

03-958-CD
MICHELLE WILSON vs SANDHYA SETHI

Date: 11/2/2007

Time: 02:28 PM

Page 1 of 2

Clearfield County Court of Common Pleas

User: LMILLER

ROA Report

Case: 2003-00958-CD

Current Judge: Paul E. Cherry

Michelle Wilson vs. Sandhya Seth

Civil Other

Date		Judge
6/30/2003	✓ Filing: Preacipe for Writ of Summons Paid by: Inzana, David B. Receipt number: 1862310 Dated: 06/30/2003 Amount: \$85.00 (Check) Writ issued to Sheriff	No Judge
8/7/2003	✓ Praecipe For Appearance on behalf of Defendant, Sandhya Seth. filed by s/Laura R. Signorelli, Esquire Certificate of Service 1 cc Atty ✓ Praecipe To File Complaint, Rule To File Complaint and Certification Of Service. RULE TO FILE COMPLAINT, AND NOW, this 7th day of August, 2003, a Rule is hereby granted upon the Plaintiff to file a Civil Action within 20 days after service hereof or suffer the entry of a Judgment of Non Pros. s/WAS,SR., Prothonotary Certification of Service 1 cc Atty w/issued Rule	No Judge
8/13/2003	✓ Certificate of Service, Affidavit of Service of Rule to File Complaint upon JACQUELINE KLINE, ESQ. filed by s/LAURA R. SIGNORELLI, ESQ. no cc	No Judge
8/14/2003	✓ Sheriff Returns: Now July 2, 2003 served Writ of Summons on Defendant at residence. Shff. Hawkins \$32.05 Surcharge \$10.00 Paid by Atty.	No Judge
8/29/2003	✓ Second Affidavit Of Service Of Rule To File Complaint. filed by s/Laura R. Signorelli, Esq. Certificate of Service no cc	No Judge
11/4/2003	✓ Complaint filed by Atty. Inzana. No cc. ✓ Certificate of Service, filed. This 3rd day of November 2003 delivered a true and correct copy of Plaintiff's Complaint on Laura Signorelli Esq., filed by s/ David B. Inzana Esq.	No Judge
11/17/2003	✓ Praecipe For Appearance On Behalf Of Defendant, SANDHYA SETH. filed by, s/Laura R. Signorelli, Esquire Certificate of Service no cc	No Judge
12/15/2003	✓ Substitution of Verification to the Answer and New Matter for Verification previously filed In Reference to the Above Captioned Case. filed by, s/Laura R. Signorelle, Esq. Verification, s/Sandhya Seth Certificate of Service no cc	No Judge
3/24/2004	✓ Certificate Prerequisite to Shervice of A Subpoena Pursuant to Rule 4009.22. filed by, s/Laura Signorelli, Esquire no cc	No Judge
9/17/2004	✓ Entry of Appearance Praecipe for Appearance on behalf of Plff. filed by Victor Pribanic, Esq. 1 CC to Atty.	No Judge
3/28/2007	✓ Certificate of Readiness for Jury Trial, filed by s/ Victory H. Pribanic, Esquire. No CC	No Judge
7/30/2007	✓ Defendant's Motion in Limine, filed by s/ Laura R. Signorelli, Esquire. 1 CC Atty.	Paul E. Cherry
8/24/2007	✓ Order, Jury Selection is scheduled for August 28, 2007, beginning at 9:00 a.m. in Courtroom 2. Trial is scheduled for Oct. 30, 31 and Nov. 1, 2007, beginning at 9:00 a.m. in Courtroom 2. (see original for deadlines). by The Court, /s/ Paul E. Cherry, Judge. CC to Pribanic, Signorelli	Paul E. Cherry
9/11/2007	✓ Entry of Appearance, filed. Please enter my appearance on behalf of the Plaintiff in the above captioned action, filed by s/ Sherie Lynn Painter Esq. 1CC Atty Painter.	Paul E. Cherry
9/27/2007	✓ Motion to Consolidate And Amend Caption, filed by s/ Sherie Lynn Painter, Esquire. 2CC Atty. Painter	Paul E. Cherry

Date: 11/2/2007

Time: 02:28 PM

Page 2 of 2

Clearfield County Court of Common Pleas

User: LMILLER

ROA Report

Case: 2003-00958-CD

Current Judge: Paul E. Cherry

Michelle Wilson vs. Sandhya Seth

Civil Other

Date	Judge
9/28/2007	Paul E. Cherry
	✓ Order, this 27th day of Sept., 2007, upon agreement of the parties, it is Ordered that Motion to Consolidate and Amend Caption is Granted. The actions filed at 2003-958-CD and 2007-800-CD are hereby consolidated and that future filings for 2003-958-CD and 2007-800-CD are to be filed under 2003-958-CD. Further, the caption is amended as follows: Michelle Wilson, Megan Wilson, and Michelle Wilson, Legal Guardian for Macy Wilson, a minor, Plaintiffs, vs. Sandhya Seth, Defendant. By The Court, /s/ Paul E. Cherry, Judge. 2CC Atty. Painter
10/5/2007	Paul E. Cherry
	✓ Emergency Motion to Strike Economic Expert/Motion For Sanctions, Notice of Presentment, and Order of Court. Filed by /s/ Laura R. Signorelli, Esquire. 1CC Atty.
	✓ Affidavit of Service of Expert Interrogatories, filed. On October 3, 2007, a true and correct copy of the Expert Interrogatories on Donal Kirwin SPHR, filed by /s/ Laura R. Signorelli Esq. No CC.
	✓ Scheduling Order, filed 2 cert. to Atty Signorelli NOW, this 5th day of Oct., 2007, RE: Defendant's Emergency Motion to Strike Economic Expert/Motion for Sanctions. Hearing scheduled for the 11th day of October, 2007
10/18/2007	Paul E. Cherry
	✓ Answer to Complaint and New Matter And Counterclaim, filed by /s/ Laura R. Signorelli, Esquire. No CC
	✓ Plaintiffs' Reply to New Matter And Additional Defendant's Answer to Counterclaim, filed by /s/ Sherie Lynn Painter, Esquire. No CC
11/1/2007	Paul E. Cherry
	✓ Order, NOW, this 30th day of Oct., 2007, Motion in Limine filed on behalf of Paul E. Cherry the Defense is granted. Further Order that Plaintiff shall not mention any claims made by the husband of the Plaintiff, Mark Wilson, and/or Macy Wilson. By The Court, /s/ Paul E. Cherry, Judge. 1CC Attys: Pribanic & Painter, Inzara, Signorelli
	✓ Stipulations, filed by Thomas D. Snyder Court Reporter Stipulation between the parties with the terms of the agreement will be disclosed to the Court ONLY AFTER the entry of the verdict for purposes of molding the verdict. /s/ Sherrie Painter, Esq. and Laura R. Signorelli, Esq.
	✓ Verdict, filed. Paul E. Cherry
	✓ Question #1: Do you find that the Defendant, Sandhya Seth, was negligent? NO. If you answer Question #1 "NO", the Plaintiffs cannot recover and you should not answer any further questions and return to the courtroom. /s/ Kenneth Kosut

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

MICHELLE WILSON
Plaintiff

vs.

SANDHYA SETH,
Defendant

NO. 2003-958-CV

Preacipe for Writ of Summons

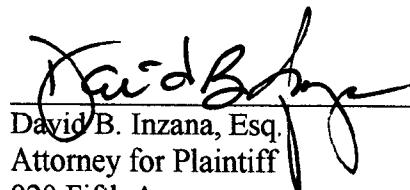
Filed on Behalf of: Plaintiff

Counsel of Record for this Party:
DAVID B. INZANA, ESQ.
Supreme Ct. # 75569
920 Fifth Ave.
Brockway, PA 15824
(814)265-0282

PREACIPE FOR ISSUANCE OF WRIT OF SUMMONS

To the Prothonotary:

Kindly issue and forward to the Sheriff for service a Writ of Summons in the
above-captioned matter.



David B. Inzana, Esq.
Attorney for Plaintiff
920 Fifth Ave.,
Brockway, PA 15824

FILED

WAS

JUN 30 2003

01:10:20/03
William A. Shaw 1085-
Prothonotary/Clerk of Courts

WMT ISSUED TO SHEA/L

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

MICHELLE WILSON
Plaintiff

vs.

SANDHYA SETH,
Defendant

: NO. _____
: Writ of Summons
: Filed on Behalf of: Plaintiff
: Counsel of Record for this Party:
: DAVID B. INZANA, ESQ.
: Supreme Ct. # 75569
: 920 Fifth Ave.
: Brockway, PA 15824
: (814)265-0282

WRIT OF SUMMONS

To: SANDHYA SETH
5 Breezewood Ave.
DuBois, PA 15801

You are hereby notified that Michelle Wilson, Plaintiff, has commenced an action against you in relation to an automobile accident that occurred on June 30, 2001.

June 30, 2001
Date

William Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,
Plaintiff
vs.

SANDHYA SETH,

Defendant.

CIVIL DIVISION
CASE NO. 2003-958-CD

PRAECIPE FOR APPEARANCE

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICE OF MARIANNE C. MNICH
Two Mellon Bank Center
Suite 405, 501 Grant Street
Pittsburgh, PA 15219

Telephone: 412-255-4110

JURY TRIAL DEMANDED

FILED

AUG 07 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance on behalf of Defendant, Sandhya Seth,
in reference to the above captioned case.

Laura R. Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

CERTIFICATION OF SERVICE

I hereby certify that I have served a copy of the Praecipe for Appearance upon all other parties or their attorney of record by regular First Class Mail on this 4th day of August, 2003.

JACQUELINE KLINE
P.O. Box 71
Luthersburg, PA 15848

Laura R. Signorelli

Laura R. Signorelli, Esquire
Attorney for Defendant
Sandhya Seth

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,
Plaintiff
vs.
SANDHYA SETH,
Defendant.

CIVIL DIVISION
CASE NO. 2003-958-CD

**PRAECIPE TO FILE COMPLAINT,
RULE TO FILE COMPLAINT
and CERTIFICATION OF SERVICE**

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICE OF MARIANNE C. MNICH
Two Mellon Bank Center
Suite 405, 501 Grant Street
Pittsburgh, PA 15219

Telephone: 412-255-4110

FILED

AUG 07 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON, CIVIL DIVISION
Plaintiff CASE NO. 2003-958-CD
vs.
SANDHYA SETH,
Defendant.

PRAECIPE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please enter a Rule upon the Plaintiff to file a Complaint within twenty (20) days hereof or suffer the entry of a Judgment of Non Pros.

Laura Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

RULE TO FILE COMPLAINT

AND NOW, this 7th day of August, 2003, a Rule is hereby granted upon the Plaintiff to file a Civil Action within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

Willie L. Wilson
PROTHONOTARY

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that I have served a copy of the Praeclipe to File Complaint, Rule to File Complaint and Certification of Service upon all other parties or their attorney of record by First Class Mail on this 4th day of August, 2003.

JACQUELINE KLINE
P.O. Box 71
Luthersburg, PA 15848

Laura R. Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

Plaintiff

vs.

SANDHYA SETH,

Defendant.

CIVIL DIVISION

CASE NO. 2003-958-CD

**AFFIDAVIT OF SERVICE OF
RULE TO FILE COMPLAINT**

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, Esquire
PA No. 69694

LAW OFFICE OF MARIANNE C. MNICH
Two Mellon Bank Center
Suite 405, 501 Grant Street
Pittsburgh, PA 15219

Telephone: 412-255-4110

FILED

AUG 13 2003

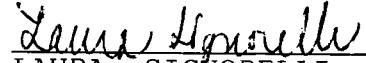
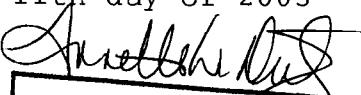
William A. Shaw
Prothonotary/Clerk of Courts

CLEARFIELD COUNTY, SS:

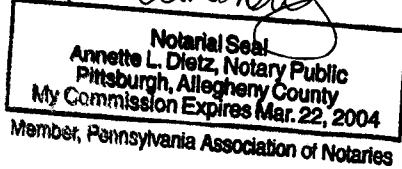
Laura R. Signorelli, Esquire being duly swOrn, doth depose and say that she served the within Rule on Jacqueline Kline, Esquire on August 7th, 2003.

