

03-384-CD
PAUL J. PARANICH VS. D.J. FRY EXCAVATING

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

PAUL J. PARANICH
611 Stone Street
Osceola Mills, PA. 16666
Owner

vs.

D. J. FRY EXCAVATING
Clearfield, PA 16830
Contractor

No. 2003-384-CD

D. J. FRY EXCAVATING
Clearfield, PA 16830
Contractor

vs.

PAUL J. PARANICH
611 Stone Street
Osceola Mills, PA. 16666
Owner

FILED

MAR 18 2003

William A. Shaw
Prothonotary

STIPULATION AGAINST LIENS

WHEREAS, PAUL J. PARANICH, of 611 Stone Street, Osceola Mills, Pennsylvania, of the one part, herein called "Owner", and D. J. FRY EXCAVATING of Clearfield, Pennsylvania 16830, of the other part, herein called "Contractor", did execute a contract for excavating work to be done on Owner's lot situate in Woodward Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a stake on the East side of Kirk Street bearing South 26 degrees East 99.4 feet from the South East corner of said Kirk Street and First Avenue North; thence by said Kirk Street South 26 degrees East 287 2/10 feet to the North bank of Whiteside Run; thence meandering the same in an Easterly direction 500 feet more or less to the West side of Linn Street; thence thereby North 26 degrees West 335 feet to a stake and thence South 64 degrees West 500 feet to the place of beginning. **Containing** 3 acres of land, more or less.

Excepting and Reserving all exceptions and reservations as are contained in prior deeds in the chain of title.

Further Excepting and Reserving from the above property the following property subject to Eminent Domain Proceedings to Clearfield County File No. 95-433-CD; the said property bounded and described as follows:

Beginning at a point on the east right-of-way line of North Kirk Street; said point being a distance of 185.00 feet southeast from the northwest corner of land of the James Concel Estate; thence extending through land of the James Concel Estate the following 3 courses and distances; (1) North 54 degrees 48 minutes 44 seconds East, a distance of 100.00 feet to an iron pin; (2) South 35 degrees 11 minutes 16 seconds East, a distance of 55.00 feet to an iron pin; (3) South 54 degrees 48 minutes 44 seconds West, a distance of 100.00 feet to an iron pin on the East right-of-way line of North Kirk Street; thence along the same North 35 degrees 11 minutes 16 seconds West, a distance of 55.00 feet to an iron pin, the place of beginning. **Containing** 5,500 square feet.

Further Excepting and Reserving a twenty foot wide strip of land for a right-of-way only, subject to Eminent Domain Proceedings filed to Clearfield County File No. 95-771-CD which runs from the above property in a southwesterly direction toward Kirk Street.

NOW, this 18th day of March, 2003, before any authority has been given by the said Owner to Contractor to commence work or furnish materials for the same, and before any work has been done or materials furnished, and in consideration of the making of the contract, and the further consideration of the sum of One (\$1.00) Dollar by each of the parties to the other in hand paid, the receipt whereof is hereby acknowledged, it is agreed that no lien shall be filed against the buildings or improvements to be erected upon the above described premises, nor against the estate or title of the Owner in the property above described by any contractor, including the contractor executing this agreement, nor by any sub-contractor, nor by any of the materialmen, or workmen or any other person, firm or corporation for any labor or materials purchased or furnished for the construction and erection of the said building; the right to file such liens being hereby expressly waived.

WITNESS the due execution of this agreement the day and year first above written.

OWNER:

Paul J. Paranich

Paul J. Paranich

CONTRACTOR:

D. J. FRY EXCAVATING

By David J Fry

FILED

MAR 19 2003

0191521 WY

William A. Shaw
Prothonotary

NO CLERK

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

LINDA K. HUTTON and GERALD W.
HUTTON, husband and wife,

Plaintiffs,

vs.

MARY C. KRUSZEWSKI, D.O.,
LARRY G. SCHACHTER, M.D.,
and DUBOIS REGIONAL MEDICAL
CENTER,

Defendants.

No.: 03-384 CD

Type of Case: Civil Action

JURY TRIAL DEMANDED

Type of Pleading:

CERTIFICATE OF SERVICE FOR COURT
ORDER OF MARCH 10, 2005

Filed on Behalf of Defendant
MARY C. KRUSZEWSKI, D.O.

Counsel of Record for this
Party: JOHN W. BLASKO

Court I.D. No.: 06787

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

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

Counsel of Record for
Adverse Party:
WILLIAM J. SCHENCK
SHERYLE L. LONG

Dated: 3/11/05

FILED

MAR 14 2005

m/11/05/w
William A. Shaw
Prothonotary

No. 6/C

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

LINDA K. HUTTON and GERALD W.
HUTTON, husband and wife,

Plaintiffs,

vs.

MARY C. KRUSZEWSKI, D.O.,
LARRY G. SCHACHTER, M.D.
and DUBOIS REGIONAL MEDICAL
CENTER,

Defendants.

NO. 03-834 CD

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Order of Court dated March 10, 2005, in the above-referenced matter were mailed by regular mail, first class, at the Post Office, State College, Pennsylvania, postage prepaid, this 11th day of March, 2005, to:

William J. Schenck, Esquire
Sheryle L. Long, Esquire
Schenck & Long
610 North Main Street
Butler, PA 16001

Peter J. Taylor, Esquire
326 Third Avenue
Pittsburgh, PA 15222

David Johnson, Esquire
Two Chatham Center, 10th Floor
Pittsburgh, PA 15219-3499

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

By: _____

JOHN W. BLASKO
Attorneys for Defendant
Mary C. Kruszewski, D.O.

CA

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

LINDA K. HUTTON and GERALD W.)
HUTTON, husband and wife,)
)
Plaintiffs,)

NO. 03-834 CD

vs.)

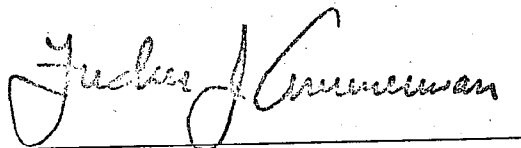
JURY TRIAL DEMANDED

MARY C. KRUSZEWSKI, D.O.,)
LARRY G. SCHACHTER, M.D.)
and DUBOIS REGIONAL MEDICAL)
CENTER,)
Defendants.)

RULE TO SHOW CAUSE

AND NOW, this 10th day of March, 2005, a Rule is hereby issued to
show cause why the Defendant Mary C. Kruszewski, D.O.'s Objections to Plaintiffs' Praecipe to
List for Trial should not be granted.

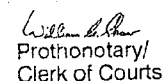
Rule returnable the 5 day of April, 2005, in Clearfield County Courthouse,
Courtroom 1 at 10:30 o'clock.



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

MAR 10 2005

Attest.


Prothonotary/
Clerk of Courts

FILED

MAR 14 2005

William A. Shaw
Prothonotary