of fact for which no response is required. However, to the extent a response may be deemed necessary, it is admitted that Wife-Plaintiff seeks damages from the Defendants for sexual harassment / sexual discrimination – Count I,

assault – Count II, battery – Count III, sexual assault and battery – Count IV, false imprisonment – Count V, intentional infliction of emotional distress – Count VI and Count VII, and negligent infliction of emotional distress – Count VIII and Count IX.

3. In response to the allegations contained in Paragraph 84 of Defendants' New Matter, it is averred that the same set forth conclusion of law for which no response is required.

4. In response to the allegations contained in Paragraph 85 of Defendants' New Matter, it is averred that the same set forth conclusions of law for which no response is required. However, to the extent that a response may be deemed necessary, it is denied that Wife-Plaintiff's causes of action are in any barred, in whole or in part by any applicable statute of limitations.

5. In response to the allegations contained in Paragraph 86 of Defendants' New Matter, it is averred that the same set forth conclusions of fact for which no response is required. However, to the extent that a response is deemed necessary, it is denied that Wife-Plaintiff's cause of action of false imprisonment is based solely on events occurring prior to November 19, 2000 or events solely occurring at the Johnsonburg office.

6. In response to the allegations contained in Paragraph 87 of Defendants' New Matter, it is averred that the same set forth conclusions of law for which no response is required. However, to the extent that a response may be deemed necessary, it is denied that Wife-Plaintiff's cause of action of false imprisonment is in any way barred, in whole or in part by any applicable statute of limitations.

7. In response to the allegations contained in Paragraph 88 of Defendants' New Matter, it is averred that the same set forth conclusions of law for which no response is required.

8. In response to the allegations contained in Paragraph 89 of Defendants' New Matter, it is averred that the same set forth conclusions of fact for which no response is required.

9. In response to the allegations contained in Paragraph 90 of Defendants' New Matter, it is averred that the same set forth conclusions of law for which no response is required. However, to the extent that a response may be deemed necessary, it is denied that Wife-Plaintiff's causes of action are in any way barred, in whole or in part by any applicable statute of limitations.

10. In response to the allegations contained in Paragraph 91 of Defendants' New Matter, it is averred that the same set forth conclusions of fact for which no response is required. However, to the extent that a response may be deemed necessary, it is admitted that Husband-Plaintiff brought causes of action against Defendants for loss of consortium – Count X and Count XI. It is denied that Husband-Plaintiff's cause of action are in any way barred, in whole or in part by any applicable statute of limitations.

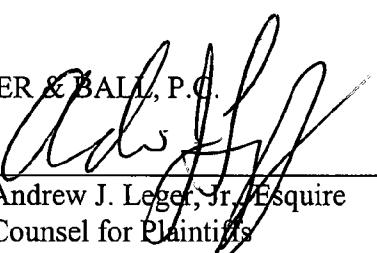
11. In response to the allegations contained in Paragraph 92 of Defendants' New Matter, it is averred that the same set forth conclusions of fact for which no response is required. However, to the extent that a response may be deemed necessary, it is admitted that Husband – Plaintiff filed a summons on November 19, 2002.

12. In response to the allegations contained in Paragraph 93 of Defendants' New Matter, it is averred that the same set forth conclusions of law for which no response is required. However, to the extent that a response may be deemed necessary, it is denied that Husband-Plaintiff's causes of action are in any way barred, in whole or in part by any applicable statute of limitations.

13. In response to the allegations contained in Paragraph 94 of Defendants' New Matter, it is averred that the same set forth conclusions of law for which no response is required.

WHEREFORE, Plaintiffs, Bridget M. Dobrowski and Eric Dobrowski, her husband, claim damages from the Defendants, Dubois Medical Supply Company, Inc., and Paul Rezk, in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

A JURY TRIAL DEMANDED

LEGER & BALI, P.C.
BY: 
Andrew J. Leger, Jr., Esquire
Counsel for Plaintiffs

VERIFICATION

I hereby verify that the statements of fact made in the Plaintiffs' Reply to Defendants' New Matter are true and correct to the best of my knowledge, information and belief; that I am authorized to execute this Verification and that I understand that any false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Dated: 7-18-03