SWORN AND SUBSCRIBED BEFORE ME:

this, 11th day of 2003



LAURA SIGNORELLI, ESQUIRE



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON, CIVIL DIVISION
Plaintiff CASE NO. 2003-958-CD
vs.

SANDHYA SETH,
Defendant.

PRAECIPE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please enter a Rule upon the Plaintiff to file a Complaint within twenty (20) days hereof or suffer the entry of a Judgment of Non Pros.

Laura R. Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

RULE TO FILE COMPLAINT

AND NOW, this 7th day of August, 2003, a Rule is hereby granted upon the Plaintiff to file a Civil Action within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

Willie L. Khan
PROTHONOTARY

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of this Affidavit of Service of Rule to File Complaint upon all other parties or their attorney of record by First Class Mail on this 11th day of August, 2003.

JACQUELINE KLINE, ESQUIRE
P.O. Box 71
Luthersburg, PA 15848

Laura R. Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

In The Court of Common Pleas of Clearfield County, Pennsylvania

WILSON, MICHELLE

VS.

SETH, SANDHYA

WRIT OF SUMMONS

Sheriff Docket # 14249

03-958-CD

SHERIFF RETURNS

NOW JULY 2, 2003 AT 9:43 AM SERVED THE WITHIN WRIT OF SUMMONS ON SANDHYA SETH, DEFENDANT AT RESIDENCE, 5 BREEZEWOOD AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SANDHYA SETH A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: MCCLEARY/NEVLING

Return Costs

Cost	Description
32.05	SHERIFF HAWKINS PAID BY: ATTY CK# 4198
10.00	SURCHARGE PAID BY: ATTY CK# 4199

Sworn to Before Me This

14th Day Of August 2003

William A. Shaw

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

So Answers,

Ches A. Hawkins
by Marilyn Harr
Chester A. Hawkins
Sheriff

FILED
10/31/03
AUG 14 2003

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, Esquire
PA No. 69694

LAW OFFICE OF MARIANNE C. MNICH
Two Mellon Bank Center
Suite 405, 501 Grant Street
Pittsburgh, PA 15219

Telephone: 412-255-4110

FILED

AUG 29 2003

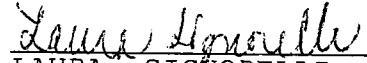
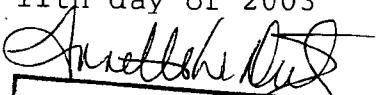
William A. Shaw
Prothonotary/Clerk of Courts

CLEARFIELD COUNTY, SS:

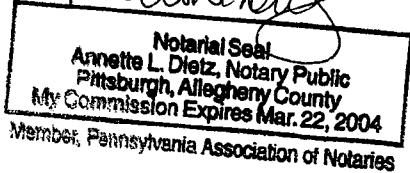
Laura R. Signorelli, Esquire being duly swOrn, doth depose and say that she served the within Rule on Jacqueline Kline, Esquire on August 7th, 2003.

SWORN AND SUBSCRIBED BEFORE ME:

this 11th day of 2003



LAURA SIGNORELLI, ESQUIRE



CLEARFIELD COUNTY, SS:

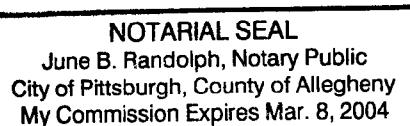
Laura R. Signorelli, Esquire being duly sworn, doth depose and say that she served the within Rule on David Inzana, Esquire on August 27, 2003.

SWORN AND SUBSCRIBED BEFORE ME:

this 27th day of 2003



LAURA SIGNORELLI, ESQUIRE



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

PRAECIPE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please enter a Rule upon the Plaintiff to file a Complaint within twenty (20) days hereof or suffer the entry of a Judgment of Non Pros.

Laura Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

RULE TO FILE COMPLAINT

AND NOW, this 7th day of August, 2003, a Rule is hereby granted upon the Plaintiff to file a Civil Action within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

Willie Wilson
PROTHONOTARY

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of this Second Affidavit of Service of Rule to File Complaint upon all other parties or their attorney of record by First Class Mail on this 27TH day of August, 2003.

David Inzana, Esquire
920 Fifth Avenue
Brockway, PA 15824

Laura Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

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

MICHELLE WILSON,
Plaintiffs

vs.

No. 2003-958-C.D.

Type of Pleading:
Complaint

SANDHYA SETH,
Defendant

Filed on Behalf of: Plaintiff

Counsel of Record for Plaintiff:
DAVID B. INZANA, ESQ.
920 Fifth Avenue
Brockway, PA 15824
(814) 265-0282
ID No. 75569

JURY TRIAL DEMANDED

FILED

NOV 04 2003

William A. Shaw
Prothonotary/Clerk of Courts

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

MICHELLE WILSON,
Plaintiffs

vs.

No. 2003-958-C.D.

SANDHYA SETH,
Defendant

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 an attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claims in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

Keystone Legal Services, Inc.
213 North Second Street
Clearfield, PA 16830
(814) 371-1723

William Shaw, Prothonotary
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

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

MICHELLE WILSON,
Plaintiffs

vs.

No. 2003-958-C.D.

SANDHYA SETH,
Defendant

COMPLAINT - CIVIL ACTION

AND NOW, comes Plaintiff, MICHELLE WILSON, by and through her attorney, David B. Inzana, Esquire, and files the within Complaint, and in support thereof avers the following:

- 1) Plaintiff Michelle Wilson, an adult individual who at all times relevant to this complaint resided at RD#3 Box 60, DuBois, Clearfield County, PA 15801.
- 2) Defendant, Sandhya Seth, is an adult individual who at all times relevant to this complaint resided at 5 Breezewood Ave., DuBois, PA 15801.
- 3) The facts and occurrences hereinafter stated took place on 30th day of June, 2001 at approximately 1:56 p.m. in the City of DuBois, County of Clearfield, Commonwealth of Pennsylvania.
- 4) At the aforesaid time, date and place, Plaintiff was operating a motor vehicle that was traveling west on Maple Ave. near the intersection of 6th S. Street in the City of DuBois, Pennsylvania.

5) At the aforesaid time, date and place, Defendant did operate his motor vehicle in a Northerly direction on S. Sixth Street and failed to obey the stop sign at the intersection of S. Sixth and Maple. Defendant did operate his vehicle in such a negligent, careless and reckless manner so as to cause his vehicle to make contact with the motor vehicle driven by plaintiff.

6) As a result of the aforesaid negligence, carelessness and recklessness of the Defendant, Plaintiff did sustain the injuries as follows:

- (a) Pain and injuries associated with whiplash
- (b) Jaw injuries
- (c) Stress fractures on the kneecap

7) The injuries of the Plaintiff were the direct legal and proximate cause of the negligence, carelessness and recklessness of the Defendant which consists of the following:

- (a) Failure to abide by the Pennsylvania Vehicle Code by Running a Stop Sign;
- (b) Failing to apply the brakes of his motor vehicle at a time to avoid a collision with Plaintiff;
- (c) Negligently and carelessly applying the brakes;
- (d) Failing to observe the Plaintiff's vehicle on the highway;

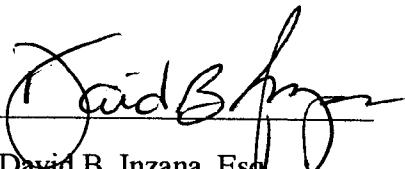
8) The injuries to the Plaintiff and the damages suffered by the Plaintiff were caused solely and exclusively by the negligence, carelessness and recklessness of the Defendant, and were in no way caused by the Plaintiff. Solely as a result of the aforementioned accident, Plaintiff has been caused to sustain serious physical injuries, the full extent of which are presently unknown. To date, Plaintiff has had extensive injuries to her jaw and has had to undergo two (2) surgeries thus far. It is expected that at least one more surgical procedure will be probable.

9) As a result of the injuries sustained by the plaintiffs herein, plaintiff has undergone in the past and will in the future undergo pain and suffering.

10) As a result of the injuries sustained by the Plaintiff herein, the Plaintiff has suffered a permanent diminution in the ability to enjoy her life and life's pleasures.

WHEREFORE, Plaintiff hereby demands judgment against defendants in an amount in excess of Twenty Five Thousand (\$25,000.00) Dollars, plus interests, costs, and any damages for delay.

Respectfully submitted,



David B. Inzana, Esq.

Attorney for Plaintiffs

VERIFICATION

I, Michelle Wilson, verify that the statements made in this complaint are true and correct to the best of my information knowledge and belief and I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 10-28-03

Michelle Wilson
Michelle Wilson

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

MICHELLE WILSON,
Plaintiffs

vs.

No. 2003-958-C.D.

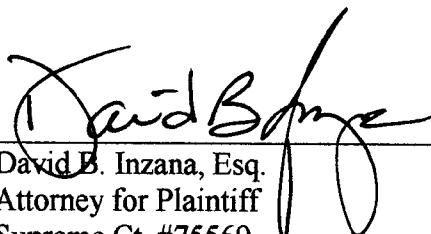
SANDHYA SETH,
Defendant

CERTIFICATE OF SERVICE

I, David B. Inzana, Esq., hereby certify that I have on this 3rd day of November, 2003, caused to be delivered a true and correct copy of Plaintiff's Complaint by depositing the same with the United States Post Office, First Class Main, postage prepaid, to the following person:

Laura Signorelli, Esq.
Law Office of Marianne C. Mnich
Two Mellon Bank Center
501 Grant Street, Suite 405
Pittsburgh, PA 15219-4403

Respectfully,



David B. Inzana, Esq.
Attorney for Plaintiff
Supreme Ct. #75569
920 Fifth Ave.
Brockway, PA 15824
(814)265-0282

FILED

NOV 04 2003

William A. Shaw
Prothonotary/Clerk of Courts

DAVID B. INZANA

Attorney at Law

920 Fifth Avenue

Brockway, PA 15824

814-265-0282 . FAX 814-265-0317

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON, CIVIL DIVISION

Plaintiff
vs. CASE NO. 2003-958-CD

SANDHYA SETH,
Defendant. **PRAECIPE FOR APPEARANCE**

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICE OF MARIANNE C. MNICH
Two Mellon Bank Center
Suite 405, 501 Grant Street
Pittsburgh, PA 15219

Telephone: 412-255-4110

JURY TRIAL DEMANDED

FILED

NOV 17 2003

William A Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance on behalf of Defendant, Sandhya
Seth, in reference to the above captioned case.

Laura Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of the Praeclipe for Appearance upon all other parties or their attorney of record by First Class Mail on this 14th day of November, 2003.

David Inzana, Esquire
920 Fifth Avenue
Brockway, PA 15824

Laura Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

SUBSTITUTION OF VERIFICATION

Defendant.

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICE OF MARIANNE C. MNICH
Two Mellon Bank Center
Suite 405, 501 Grant Street
Pittsburgh, PA 15219

Telephone: 412-255-4110

DEC 15 2003

William A. Straw
Prothonotary, Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

SUBSTITUTION OF VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute the attached verification to the Answer and New
Matter for verification previously filed in reference to the
above captioned case.

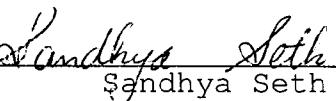
Laura R. Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

VERIFICATION

Sandhya Seth states that he/she is the Defendant named herein and that the facts set forth in the Defendant's Answer to Complaint and New Matter are true and correct to the best of his/her knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa. C. S. 4904 relating to unsworn falsification to authorities.

11. 20. 03

Date



Sandhya Seth

Sandhya Seth

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that I have served a copy of the SUBSTITUTION OF VERIFICATION upon all other parties or their attorney of record by First Class Mail on this 10th day of December, 2003.

