

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 18<sup>th</sup> 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 18 2003

0191521W

William A. Shaw

Prothonotary

NO. 14042 2003

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

LINDA K. HUTTON and GERALD W. ) No.: 03-384 CD  
HUTTON, husband and wife, )  
 ) Type of Case: Civil Action  
 )  
 Plaintiffs, ) JURY TRIAL DEMANDED  
 )  
 )  
 vs. ) Type of Pleading:  
 ) CERTIFICATE OF SERVICE FOR COURT  
 ) ORDER OF MARCH 10, 2005  
 )  
 MARY C. KRUSZEWSKI, D.O., )  
 LARRY G. SCHACHTER, M.D., )  
 and DUBOIS REGIONAL MEDICAL )  
 CENTER, )  
 )  
 ) Filed on Behalf of Defendant  
 ) MARY C. KRUSZEWSKI, D.O.  
 )  
 Defendants. )  
 )  
 ) 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/115/w (1)  
William A. Shaw  
Prothonotary  
No. 9C

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

CERTIFICATE OF SERVICE

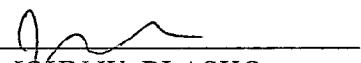
I hereby certify that a true and correct copy of the Order of Court dated March 10, 2005, in the above-referenced matter were mailed by regular mail, first class, at the Post Office, State College, Pennsylvania, postage prepaid, this 11<sup>th</sup> day of March, 2005, to:

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

David Johnson, Esquire  
Two Chatham Center, 10<sup>th</sup> Floor  
Pittsburgh, PA 15219-3499

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

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

By: 

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

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 10<sup>th</sup> day of March, 2005, a Rule is hereby issued to show cause why the Defendant Mary C. Kruszewski, D.O.'s Objections to Plaintiffs' Praecept to List for Trial should not be granted.

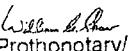
Rule returnable the 5 day of April, 2005, in Clearfield County Courthouse, Courtroom 1 at 10:30 o'clock.



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

MAR 10 2005

Attest.

  
William L. Schaeffer  
Prothonotary/  
Clerk of Courts

**FILED**

MAR 14 2005

William A. Shaw  
Prothonotary