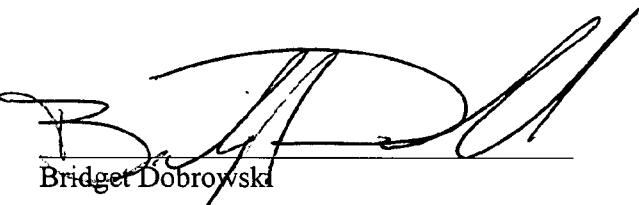


Eric Dobrowski

VERIFICATION

I hereby verify that the statements of fact made in the Plaintiffs' Reply to Defendants' New Matter are true and correct to the best of my knowledge, information and belief; that I am authorized to execute this Verification and that I understand that any false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Dated: 7-18-03



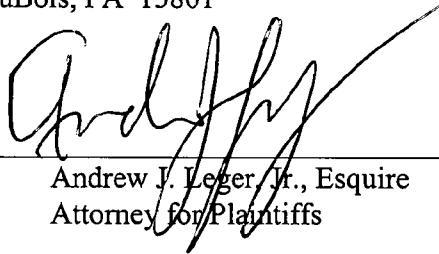
A handwritten signature in black ink, appearing to read "Bridget Dobrowski". The signature is fluid and cursive, with a stylized 'B' at the beginning.

Bridget Dobrowski

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Plaintiffs' Reply to Defendants' New Matter was served upon the following via first-class mail, postage prepaid on this 21st day of July, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



Andrew J. Leger Jr., Esquire
Attorney for Plaintiffs

FILED NO CC
M 1/23/03
JL 23 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and
ERIC DOBROWSKI,

Plaintiffs,

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER REZK,

Defendants.

CIVIL DIVISION

No. 2002-1810-CD

**PRAECIPE TO SETTLE AND
DISCONTINUE**

Filed on Behalf of Plaintiffs:
Briget Dobrowski and
Eric Dobrowski

JURY TRIAL DEMANDED

Counsel of Record:

Andrew J. Leger, Jr., Esquire
Pa. I.D. No. 43702

LEGER & BALL, P.C.
Firm I.D. No. 142
3100 Grant Building
330 Grant Street
Pittsburgh, PA 15219
(412) 456-9700
(412) 456-9701 (fax)

FILED

SEP 22 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BRIDGET DOBROWSKI and,
ERIC DOBROWSKI,

CIVIL DIVISION

Plaintiffs,

No. 2002-1810-CD

vs.

DUBOIS MEDICAL SUPPLY
COMPANY, INC., and PETER
REZK,

Defendants.

PRAECIPE TO SETTLE AND DISCONTINUE

TO: WILLIAM SHAW, PROTHONOTARY

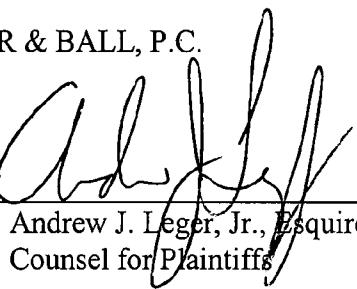
Kindly settle and discontinue this action on behalf of the Plaintiffs, Bridget Dobrowski and Eric Dobrowski, in the above-captioned action.

Respectfully submitted,

LEGER & BALL, P.C.

BY:

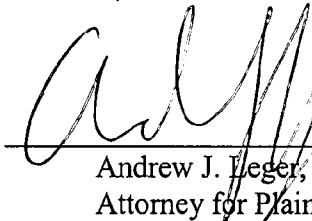
Andrew J. Leger, Jr., Esquire
Counsel for Plaintiffs



CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing Praecipe to Settle and Discontinue was served upon the following via first-class mail, postage prepaid on this 18th day of September, 2003:

Anthony S. Guido, Esquire
Hanak, Guido & Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801


Andrew J. Leger, Jr., Esquire
Attorney for Plaintiffs

FILED

13A M 1:37 AM 1/26/04
Cert of Service

SEP 22 2003

clia

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Bridget M. Dobrowski
Eric J. Dobrowski

vs. No. 2002-01810-CD
Peter Rezk
DuBois Medical Supply Company, Inc.

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 September 22, 2003, marked:

Discontinued, settled and ended.

Record costs in the sum of \$144.72 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 22nd day of September A.D. 2003.

William A. Shaw, Prothonotary