David Inzana, Esquire
920 Fifth Avenue
Brockway, PA 15824

Laura Signorelli

LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

CERTIFICATE
PREREQUISITE TO SERVICE OF A SUBPOENA
PURSUANT TO RULE 4009.22

IN THE MATTER OF:

COURT OF COMMON PLEAS

WILSON

TERM,

-VS-

CASE NO: 2003-958-CD

SETH

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22

MCS on behalf of LAURA SIGNORELLI, ESQ.
certifies that

- (1) A notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,
- (2) A copy of the notice of intent, including the proposed subpoena, is attached to this certificate,
- (3) No objection to the subpoena has been received, and
- (4) The subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Laura E. Signorelli

MCS on behalf of

DATE: 03/08/2004

LAURA SIGNORELLI, ESQ.
Attorney for DEFENDANT

FILED

MAR 24 2004
m 10:35 am
William A. Shaw
Prothonotary/Clerk of Courts
NO Court Copy

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

IN THE MATTER OF:

COURT OF COMMON PLEAS

WILSON

TERM,

-VS-

CASE NO: 2003-958-CD

SETH

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

[Note: see enclosed list of locations]

TO: DAVID B. INZANA, ESQ.

MCS on behalf of LAURA SIGNORELLI, ESQ. intends to serve a subpoena identical to the one that is attached to this notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If the twenty day notice period is waived or if no objection is made, then the subpoena may be served. Complete copies of any reproduced records may be ordered at your expense by completing the attached counsel card and returning same to MCS or by contacting our local MCS office.

DATE: 02/17/2004

MCS on behalf of

LAURA SIGNORELLI, ESQ.
Attorney for DEFENDANT

CC: LAURA SIGNORELLI, ESQ.
JAMES BRIDGEMAN

-
- 6941691781
-
-
-

Any questions regarding this matter, contact

THE MCS GROUP, INC.
300 LAWYERS BUILDING

PITTSBURGH, PA 15219
(412) 642-4420

LOCATION NAME	RECORDS REQUESTED
J. RICE, M.D.	MEDICAL RECORDS & XRAYS
LARA ALLMAN, M.D.	MEDICAL RECORDS & XRAYS
G. FATULA, M.D.	MEDICAL RECORDS & XRAYS
DUBOIS REGIONAL MEDICAL CENTER	MEDICAL AND X-RAY(S)
GRUDA CHIROPRACTIC	MEDICAL RECORDS & XRAYS
DUBOIS MAGNETIC IMAGING CTR.	MEDICAL RECORDS & XRAYS
STATE FARM INSURANCE COMPANY	INSURANCE
THOMAS BRADLEY, M.D.	MEDICAL RECORDS & XRAYS

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

J. RICE, M.D.
90 BEAVER DRIVE

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

Michelle Wilson
Plaintiff(s)

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

TO: Custodian of Records: Lara Allman, M.D.
(Name of Person or Entity)

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

*****SEE ATTACHED RIDER*****

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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:

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Friday, February 13, 2004

Seal of the Court

Deputy

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

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

LARA ALLMAN, M.D.
207 BEAVER DRIVE

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**G. FATULA, M.D.
529 SUNFLOWER DRIVE**

DUBOIS, PA 15801

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *TO INCLUDE PATIENT ID SHEET**
*CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED***

Dates Requested: up to and including the present.

**Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801**

Social Security #: 184-62-0506

Date of Birth: 03-12-1966

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Michelle Wilson

*

Plaintiff(s)

Vs.

*

No. 2003-00958-CD

Sandhya Seth

*

Defendant(s)

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

TO: Custodian of Records: Dubois Regional Medical Center
(Name of Person or Entity)

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

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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
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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: Laura Signorelli, Esq.

ADDRESS: 501 Grant Street, Suite 405
Pittsburgh, PA 15219

TELEPHONE: (412) 642-4420

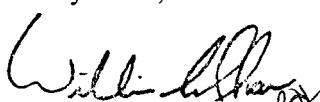
SUPREME COURT ID #

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

DATE: Friday, February 13, 2004

Seal of the Court

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

DUBOIS REGIONAL MEDICAL CENTER
100 HOSPITAL AVENUE

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, relating to any examination, consultation, care or treatment of patient.

CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801

Social Security #: 184-62-0506

Date of Birth: 03-12-1966

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**GRUDA CHIROPRACTIC
RD 3 BOX 9**

DUBOIS, PA 15801

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON

RR 3 BOX 60, DUBOIS, PA 15801

Social Security #: 184-62-0506

Date of Birth: 03-12-1966

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

DUBOIS MAGNETIC IMAGING CTR.
145 HOSPITAL AVENUE
SUITE 102

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

Michelle Wilson

10

Plaintiff(s)

v_s

*

No. 2003-00958-CD

Sandhya Seth

*

Defendant(s)

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

TO: Custodian of Records: State Farm Insurance Company
(Name of Person or Entity)

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

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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: Laura Signorelli, Esq.

ADDRESS: 501 Grant Street, Suite 405
Pittsburgh, PA 15219

TELEPHONE: (412) 642-4420

TELEPHONE: _____

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Friday, February 13, 2004

Seal of the Court

Deputy

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

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**STATE FARM INSURANCE COMPANY
650 CHERRINGTON PARKWAY**

CORAOPOLIS, PA 15108

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all insurance records.

CERTIFICATION MUST BE SIGNED AND RETURNED WITH RECORDS

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON

RR 3 BOX 60, DUBOIS, PA 15801

Social Security #: 184-62-0506

Date of Birth: 03-12-1966

Date of Loss: 06/30/2001

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Michelle Wilson

*

Plaintiff(s)

Vs.

*

No. 2003-00958-CD

Sandhya Seth

*

Defendant(s)

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

TO: Custodian of Records: Thomas Bradley, M.D.
(Name of Person or Entity)

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

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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: Laura Signorelli, Esq.

ADDRESS: 501 Grant Street, Suite 405

Pittsburgh, PA 15219

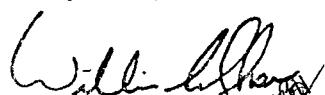
TELEPHONE: (412) 642-4420

SUPREME COURT ID #

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

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

DATE: Friday, February 13, 2004

Seal of the Court

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**THOMAS BRADLEY, M.D.
701 MAPLE AVENUE
SUITE 1**

DUBOIS, PA 15801

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *TO INCLUDE PATIENT ID SHEET**
*CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED***

**Dates Requested: up to and including the present.
Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966**

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

J. RICE, M.D.
90 BEAVER DRIVE
DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

LARA ALLMAN, M.D.
207 BEAVER DRIVE

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. ***TO INCLUDE PATIENT ID SHEET**
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**G. FATULA, M.D.
529 SUNFLOWER DRIVE**

DUBOIS, PA 15801

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *TO INCLUDE PATIENT ID SHEET**
*CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED***

Dates Requested: up to and including the present.

**Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801**

Social Security #: 184-62-0506

Date of Birth: 03-12-1966

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Michelle Wilson

*

Plaintiff(s)

Vs.

*

No. 2003-00958-CD

Sandhya Seth

*

Defendant(s)

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

TO: Custodian of Records: Dubois Regional Medical Center
(Name of Person or Entity)

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

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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.

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(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: Laura Signorelli, Esq.

ADDRESS: 501 Grant Street, Suite 405
Pittsburgh, PA 15219

TELEPHONE: (412) 642-4420

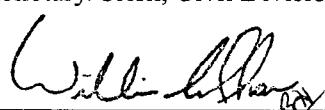
SUPREME COURT ID #

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

DATE: Friday, February 13, 2004

Seal of the Court

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

DUBOIS REGIONAL MEDICAL CENTER
100 HOSPITAL AVENUE

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, relating to any examination, consultation, care or treatment of patient.

CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801

Social Security #: 184-62-0506

Date of Birth: 03-12-1966

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**GRUDA CHIROPRACTIC
RD 3 BOX 9**

DUBOIS, PA 15801

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.

**Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966**

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD**

Michelle Wilson
Plaintiff(s)

Vs. * No. 2003-00958-CD
*

Sandhya Seth
Defendant(s)

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

TO: Custodian of Records: Dubois Magnetic Imaging Ctr.
(Name of Person or Entity)

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

*****SEE ATTACHED RIDER*****

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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.

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

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Friday, February 13, 2004

Seal of the Court

Deputy

WILLIAM A. SHAW

CELESTE A. SHAW
Prothonotary

My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

DUBOIS MAGNETIC IMAGING CTR.
145 HOSPITAL AVENUE
SUITE 102

DUBOIS, PA 15801

RE: 97640
MICHELLE WILSON

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *****TO INCLUDE PATIENT ID SHEET****
CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED

Dates Requested: up to and including the present.
Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Michelle Wilson
Plaintiff(s)

Vs.

*

No. 2003-00958-CD

Sandhya Seth
Defendant(s)

*

*

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

TO: Custodian of Records: State Farm Insurance Company
(Name of Person or Entity)

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

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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to comply with it.

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

NAME: Laura Signorelli, Esq.
ADDRESS: 501 Grant Street, Suite 405
Pittsburgh, PA 15219
TELEPHONE: (412) 642-4420
SUPREME COURT ID #
ATTORNEY FOR: Defendant

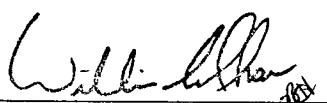
BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division

DATE: Friday, February 13, 2004
Seal of the Court

Deputy

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



EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**STATE FARM INSURANCE COMPANY
650 CHERRINGTON PARKWAY**

CORAOPOLIS, PA 15108

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all insurance records.

CERTIFICATION MUST BE SIGNED AND RETURNED WITH RECORDS

Dates Requested: up to and including the present.

**Subject : MICHELLE WILSON
RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966
Date of Loss: 06/30/2001**

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Michelle Wilson

*

Plaintiff(s)

Vs.

*

No. 2003-00958-CD

Sandhya Seth

*

Defendant(s)

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

TO: Custodian of Records: Thomas Bradley, M.D.

(Name of Person or Entity)

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

(Address)

428 Forbes Avenue, 300 Lawyers Building, Pittsburgh, PA 15219

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: Laura Signorelli, Esq.

ADDRESS: 501 Grant Street, Suite 405

Pittsburgh, PA 15219

TELEPHONE: (412) 642-4420

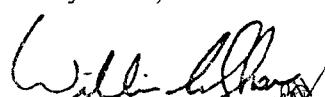
SUPREME COURT ID #

ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw

Prothonotary/Clerk, Civil Division



Deputy

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

DATE: Friday, February 13, 2004

Seal of the Court

EXPLANATION OF REQUIRED RECORDS

TO: CUSTODIAN OF RECORDS FOR:

**THOMAS BRADLEY, M.D.
701 MAPLE AVENUE
SUITE 1**

DUBOIS, PA 15801

**RE: 97640
MICHELLE WILSON**

FILMS TO INCLUDE MRIS AND CT SCANS.

Any and all records, correspondence, files and memorandums, handwritten notes, original X-Rays, billing and payment records, relating to any examination, consultation, care or treatment. *TO INCLUDE PATIENT ID SHEET**
*CERTIFICATION OF RECORDS MUST BE SIGNED AND RETURNED***

**Dates Requested: up to and including the present.
Subject : MICHELLE WILSON**

**RR 3 BOX 60, DUBOIS, PA 15801
Social Security #: 184-62-0506
Date of Birth: 03-12-1966**

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

MICHELLE WILSON,) **CIVIL DIVISION**
)
 Plaintiff) Case No.: 2003-958-CD
)
 v.)
)
) **PRAECIPE FOR APPEARANCE**
 SANDHYA SETH,)
)
)
 Defendant.)
) Filed on behalf of Plaintiff:
)
) MICHELLE WILSON
)
)
)
) Counsel of Record for this Party:
)
) VICTOR H. PRIBANIC, ESQUIRE
) P.A. I.D. No.: 30785
)
)
) PRIBANIC & PRIBANIC, LLC
) 1735 Lincoln Way
) White Oak, PA 15131
)
) (412) 672-5444

JURY TRIAL DEMANDED

FILED
in 1:50 on 10/20/04
SEP 17 2004

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

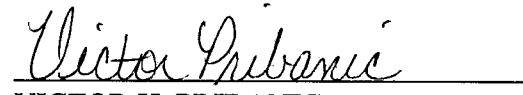
MICHELLE WILSON,)	CIVIL DIVISION
)	
Plaintiff)	Case No.: 2003-958-CD
)	
v.)	
)	
)	
SANDHYA SETH,)	
)	
Defendant.)	
)	

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance on behalf of the Plaintiff in the above captioned action.

RESPECTFULLY SUBMITTED,



VICTOR H. PRIBANIC
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within has been served via U.S. Postal Service postage prepaid on the 15th day of September, 2004 upon the following:

Laura R. Signorelli, Esquire
Law Office of Marianne Mnich
Two Mellon Bank Center
501 Grant Street, Suite 405
Pittsburgh, PA 15219

PRIBANIC & PRIBANIC, L.L.C.

Victor H. Pribanic
VICTOR H. PRIBANIC
Counsel for Plaintiff

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

MICHELLE WILSON,) **CIVIL DIVISION**
Plaintiff)
v.) Case No.: 2003-958-CD
SANDHYA SETH,)
Defendant.)
Filed on behalf of Plaintiff:
MICHELLE WILSON
Counsel of Record for this Party:
VICTOR H. PRIBANIC, ESQUIRE
P.A. I.D. No.: 30785
PRIBANIC & PRIBANIC, LLC
1735 Lincoln Way
White Oak, PA 15131
(412) 672-5444 SLP

JURY TRIAL DEMANDED

FILED NO CC
11:18 AM
MAR 28 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,)	CIVIL DIVISION
)	
Plaintiff)	Case No.: 2003-958-CD
)	
v.)	
)	
)	
SANDHYA SETH,)	
)	
Defendant.)	
)	

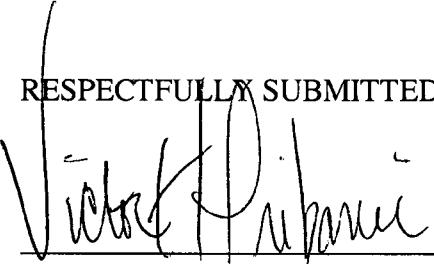
PRAECIPE FOR TRIAL

TO THE PROTHONOTARY:

Plaintiff, by her counsel, Victor H. Pribanic, Esquire, and Pribanic & Pribanic, LLC, hereby files the following Praecipe for Trial and in support thereof avers that:

1. No motions are outstanding and that discovery has been completed and the case is ready for trial; and,
2. The case is to heard before a Jury; and,
3. A true and correct copy of this Praecipe for Trial has been sent to Laura R. Signorelli, Esquire, Counsel for Defendant, on the 26th day of March, 2007.

RESPECTFULLY SUBMITTED,

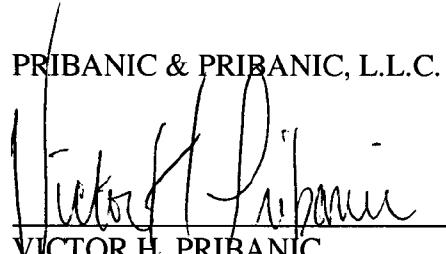

VICTOR H. PRIBANIC
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within has been served via U.S. Postal Service postage prepaid on the 26th day of March, 2007 upon the following:

Laura R. Signorelli, Esquire
1180 US Steel Tower
Pittsburgh, PA 15219

PRIBANIC & PRIBANIC, L.L.C.



VICTOR H. PRIBANIC
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

DEFENDANT'S MOTION IN LIMINE

Defendant.

FILED ON BEHALF OF DEFENDANT(S):
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICES OF TWANDA TURNER-
HAWKINS
600 Grant Street
1180 U.S. Steel Tower
Pittsburgh, PA 15219

Telephone: 412-255-4145

FILED
M10410
JUL 30 2007
ATTY
GK

William A. Shaw
Prothonotary/Clerk of Courts

MICHELLE WILSON,

Plaintiff

vs.

SANDHYA SETH,

Defendant.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

CASE NO.: 2003-958-CD

**MOTION IN LIMINE TO KEEP FROM THE
JURY EVIDENCE OF INSURANCE, REFERENCE TO
INSURANCE AND REFERENCE TO ALLSTATE INSURANCE COMPANY**

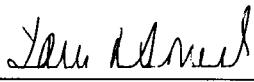
NOW COMES Defendant, Sandhya Seth, through counsel, Laura R. Signorelli, and moves to keep from the jury evidence of insurance, reference to insurance and reference to Allstate Insurance Company during trial of this case and in support of this

Motion states:

1. Defendant(s), Sandhya Seth through counsel, stipulates to the existence of a binding insurance contract between Defendant and Allstate Insurance Company.
2. There is no contested insurance issue concerning a binding insurance contract, coverage, applicable limits or Allstate Insurance Company in this case.
3. Absent any contested insurance issue, evidence of insurance, reference to insurance and/or reference to Allstate Insurance Company are not relevant.

WHEREFORE, Defendant(s), Sandhya Seth, move(s) that this Honorable Court keep from the jury any and all evidence of insurance, reference to insurance and reference to Allstate Insurance Company.

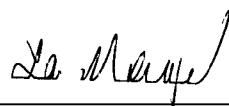
Respectfully submitted,


LAURA R. SIGNORELLI, ESQUIRE
600 Grant Street
1180 U.S. Steel Tower
Pittsburgh, PA 15219
Telephone: 412-255-4145
Attorney for Defendant
Sandhya Seth

CERTIFICATE OF SERVICE

I hereby certify that a copy of Defendant's Motion in Limine was mailed first class, postage prepaid, this 27TH day of July, 2007:

Victor Pribanic, Esquire
Pribanic & Pribani
1735 Lincoln Highway
White Oak, PA 15131


LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant

MICHELLE WILSON,

Plaintiff

vs.

SANDHYA SETH,

Defendant.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

CASE NO.: 2003-958-CD

ORDER

In consideration of the Motion In Limine to Keep from the Jury Evidence of Insurance, Reference to Insurance and Reference to Allstate Insurance Company, it is, by the Clearfield County Prothonotary, this _____ day of _____, 20____.

ORDERED that evidence of insurance, reference to insurance and reference to Allstate Insurance Company are to be kept from the jury and that the Defendant shall be referred to as "Defendant" and that counsel for Allstate Insurance Company be referred to as counsel for the defense.

J.

Hold Pending

Pre-Trial

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

MICHELLE WILSON,
Plaintiff

* * * *

vs.

NO. 03-958-CD

SANDHYA SETH,
Defendant

2

ORDER

NOW, this _____ day of August, 2007, the Court being in receipt of and having reviewed the Defendant's Motion in Limine to Keep from the Jury Evidence of Insurance, Reference to Insurance and Reference to Allstate Insurance Company, it is the ORDER of this Court that argument on said Motion will be held on the _____ day of _____, 2007, at _____ .m. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT.

PAUL E. CHERRY
Judge

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

MICHELLE WILSON,
Plaintiff

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vs.

NO. 03-958-CD

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SANDHYA SETH,
Defendant

ORDER

NOW, this _____ day of August, 2007, the Court being in receipt of and having reviewed the Defendant's Motion in Limine to Keep from the Jury Evidence of Insurance, Reference to Insurance and Reference to Allstate Insurance Company, it is the ORDER of this Court that argument on said Motion will be held on the _____ day of _____, 2007, at _____ .m. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT.

PAUL E. CHERRY
Judge

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

MICHELLE WILSON,
Plaintiff

vs.

SANDHYA SETH,
Defendant

* NO. 03-958-CD

ORDER

NOW, this _____ day of August, 2007, the Court being in receipt of and having reviewed the Defendant's Motion in Limine to Keep from the Jury Evidence of Insurance, Reference to Insurance and Reference to Allstate Insurance Company, it is the ORDER of this Court that argument on said Motion will be held on the _____ day of _____, 2007, at _____ .m. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT.

PAUL E. CHERRY
Judge

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

MICHELLE WILSON,
Plaintiff

vs.

SANDHYA SETH,
Defendant

* NO. 03-958-CD

ORDER

NOW, this _____ day of August, 2007, the Court being in receipt of and having reviewed the Defendant's Motion in Limine to Keep from the Jury Evidence of Insurance, Reference to Insurance and Reference to Allstate Insurance Company, it is the ORDER of this Court that argument on said Motion will be held on the _____ day of _____, 2007, at _____ .m. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.

BY THE COURT.

PAUL E. CHERRY
Judge

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

MICHELLE WILSON

: NO. 03-958-CD

V.

:

SANDHYA SETH

:

:

:

FILED

AUG 24 2007

0/2:30 (W)

William A. Shaw

Prothonotary/Clerk of Courts

Cent to

V. PRIBANIC

+ SIGNATURE

(6K)

ORDER

1. Jury Selection in this matter is scheduled for August 28, 2007, beginning at 9:00 o'clock A.M. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
2. Trial in this matter is scheduled for October 30, 31 and November 1, 2007, beginning at 9:00 o'clock A.M. in Courtroom No. 2 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
3. The deadline for providing any and all outstanding discovery shall be by and no later than thirty (30) days prior to the commencement of trial.
4. The deadline for submitting any and all Motions shall be by and no later than fifteen (15) days prior to the commencement of trial.
5. Points for Charge shall be submitted to the Court by and no later than fifteen (15) days prior to the commencement of trial.
6. Proposed Verdict Slip shall be submitted to the Court by and no later than fifteen (15) days prior to the commencement of trial.
7. The parties shall mark all exhibits for trial prior to trial to speed introduction of exhibits.

BY THE COURT,


PAUL E. CHERRY,
JUDGE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MICHELLE WILSON,

Plaintiff,

CIVIL DIVISION

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

ENTRY OF APPEARANCE

Filed on behalf of Plaintiff:
Michelle Wilson

Counsel of Record for this Party:

SHERIE LYNN PAINTER
Pa. I.D. NO.: 92820

VICTOR H. PRIBANIC
Pa. I.D. NO.: 30785

Pribanic & Pribanic, LLC
1735 Lincoln Way
White Oak, PA 15131

JURY TRIAL DEMANDED

(412) 672-5444 SLP

FILED 1 CC ATTY
m/11/2003
SEP 10 2003
William A. Shaw
Prothonotary/Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

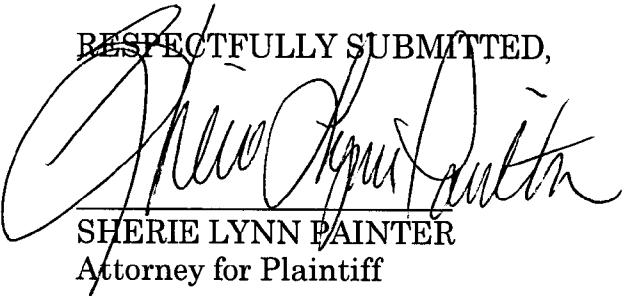
Defendant.

ENTRY OF APPEARANCE

TO THE PROTHONOTARY

Please enter my appearance on behalf of the Plaintiff in the above captioned action.

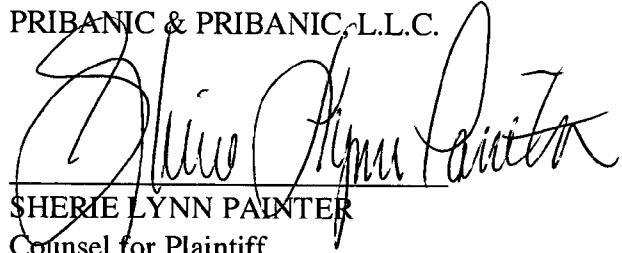
RESPECTFULLY SUBMITTED,


SHERIE LYNN PAINTER
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within has been served via U.S. Postal Service postage prepaid on the 27th day of August, 2007 upon the following:

Laura R. Signorelli, Esquire
1180 US Steel Tower
Pittsburgh, PA 15219

PRIBANIC & PRIBANIC, L.L.C.

SHERIE LYNN PAINTER
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

**MOTION TO CONSOLIDATE
AND AMEND CAPTION**

Defendant.

Filed on behalf of Plaintiff:
Michelle Wilson

Counsel of Record for this Party:

SHERIE LYNN PAINTER
Pa. I.D. NO.: 92820

VICTOR H. PRIBANIC
Pa. I.D. NO.: 30785

Pribanic & Pribanic, LLC
1735 Lincoln Way
White Oak, PA 15131

JURY TRIAL DEMANDED

(412) 672-5444 SLP

FILED
mha/4957 2cc
SEP 27 2007 Atty Painter
68
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

MOTION TO CONSOLIDATE AND AMEND CAPTION

Plaintiff, Michelle Wilson, by and through her counsel, Sherie Lynn Painter, and Pribanic & Pribanic, L.L.C., files the within **Motion to Consolidate and Amend Caption** and in support thereof avers as follows:

1. The within action was commenced on June 30, 2003 via Praecipe for Writ of Summons and filed with the Prothonotary at Clearfield County Docket Number 2003-00958-CD.
2. On May 21, 2007, a Praecipe for Writ of Summons was filed with the Prothonotary at Clearfield County Docket Number 2007-00800-CD to commence an action on behalf of additional Plaintiffs, Megan Wilson, who was a minor at the time of this incident, and Michelle Wilson as Legal Guardian for Macy Wilson, who has not reached the age of majority.
3. The two actions pending involve a common question of law and/or fact which arise from the same transaction or occurrence.
4. The parties hereby stipulate to the consolidation of these actions under one cause and that future filings for Clearfield County Docket Number 2003-00958-CD as well as Clearfield County Docket Number 2007-00800-CD are to be filed under Clearfield County Docket Number 2003-00958-CD.

5. The action filed at Clearfield County Docket Number 2007-00800-CD will be discontinued without prejudice upon the consolidation of the two actions at Clearfield County Docket Number 2003-00958-CD.

6. Counsel for Plaintiffs as well as Counsel for the Defendant stipulate to, and the parties agree to amend the consolidated captions as follows:

Michelle Wilson, Megan Wilson, and Michelle Wilson, Legal Guardian for Macy Wilson, a minor, Plaintiffs,

vs.

Sandhya Seth, Defendant.

WHEREFORE, Plaintiffs and all parties respectfully request that the actions filed at Clearfield County Docket Number 2003-00958-CD and Clearfield County Docket Number 2007-00800-CD are to be consolidated together under Clearfield County Docket Number 2003-00958-CD according to Rules of Civil Procedure 213(a) and 213(e)(1).

RESPECTFULLY SUBMITTED,



SHERIE LYNN PAINTER
Counsel for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

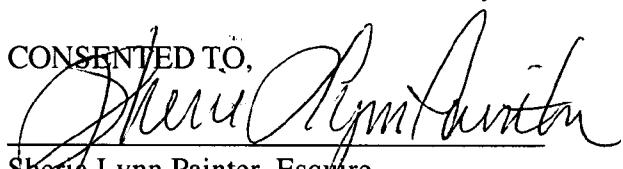
Defendant.

STIPULATION OF COUNSEL

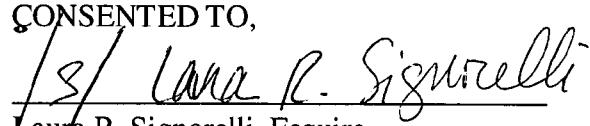
AND NOW come the parties, by and through their respective counsel, and do hereby stipulate and agree to the consolidation of the actions filed at Clearfield County Docket Number 2003-00958-CD and Clearfield County Docket Number 2007-00800-CD which are to be consolidated under one cause and that future filings for Clearfield County Docket Number 2003-00958-CD and Clearfield County Docket Number 2007-00800-CD are to be filed under Clearfield County Docket Number 2003-00958-CD according to the Rules of Civil Procedure 213(a) and 213(e)(1).

Counsel for Plaintiffs as well as Counsel for the Defendant stipulate to amend the caption as follows: Michelle Wilson, Megan Wilson, and Michelle Wilson, Legal Guardian for Macy Wilson, a minor, Plaintiffs, vs. Sandhya Seth, Defendant.

CONSENTED TO,


Sherie Lynn Painter, Esquire
PRIBANIC & PRIBANIC, LLC
1735 Lincoln Way
White Oak, PA 15131
(Counsel for Plaintiffs)

CONSENTED TO,


Laura R. Signorelli, Esquire
1180 US Steel Tower
Pittsburgh, PA 15219
(Counsel for Defendant)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Consolidate and Amend Caption and Stipulation of Counsel have been sent via Facsimile Transmission this 24th day of August, 2007 upon the following:

Laura R. Signorelli, Esquire
1180 US Steel Tower
Pittsburgh, PA 15219

PRIBANIC & PRIBANIC, LLC


SHERIE LYNN PAINTER
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

FILED
03:08:2007
SEP 28 2007

William A. Shaw
Prothonotary/Clerk of Courts
2cc Atty Painter
6K

ORDER OF COURT

AND NOW this 27th day of September, 2007, upon agreement of the parties, it is hereby ORDERED, ADJUDGED AND DECREED that said Motion to Consolidate and Amend Caption is GRANTED and the actions filed at Clearfield County Docket Number 2003-00958-CD and Clearfield County Docket Number 2007-00800-CD are hereby consolidated under one cause and that future filings for Clearfield County Docket Number 2003-00958-CD and Clearfield County Docket Number 2007-00800-CD are to be filed under Clearfield County Docket Number **2003-00958-CD** according to the Rules of Civil Procedure 213(a) and 213(e)(1).

Further, the caption is amended as follows:

Michelle Wilson, Megan Wilson, and Michelle Wilson, Legal Guardian for Macy Wilson, a minor, Plaintiffs, vs. Sandhya Seth, Defendant.

BY THE COURT:

Paul E. Cleary
J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

Plaintiff

vs.

SANDHYA SETH,

Defendant.

CIVIL DIVISION

CASE NO. 2003-958-CD

**EMERGENCY MOTION TO STRIKE
ECONOMIC EXPERT/MOTION FOR
SANCTIONS,
NOTICE OF PRESENTMENT,
and ORDER OF COURT**

FILED ON BEHALF OF DEFENDANT(S):
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICES OF TWANDA TURNER-
HAWKINS
600 Grant Street
1180 U.S. Steel Tower
Pittsburgh, PA 15219

Telephone: 412-255-4145

FILED
OCT 05 2007
10:58 AM
Atty
cc

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

EMERGENCY MOTION TO STRIKE ECONOMIC EXPERT/
MOTION FOR SANCTIONS

AND NOW, comes the Defendant, Sandhya Seth, by and through the undersigned Counsel, Laura R. Signorelli, Esquire, hereby respectfully moves this Honorable Court to enter an Order Striking Plaintiff's Economic Expert in this matter and Assessing Sanctions and respectfully states:

1. This motion is being presented as an Emergency Motion, as the case is listed for a date certain Jury trial in front of the Honorable Paul Cherry on October 30, 2007. Jury selection was completed on August 28, 2007 and the jurors were empanelled on this date.

2. On October 2, 2007, twenty-eight (28) days prior to trial, Plaintiff's counsel, for the first time, disclosed to Defense counsel an economic expert report via supplemental pretrial statement (**A true and correct copy of the supplemental pretrial statement is attached hereto and marked as Exhibit A**) In that report, Plaintiff is asserting a claim for an alleged loss of profits from a daycare business and impairment of earning capacity.

3. The economic loss expert, first disclosed less than 30 days prior to trial, i.e. Donal Kirwin, was not disclosed at the time of the pretrial conference on August 24, 2007.

4. Previously, on March 28, 2007, a Certificate of Readiness had been filed by Plaintiff's counsel regarding this matter.

5 Pursuant to Clearfield Local Rule of Civil Procedure 212.4 and Order by this Honorable Court, all pretrial statements by the parties are due one week before the date set for the Pretrial Conference. In that Pretrial statement, the parties are required to set forth:

(3) A list of names and addresses of all persons who may be called as witnesses, classifying them as liability and/or damages witnesses. . . . and

(5) the reports of any expert whose opinion will be offered in evidence at time of trial. Such report shall include the findings and conclusions of the expert.

(6) A list of all items of special damages which the party intends to prove, including . . . If the party is self-employed, information which forms the basis for the loss of income attributable to the injuries shall be supplied.

Pa. Local Rule of Civil Procedure, Clearfield County 212.4

6. Local Rule of Clearfield County 212.4 states that a party is precluded from calling an expert which has not been disclosed prior to the pre-trial conference:

Once a pretrial conference has been held, a party shall not have the right to call any witness where the witness was not listed in the pre-trial statement, to call an expert witness where the report was not appended to the pre-trial statement

Pa. Local Rule of Civil Procedure, Clearfield County 212.4 (f)

7. Pa.R.C.P. 212.2(a) also requires that the pre-trial statement shall disclose :

(a)(3) a list of the names and addresses of all persons who may be called as witnesses by the party filing the statement classifying them as liability or damage witnesses. . . .

(a)(5) a copy of the written report or answer to written interrogatory consistent with Rule 4003.5, containing the opinion and the basis for the opinion of any person who may be called as an expert witness;

I. MOTION TO STRIKE EXPERT ECONOMIST

8. Pursuant to Pa.R.C.P. 212.2 (C), “. . . where the trial judge determines that unfair prejudice shall occur as a result of non-compliance with subdivisions (a) and (b) of Pa.R.C.P. 212.2, the trial judge shall grant appropriate relief which may include:

(1) the preclusion or limitation of the testimony of:

(i) any witness whose identity is not disclosed in the pre-trial statement, or
(ii) any expert witness whose opinions have not been set forth in the report submitted with the pre-trial statement or otherwise specifically referred to in the pre-trial statement, consistent with Rule 4003.5, and

(2) the preclusion of exhibits not listed in the pre-trial statement and made available.

Pa.R.C.P. 212.2(c) (1) and (2)

9. Defendant is being severely and continuously prejudiced by the inability to properly retain a qualified expert to review the bases for the Plaintiff's expert's opinions as well as to prepare a rebuttal.

10.. Additionally, on August 28, 2007 a jury panel of 12 was selected in this matter through voir dire questioning of the potential jurors in open court. At no time prior to this jury selection did Plaintiff disclose their economic expert.

11. Defendant is additionally severely prejudiced by Plaintiff's late disclosure of the name of the economic loss expert, which precludes Defendant's ability to conduct a fair and complete voir dire examination prior to selection of the jury panel.

12. On November 14, 2003, Defendant through her counsel, propounded on Plaintiff, a list of interrogatories and request for production of documents which addressed experts intended to be called upon at trial. These requests were ongoing in nature. Specifically, Defendant requested:

21. Please state the name and present address of each person Plaintiff may call or expects to call as an expert witness at the trial of the case.

22. As to each person names in answer to Interrogatory Number 21, please state:

(a) the substance of fact to which he or she is expected to testify;

(b) the substance of each opinion to which he or she is expected to testify;

(c) the ground for each opinion; and

(d) their background, training, experience and other qualifications.

23. Except for those persons identified in Answer to Interrogatory Number 22, please state the name and present address of any person who has retained, employed or consulted by plaintiff as an expert in connection with the claim in this case or any defense to the claim in this case.

13. To date, and despite numerous request from defense counsel, Plaintiff, through her counsel has failed to produce any expert medical report supporting permanent disability

and/or impairment and the only report relied upon by Plaintiff's expert economist that the Plaintiff has a chronic cervical strain.

14. The Plaintiff's non-compliance with both state and local rules of civil procedure concerning disclosure of experts has severely prejudiced Defendant's ability to prepare a defense to the case in front of the jury already empaneled, and with such prejudice being un-correctable, Defendant specifically request of this Honorable Court the relief prescribed in the rules by way of striking of Plaintiff's expert.

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an Order striking the Plaintiff's economic expert and precluding any testimony concerning any claim of loss of profits/earnings and/or impairment of earning capacity.

II. MOTION FOR ATTORNEY'S FEES

1. By engaging in a deliberate and willful course of conduct in deliberate disregard of the Rules of Civil Procedure governing disclosure of witnesses and pre-trial conferences, Plaintiff has severely prejudiced the Defendant's ability to prepare an appropriate defense of this case.

2. By attempting to limit the time by which Defendant can prepare a defense on this matter, Plaintiff is engaging in a course of conduct intended to harass the defendant, sabotage the ability to prepare an appropriate defense and to injure the Defendant with respect to limiting the Defendant's ability to defend the case.

3. As further evidence of Plaintiff's intentional actions to attempt to injure the defendant in this case, Plaintiff's counsel has refused the requests of Defense counsel to schedule

4 expert depositions on the same day(s) to avoid four (4) three-hundred mile trips to the Clearfield area on four separate occasions for medical depositions. Despite requests by Defense counsel, Plaintiff's counsel has scheduled one of the expert depositions for the day before the scheduled date of trial, i.e. October 29, 2007.

4.. Defendant will continue to suffer ramifications from Plaintiff's failure to comply with the Order of this Honorable Court, the local and state rules of Civil Procedure, in that Defendant will expend round-trip travel of 300 miles distance in making a trip to Court to present this motion.

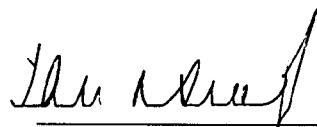
5. Defendant has also lost approximately one-half day (4 hours) in being involved in the preparation of this within motion.

6 .Plaintiff is also in violation of Pa.R.C.P. 4003.5 concerning Plaintiff's failure to disclose the economic expert and supporting report until after the pretrial conciliation was conducted and discovery was closed.

7.By certifying that the case was ready for trial without having yet secured the economic expert report, Plaintiff is in violation of Pa.R.C.P. 1023.1 concerning disclosure to the Court.

8.Pursuant to Pa.R.C.P. 1023.2, this Honorable Court may enter an Order awarding reasonable attorney's fees to any party that is required to present a motion for relief due to the opposing party's certification made in violation of the rules and/or failure to comply with the rules of civil procedure.

WHEREFORE, Defendant respectfully requests this Honorable Court to enter an Order awarding reasonable costs and attorney's fees for presentation of the within motion.



LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant(s)
Sandhya Seth

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

NOTICE OF PRESENTATION

To: Sherrie Painter, Esquire and Victor H. Pribanic, Esquire

Please be advised that the within MOTION TO STRIKE/MOTION FOR SANCTIONS
will be presented before the Honorable Judge Cherry in Courtroom 2

On October 11, at or as soon thereafter as suits the convenience of the
Court.

LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant(s)

EXHIBIT A

Law Offices of
PRIBANIC & PRIBANIC

A Limited Liability Corporation

1735 Lincoln Way
White Oak, Pennsylvania 15131

Tel. 412/672-5444

Fax. 412/672-3715

SHERIE LYNN PAINTER
e-mail address: spainter@pribanic.com

September 28, 2007

FAXED
Oct 2 - 2007

69416 - 91781.2

Lisa Kramer

Office of the Prothonotary
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

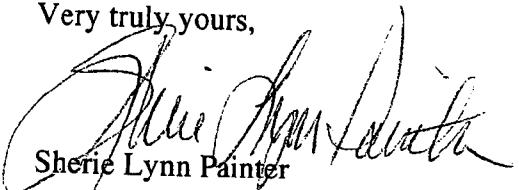
In Re: Michelle Wilson v. Sandhya Seth
Clearfield County Docket No.: Case No.: 2003-958-CD
Our File No.: 6307

Dear Prothonotary,

Enclosed for filing please find an original and two (2) copies of the cover sheet of Plaintiff's First Supplemental Pretrial Statement regarding the above-captioned matter. Kindly file the original and return one (1) time-stamped copy of the cover sheet to my attention in the envelope provided within.

Thank you for your continued professional courtesy. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Sherie Lynn Painter

SLP

Enclosures

cc: Laura R. Signorelli, Esquire

FORENSIC HUMAN RESOURCES
413 Sylvania Drive
Pittsburgh, PA 15229

Phone: (412) 260-8000

Fax: (412) 364-7221

September 26, 2007

Ms. Sherie Lynn Painter, Esq.
Pribanic & Pribanic, LLC
1735 Lincoln Way
White Oak, PA 15131

Dear Ms. Painter:

You asked that I evaluate the economic loss in the case of your client, Michelle Wilson. You asked that I become familiar with your client's background and current circumstances in order to provide an opinion as to the labor economic effects of a motor vehicle accident that occurred on June 30, 2001. I interviewed Ms. Wilson and reviewed her educational background and work history. I also reviewed the following documents:

- Plaintiff's Complaint in Civil Action;
- Plaintiff's Answers to Defendant's Interrogatories;
- Plaintiff's Pretrial Statement with Plaintiff's Expert Reports;
- Copy of the transcript of the deposition of Michelle Wilson conducted January 10, 2006; and,
- Ms. Wilson's Schedule C's for the years 2003 – 2005.

Michelle Wilson was born March 12, 1966 and is currently 41.54 years old. She graduated from DuBois Area High School in 1984. She attended a cosmetology school but never obtained her license. She moved to Kansas and returned to Pennsylvania in 1993 after which she worked part-time for a caterer. On June 10, 2001, she opened a day care operation in her home. She was involved in the motor vehicle accident on June 30, 2001.

Ms. Wilson's medical history is detailed in Dr. Hennessey's Initial Outpatient Psychiatric Evaluation report of 5/30/2007 and will not be repeated here. His report indicates that she had residual post-traumatic cervical strain as a result of the 6/30/2001 motor vehicle accident but cannot recommend further treatment. He does say that the "residual cervical sprain is felt to be permanent." He also identifies idiopathic low back pain and bilateral persistent jaw pain. Jeffrey W. Rice, DMD, states on April 13, 2007, that "I am continually working to make Michelle more comfortable, but I don't feel she will ever be pain free." Ms. Wilson has undergone two dental surgeries (2/21/2002 and 4/1/2003) and back surgery on March 2, 2006.

Ms. Wilson is concerned about the impact her physical restrictions will have upon her ability to earn a living. She had opened her daycare operation approximately two weeks before the accident and was just beginning to develop the business. She initially cared for three children and, over time, increased that number to six. She stated that she was unable to physically care for the children from December 26, 2005 through August 31, 2006 at which time she reopened her

daycare. At that time, she only had 2 children to care for. She stated that she continued to operate in that fashion until June 1, 2007 at which time she closed the business.

Economic Damages

Past Lost Income: Ms. Wilson stated that she charged \$75 per child per week. At a maximum of 6 children, she would generate \$450 per week in gross revenues. Her Schedule C's show that she spent an average of 25% on expenses, therefore, her net weekly income would be \$337.50, **\$17,550** per year. Unable to operate for the period December 26, 2005 – August 31, 2006, she lost **\$16,200** in net income at that time. She stated that when she reopened September 1, 2006, she accepted 2 children from 1 family and that she offered a special rate of \$200 every two weeks. Operating in that fashion until June 1, 2007, her net income loss was **\$10,238**. In the period June 1, 2007 to September 21, 2007, she lost **\$5,400** in net income. Her total past lost net income is **\$27,788**.

Future Lost Earning Capacity: as an active participant in the labor market, Ms. Wilson, 35.3 years old at the time of the motor vehicle accident and a female high school graduate, has a tabular worklife expectancy of 20.31 years.¹ Since she is currently considered inactive, in that she is not working due to her injuries, her tabular worklife expectancy is reduced to 17.67 years, an erosion of 14.9%. The inactive classification assumes that at some point, Ms. Wilson would be able to return to the workforce but would not be able to work as many years. It has been 6.24 years since the motor vehicle accident, therefore her remaining tabular worklife expectancies are 14.07 and 11.43 respectively.

Three scenarios are presented regarding Ms. Wilson's future lost earning capacity: In scenario 1, it is assumed that she would have operated her daycare business to her remaining tabular worklife expectancy of 14.07 years. The net income for that period is compared to the net income she would earn over the reduced worklife expectancy of 11.43 years. In scenario 2, it is assumed that, if uninjured, she would operate her daycare business to age 60, a period of 18.46 years. Again, the net income for that period is compared to the net income earned over the shorter period. Ms. Wilson stated that her neighbor from whom she purchased the daycare business had operated it for forty (40) years. In scenario 3, I assumed that, due to her physical restrictions, she would not be able to return at all to the daycare business and showed her future lost earning capacity to her tabular worklife expectancy.

In scenario 1, she would have net income of \$246,929 over 14.07 years but only \$163,529 earned over 11.43 years, a lost earning capacity of **\$83,399**.

In scenario 2, she would have net income of \$323,973 working to age 60, but only \$163,529 over the 11.43 year reduced worklife expectancy, a lost earning capacity of **\$160,444**.

In scenario 3, were she physically unable to work, her future lost earning capacity for her worklife expectancy would be **\$246,929**.

Summary of Economic Damages

Past Lost Income:

		# weeks	Income 6 Children	Income 1 Family	Lost Gross Income	Expenses	Lost Net Income
12/26/2005	8/31/2006	36	\$16,200		\$16,200	\$4,050	\$12,150
9/1/2006	6/1/2007	39	\$17,550	\$3,900	\$13,650	\$3,413	\$10,238
6/1/2007	9/21/2007	16	\$7,200		\$7,200	\$1,800	<u>\$5,400</u>
Totals:							\$27,788

Future Lost Earning Capacity:

Scenario 1 – operates daycare to worklife expectancy

	Years	Wages	Benefits	Annual	
				Net	WLE Total
Operates own business to WLE	14.07	\$17,550	\$0	\$17,550	\$246,929
	11.43	\$13,510	\$797	\$14,307	\$163,529
\$83,399					

Scenario 2 – operates daycare to age 60

	Years	Wages	Benefits	Annual	
				Net	WLE Total
Operates own business to age 60	18.46	\$17,550	\$0	\$17,550	\$323,973
	11.43	\$13,510	\$797	\$14,307	\$163,529
\$160,444					

Scenario 3 – unable to work to worklife expectancy

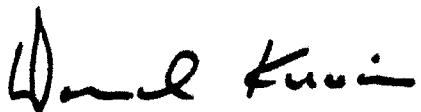
	Years	Wages	Benefits	Annual	
				Net	WLE Total
Operates own business	14.07	\$17,550	\$0	\$17,550	\$246,929

Ms. Wilson's future lost income is in the range **\$83,399** to **\$246,929**.

Ms. Wilson's total lost income, both past lost net income and future lost net income, is the range **\$111,187** to **\$274,716**, to a reasonable degree of professional certainty.

I reserve the right to amend this report should additional information be made available.

Very truly yours,



Donal F. Kirwan, SPHR

Endnotes:

1. Skoog, Gary and James E. Ciecka, "The Markov (Increment-Decrement) Model of Labor Force Activity: Extended Tables of Central Tendency, Variation, and Probability Intervals," Journal of Legal Economics, Spring/Summer 2001.

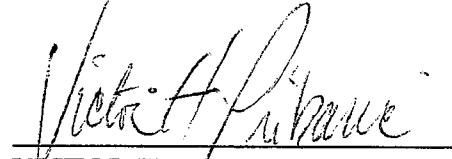
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within has been served via U.S. Postal Service postage prepaid on the 28th day of September, 2007 upon the following:

Laura R. Signorelli, Esquire
1180 US Steel Tower
Pittsburgh, PA 15219

412-471-6708 fax

PRIBANIC & PRIBANIC, L.L.C.



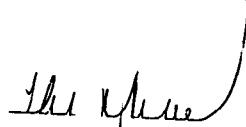
VICTOR H. PRIBANIC

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, Laura R. Signorelli, Esquire, hereby certify that a true and correct copy of the within MOTION TO STRIKE EXPERT/MOTION FOR SANCTIONS was served upon all other parties or their attorney of record by First Class Mail on this 3rd day of October, 2007:

Sherrie Painter, Esquire
Victor H. Pribanic, Esquire
Pribanic & Pribanic
PRIBANIC AND PRIBANIC
1735 Lincoln Way
White Oak, PA 15131


LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

ORDER OF COURT

AND NOW, this _____ day of _____, 2007, upon consideration of the foregoing Motion, it is hereby Ordered, Adjudged and Decreed that said motion is GRANTED:

(1) Plaintiff is precluded from introducing the testimony of the economic expert at trial. Plaintiff is additionally precluded from introducing at trial any claim of loss of profits/earnings and/or impairment of earning capacity;

(2) Plaintiff shall reimburse the Defendant the following costs and reasonable fees associated with the presentation of the within motion:

(a) Mileage (round-trip Clearfield)

$$300 \text{ miles} \times .45/\text{mile} = \$150.00$$

(b) Reasonable attorney's fees in the amount of _____.

BY THE COURT:

_____. J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

Plaintiff

vs.

SANDHYA SETH,

Defendant.

CIVIL DIVISION

CASE NO. 2003-958-CD

**AFFIDAVIT OF SERVICE OF EXPERT
INTERROGATORIES**

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICES OF TWANDA TURNER-
HAWKINS
600 Grant Street
1180 U.S. Steel Tower
Pittsburgh, PA 15219

Telephone: 412-255-4145

JURY TRIAL DEMANDED

FILED
OCT 05 2007
M 11:06 AM
2007
no cc
WPS

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

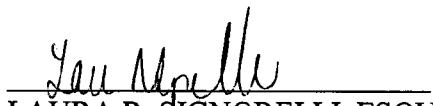
SANDHYA SETH,

Defendant.

AFFADAVIT OF SERVICE OF EXPERT INTERROGATORIES

Laura R. Signorelli, Esquire, who after being duly sworn, on oath, deposes and states that she has sent via Certified and Regular Mail on October 3, 2007, a true and correct copy of the Expert Interrogatories, marked collectively as **Exhibit "A"** as attached hereto to the following:

Donal Kirwin, SPHR
FORENSIC HUMAN RESOURCES
413 Sylvania Drive
Pittsburgh PA 15229


LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth

SWORN TO AND SUBSCRIBED before me

This 3rd day of Oct, 2007


NOTARY PUBLIC

My Commision Expires:

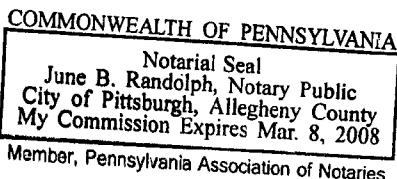


EXHIBIT A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-958-CD

vs.

SANDHYA SETH,

EXPERT INTERROGATORIES

FILED ON BEHALF OF DEFENDANT(S):

Sandhya Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICES OF TWANDA TURNER-
HAWKINS
600 Grant Street
1180 U.S. Steel Tower
Pittsburgh, PA 15219

Telephone: 412-255-4145

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON,

CIVIL DIVISION

Plaintiff

CASE NO. 2003-0958 -CD

vs.

SANDHYA SETH,

Defendant.

EXPERT INTERROGATORIES

TO: Sherrie Painter, Esquire

Defendant in this action serves the within Interrogatories on Plaintiff's counsel makes demand on the Plaintiff's counsel to answer same under oath within thirty (30) days. These Interrogatories are continuing and any information available is to be supplied by Supplemental Answers under oath if you obtain further information not contained in the answers to the following interrogatories, between the time the answers are served at the time of trial..

Pursuant to Pa. R.C.P. 4006, each interrogatory shall be answered fully and completely unless objected to in which event the reasons for objection shall be stated in lieu of an answer. The answers shall be signed by the person making them, and the objections shall be signed by the attorney making them. The statement of an objection shall not excuse the answering party from answering all the remaining interrogatories to which no objection is stated. The party submitting the interrogatories may move the court to dismiss an objection and direct that the interrogatory be answered.

DEFINITIONS

In connection with these interrogatories, the following definition shall apply:

- A. The word "identify" when used in connection with an individual person or persons shall require identification of the name, employment, address of employment and

position of employment at the time to which such answer refers and identification of the present address of such person.

B. The word "identify" when used in reference to a corporation, or other business entity, means to state its full name, principal place of business or corporate headquarters and the type of business in which it is engaged or otherwise conducted by it.

C. The word "identify" when used in connection with a document or writing shall require identification of the addressor and addressee, the date of such writing and all counterparts thereof; the type of document (e.g. letter, memorandum, report, chart, etc.)¹ title or some means if classification; if a drawing or blueprint, its drawing number, revision date, and at all relevant times, had custody, control or access. If a copy of the document will be provided voluntarily, it should be attached and/or included with the answers to these interrogatories, and the interrogatory or interrogatories it is provided in answer to should be identified. If any such document was, but is no longer in your possession or subject to your control, state what disposition was made of it.

D. The word "identify" when used in connection with an oral statement, conversation or conference shall require identification of the persons making such statements, the persons to whom such statement was made and all other persons present at the time of such statement, identification of the time and date of such statement, conversation or conference was made or held, identification, if by telephone, of the persons participating in the telephone call, the persons making the call, the places where the persons participating in the call were located, and identification of the substance of each statement, conversation or conference.

E. The word "identify" when used elsewhere herein, means to state your total knowledge and information concerning the subject matter.

F. The word "writings" shall refer to any documents, letters, drawings, specifications

and/or notes whether made by representatives of the Plaintiffs and/or some other persons relating to such answer.

G. As used herein, the words "you" or "your" shall mean the Plaintiff(s).

H. As used herein, the word "person(s) shall mean all individuals, sole proprietorship, associations, companies, partnerships, joint ventured, corporations, trust and estates.

I. As used herein, the word "document(s)" shall mean any kind of written, printed typed, recorded or graphic matter, however produced or reproduced, of any kind or description, whether sent, received and/or either including originals, all copies, and all drafts and both sides thereof, and including, but not limited to, papers, books; handwritten notes; publications; book entries; letters; correspondence; telegrams; cables; telex messages; memoranda (whether formal, informal, to file otherwise); notes; notations; interviews; synopses of interviews; data, work papers; diaries; interoffice or interdepartmental communications (whether formal, informal or otherwise); agendas, transcripts; affidavits; statements; summaries; opinions; court pleadings; indices; analyses; questionnaires; answers to questionnaires; telephone logs; list; minutes of meetings or other minutes; test reports; performance reports; laboratory test or performance results; other reports; records or telephone conversations, interviews, conferences, meetings, or other conversations; forms; studies; plans; specifications; evaluations; contracts; agreements; licenses; invoices; checks; drafts; vouchers; ledgers; journals; books of records of accounts; bills; receipts; desk calendars; appointments books; calculations; charts; graphs, maps; surveys; drawings; (including, but not limited to, design drawings, shop drawings, renderings, sketches, diagrams, schematics, or as-built drawings); data sheets; photographs, slides; movies; microfilms, bids, bid material or labor estimates or other estimates; quotations; bid summaries; blueprints; statements of account; orders; purchase orders; brochures; pamphlets; manuals;

warranties; literature; inspection; reports; operation reports; maintenance reports; notebooks; communiqués; request for change orders; change orders; changes; supplements; amendments; addenda; request for information; request for drawing approval; drawing approvals; punch lists; schedules; job calendars; insurance policies; personnel records; grievance files; organization charts; constriction or design logs; journals; computer tapes and disc; magnetic tapes; punch cards; computer printouts; data; data processing input and output; computer programs; computer program coding sheets; any retrievable data, whether in computer storage, carded, taped, coded, electrostatically, electromagnetically or otherwise, and all transcripts thereof; all other records kept by electronic, photographic or mechanical means; all other writings and all things similar to any of the forgoing regardless of their author or origin, and however denominated.

J. "Written statement" shall mean (1) a written statement signed or otherwise adopted or approved by the person making it, or (2) a stenographic, mechanical, electrical, or other recording or transcript thereof, which is substantially verbatim recital of an oral statement given by the person making it and contemporaneously recorded or preserved or stored in or on any type of recording, tape, film or electronic memory device.

K. "Oral statement" shall mean an oral utterance made by any person, at any time, concerning the liability arising out of the subject matter of this action.

FURTHER INSTRUCTIONS

A. In the event that exact information requested in any of these interrogatories is not available or cannot be ascertained at this time, please answer such interrogatory with the information available, using estimated or approximations where necessary, and indicate that such estimates or approximations have been used.

B. In the event that information requested in these interrogatories is not available or

cannot be ascertained at the time of answering these interrogatories, but such information becomes available or is ascertained thereafter and prior to the trial of this case, please submit supplemental answers hereto upon such occurrence.

C. The party propounding these interrogatories reserves the right to serve further interrogatories or sets of interrogatories dealing with subjects covered herein or with subjects not covered herein.

D. If the information furnished herein is not with the personal knowledge of the person who signs the Affidavit under oath answering these interrogatories, then and in that event, identify each such person who assisted and participated in preparing or supplying any of the information given in the answers to or relied upon in preparing the answers to these interrogatories.

E. Attention is directed to the fact that a copy of these interrogatories has been mailed to all counsel of record in this case, as evidenced by the attached certificate of Service. You are required, pursuant to Pa. R.C.P. No. 4406, to serve a copy of your answers to these interrogatories upon every party to this action.

F. All interrogatories which request that you attach copies of statements or documents (including photographs) with your answers are a request for production of documents under the provisions of Pa. R.C.P. No. 4409.

G. Number. Gender. Tense. The singular shall include the plural, the singular words used in masculine gender shall include the feminine and neuter. Words in the past or present tense shall include the future (See Pa. R.C.P. No. 102).

INTERROGATORIES

1. Please provide a current and complete copy of curriculum vitae of Donal F. Kirwan, SPHR.
2. Please state whether Donal F. Kirwan, SPHR has any specialized training in the field in which he is allegedly an expert. If so state:
 - a. The type of training he received;
 - b. The name and address of the school or place where he received this training;
 - c. The dates when he received his training.
3. Please state whether this expert is or was a member of any professional or trade association in his field of expertise. If so state:
 - a. The name of each professional or trade association;
 - b. The date he became a member;
 - c. A description of each office he has held in each association.

4. Please state whether this expert has practices or worked in his field during the past ten (10) years. If so, state:

- a. Whether he was self-employed, employed by someone else or associates with a partner(s);
- b. Each address or place of business where he practiced or was employed;
- c. The date he was with each employer;
- d. The type of duty he performed with each employer;
- e. If he has not practiced or worked in his field during the past 10 years, what was his employment during this time?

5. With regard to this expert, please state whether he has had any previous experience in his field which involved problems, issues and/or facts similar to those encountered in this action, If so, describe each similar problem, issue or fact with which he has had experience.

6. How many times has this expert been involved in lawsuits or claims with similar facts as to the present suit or involving the same or similar issues?

7. With regard to this matter, please list any and all texts and materials which Plaintiff's expert deems authoritative and are applicable to this action and/or the issues presented in the instant suit.

8. With regard to this matter, please list all exhibits, tests materials, evidence and/or documentation on which said expert bases his opinion.

9. Please list all materials, including, but not limited to, any written documentation or correspondence submitted to this expert by Plaintiff or Plaintiff's counsel and produce copies of the same.

10. Please list all materials or information reviewed by this expert in rendering his opinions and findings in this case.

A. Please attach copies of all materials or information reviewed by this expert, as was listed in 10.

11. State the number of times this expert has been retained by the LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire as an expert witness.

12. State the number of times this expert or any of his business affiliates, employers or partners have been retained by the LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire as an expert witness.

13. For each such case in which this expert was retained by the LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire as an expert witness , please state:

a. The case name;

b. The name and address of the adverse attorney, party, person and or entity;

c. The docket number, caption and Court in which such suit was filed;

- d. State whether said expert gave a deposition in said matter;
- e. State whether said expert furnished a written report of his opinions or findings and if so, attach a copy of all such reports.

14. State the following:

- a. Fee charged to LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire as an expert witness in preparation of a report in this case.
- b. Fee charged to LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire as an expert witness in providing expert testimony for this case.
- c. Whether the fee charged to the LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire by this expert is the same in all cases handled by this expert.

15. Please state the amount of annual income derived by this expert and./or any of his

business affiliates, employers or partners including but not limited to Jay Jarrell in performing work as an expert witness for the LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire in the past 5 years.

a. Attach Tax returns and/or 1099 Forms pertaining to income derived from Fees charged to LAW OFFICES OF PRIBANIC & PRIBANIC, Victor Pribanic, Esquire and/or Sherrie Painter, Esquire for the past 5 years (beginning in 2002)

16. Please provide a list indicating the case caption, docket number and Court for any other lawsuit in which this expert has testified and/or provided an expert opinion for the last five (5) years.

17. Please state the amount of income that you, Donal F. Kirwan, SPHR has earned within the last five (5) years from testifying as an expert witness in personal injury cases.

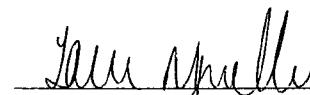
b. State the total number of times that Donal F. Kirwan, SPHR has acted as an expert witness either writing reports, giving deposition testimony or appearing in Court the last five years.

18. Attach the following:

a. All documentation, including but not limited to correspondence, notes, medical records, narratives, logs, journals, statements, record of interviews, relied upon by yourself, Donal Kirwin, in preparing the report pertaining to Michele Wilson;

- b. Hand-written or computer generated Notes taken of pertaining to any interviews with Michele Wilson ;
- c. Copies of any statements taken of interviews with Michelle Wilson;
- d. Copies of any and all notes, records, documents and/or recordings of interviews and/or investigation conducted by Donal Kirwin in preparing the report.

e. Copies of all correspondence between the Law offices of Pribanic & Pribanic,
Sherrie Painter, Esquire and Victor Pribanic Esquire and Mr. Donal Kirwin.



LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth incorrectly identified as Sandhy A.
Seth

VERIFICATION

Donal Kirwin SPHR has answered the foregoing Interrogatories. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 PA. C. Sec. 4904, relating to unsworn falsification to authorities, which provides that if I make knowingly false statements, I may be subject to criminal penalties.

DATE: _____

Donal Kirwin SPHR

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on this 3rd day of October, 2007, I have served a copy of Interrogatories Directed to the Plaintiff(s), Michelle Wilson and upon all other parties or their attorney of record by First Class U.S. Mail.

Sherrie Painter, Esquire
PRIBANIC AND PRIBANIC
1735 Lincoln Way
White Oak, PA 15131

Laura Signorelli
LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth incorrectly identified as Sandhy A. Seth

CERTIFICATION OF SERVICE

I hereby certify that I have served a copy of the Affidavit of Service of Expert Interrogatories upon all other parties or their attorney of record by regular First Class Mail on October 3, 2007.

Donal Kirwin, SPHR
FORENSIC HUMAN RESOURCES
413 Sylvania Drive
Pittsburgh PA 15229

Sherrie Painter, Esquire
Pribanic & Pribani
1735 Lincoln Highway
White Oak, PA 15131

Laura Signorelli
Laura R. Signorelli
Attorney for Defendant
Sandhya Seth

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

MICHELLE WILSON :

Plaintiff, :

vs. : NO. 2003-958-C.D.

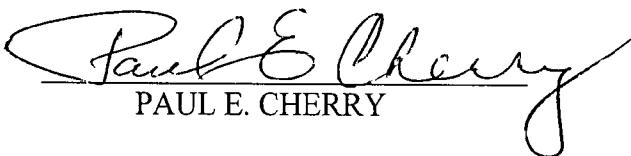
SANDYHA SETH :

Defendant. :

SCEDULING ORDER

AND NOW, this 5th day of October, 2007 upon consideration of Defendant's Emergency Motion to Strike Economic Expert/Motion for Sanctions, it is hereby ORDERED that a hearing is scheduled for the 11th day of October 2007 at 3:00 P.M. in Courtroom #2 of the Court of Common Pleas of Clearfield County, Pennsylvania.

BY THE COURT:


PAUL E. CHERRY

FILED 2CC
013-5061 Atty S. Signorelli
OCT 05 2007

William A. Shaw
Prothonotary/Clerk of Courts
Doris faxed to Atty
Signorelli, who was
instructed to fax
opposing side

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON MEGAN
WILSON and MICHELLE WILSON,
Legal Guardian for MACY WILSON,
a minor,

Plaintiffs,

v.

SANDHY A SETH,

Defendant.

CIVIL DIVISION

CASE NO. 20003-958-CD

**ANSWER TO COMPLAINT
AND NEW MATTER AND
COUNTERCLAIM**

FILED ON BEHALF OF DEFENDANT:
Sandhya Seth incorrectly identified as Sandhy
A. Seth

COUNSEL OF RECORD FOR THIS
PARTY:

LAURA R. SIGNORELLI, ESQUIRE
PA No. 69694

LAW OFFICES OF TWANDA TURNER-
HAWKINS
600 Grant Street
1180 U.S. Steel Tower
Pittsburgh, PA 15219

Telephone: 412-255-4145

TRIAL BY A JURY OF TWELVE IS DEMANDED

FILED *m/12/3/07* NOCC
OCT 18 2007 *(GK)*

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON, MEGAN CIVIL DIVISION
WILSON and MICHELLE WILSON, CASE NO. 2003-958-CD
Legal Guardian for MACY WILSON,
a minor,

Plaintiffs,

V.

SANDHY A SETH,

Defendant.

NOTICE TO PLEAD

TO: Megan Wilson, Michelle Wilson and Macy Wilson, Plaintiffs
c/o Victor H. Pribanic, Esquire

You are notified to Plead to the enclosed Answer and New Matter and Counterclaim
within 20 days from the date of service or a judgment may be entered against you.



LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth incorrectly identified as Sandhy A. Seth

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

MICHELLE WILSON, MEGAN CIVIL DIVISION
WILSON and MICHELLE WILSON, CASE NO. 2003-958-CD
Legal Guardian for MACY WILSON,
a minor,

Plaintiffs,

v.

SANDHY A SETH,

Defendant.

**DEFENDANT'S ANSWER TO COMPLAINT AND NEW MATTER AND
COUNTERCLAIM**

AND NOW, comes the Defendant, Sandhya Seth incorrectly identified as Sandhya A. Seth, by and through the undersigned counsel, Laura R. Signorelli, Esquire and files the following Answer and New Matter and Counterclaim upon a cause of action whereof the following is a statement:

1. DENIED. After reasonable investigation, this Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.

2. DENIED. After reasonable investigation, this Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.

3. ADMITTED.

4. ADMITTED on information and belief.

5. DENIED. After reasonable investigation, this Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.

6. DENIED. After reasonable investigation, this Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.

7. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

COUNT I

MEGAN WILSON v. SANDHYA SETH

Prefatory paragraph to Count I that was not numbered:

DENIED. Defendants incorporate by reference their responses to the averments set forth in previous paragraphs as though same were fully set forth at length.

8. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

9. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

10. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

11. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

COUNT II

MICHELLE WILSON, Legal Guardian for MACY WILSON, a Minor

v. SANDHYA SETH

Prefatory paragraph to Count II that was not numbered:

DENIED. Defendants incorporate by reference their responses to the averments set forth in previous paragraphs as though same were fully set forth at length.

12. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

13. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

14. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

15. DENIED. The allegations contained in this paragraph are denied pursuant to Pennsylvania Rule of Civil Procedure 1029(e).

WHEREFORE, Defendant demands of this Honorable Court Judgment in her favor and against Plaintiffs.

JURY TRIAL DEMANDED.

DEFENDANT'S NEW MATTER

1. All causes of action and/or claims asserted against answering Defendant are barred by the applicable Statute of Limitations, including, but not limited to, the Act of July 9, 1976, P.L. 586, 42 Pa. C.S.A. Sec. 5524.
2. All causes of action and/or claims as set forth in all Civil Action(s)/Complaints(s) are limited, governed, barred, and/or restricted by the terms of the Pennsylvania Motor Vehicle Financial Responsibility Law of 1984, 75 Pa. C.S.A. 1701, et seq., as amended by Act 6 of 1990, the relevant provisions of which are incorporated by reference herein as though the same were fully set forth at length.
3. All causes of action and/or claims as set forth in all Civil Actions/Complaints are limited, governed, barred, and/or restricted by the terms of the Pennsylvania Motor Vehicle Financial Responsibility Law of 1984, 75 Pa. C.S.A. 1701, et seq., as amended by Act 6 of 1990, the relevant provisions of which are incorporated by reference herein as though the same were fully set forth at length, including but not limited to the "limited tort" provisions of Section 1705, and in accordance with the "tort option" chosen and/or elected in the policy of insurance purportedly providing coverage for the accident in question.

WHEREFORE, Defendant demands of this Honorable Court Judgment in her favor and against Plaintiffs.

JURY TRIAL DEMANDED.

**DEFENDANT'S COUNTERCLAIM ADDRESSED TO
ADDITIONAL DEFENDANT, MICHELLE WILSON**

To: Additional Defendant, Michelle Wilson

You are hereby notified to file a written response to the following Defendant's Counterclaim within twenty (20) days from service hereof or a judgment may be entered against you.

Answering Defendant asserts this Counterclaim and hereby joins the above named as an Additional Defendant in this action on the following basis:

1. Defendant incorporates herein by reference as though fully set forth at length, the averments contained in Plaintiffs' Civil Action Complaint, without admitting to same.
2. Additional Defendant, Michelle Wilson, was the operator of the motor vehicle occupied by Plaintiffs.
3. Additional Defendant had a duty to operate said motor vehicle with reasonable care, and with due regard for the safety of its occupants and other motorists.
4. Additional Defendant failed to operate said motor vehicle with reasonable care, and failed to take due regard for the safety of its occupants and other motorists.
5. Additional Defendant committed certain acts and omissions which include but are not limited to:

- a. operating said motor vehicle at an unsafe speed;
- b. failing to maintain control of said motor vehicle;
- c. failing to yield the right of way;
- d. failing to maintain adequate and proper lookout;
- e. violating the Motor Vehicle Code;
- f. such acts and omissions which, while are currently unknown, may be disclosed through investigation and discovery.

6. The aforesaid acts and omissions of Additional Defendant constitute negligence.

7. The negligent acts and omissions of Additional Defendant are the sole and proximate cause of any and all of the injuries and damages alleged in Plaintiffs' Complaint, said injuries and damages being denied by answering Defendant.

8. If it is judicially determined that the Plaintiffs are entitled to recovery of damages, then Additional Defendant is solely liable to the Plaintiffs for said damages, or are jointly or severally liable to the Plaintiffs for said damages, or are liable over to answering Defendant, for indemnification and/or contribution for said damages.

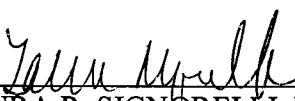
WHEREFORE, answering Defendant demands that judgment be entered in answering Defendant's favor and against Additional Defendant for any sum that may be awarded to Plaintiffs, or for indemnity and/or contribution for all or part of any sums awarded to Plaintiffs, including interest, counsel fees, and costs.



LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth incorrectly identified as Sandhy A.
Seth

VERIFICATION

LAURA R. SIGNORELLI, ESQUIRE, states that she is the attorney for the within named Defendant, Sandhya Seth incorrectly identified as Sandhy A. Seth, and the facts set forth in the foregoing pleading are true and correct to the best of her knowledge, information, and belief; and this statement is made subject to the penalties of 18 Pa. C. §4904, relating to unsworn falsification to authorities.

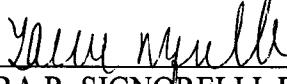


LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth incorrectly identified as Sandhy A. Seth

CERTIFICATE OF SERVICE

I do hereby certify that I have served a copy of DEFENDANT'S ANSWER AND NEW MATTER AND COUNTERCLAIM upon all other parties or their attorney of record by First Class Mail on October 15, 2007.

Sherrie Painter, Esquire
PRIBANIC AND PRIBANIC
1735 Lincoln Way
White Oak, PA 15131



LAURA R. SIGNORELLI, ESQUIRE
Attorney for Defendant
Sandhya Seth incorrectly identified as Sandhy A. Seth

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MICHELLE WILSON, MEGAN
WILSON, and MICHELLE
WILSON, Legal Guardian for
MACY WILSON, a minor,

CIVIL DIVISION

Plaintiffs,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

**PLAINTIFFS' REPLY TO
NEW MATTER AND ADDITIONAL
DEFENDANT'S ANSWER TO
COUNTERCLAIM**

Defendant.

Filed on behalf of Plaintiffs:
Michelle Wilson, et al.

Counsel of Record for this Party:

SHERIE LYNN PAINTER
Pa. I.D. NO.: 30785

Pribanic & Pribanic, LLC
1735 Lincoln Way
White Oak, PA 15131

JURY TRIAL DEMANDED

(412) 672-5444 SLP

FILED NO CO
m 11.10.07
OCT 18 2007 (G)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MICHELLE WILSON, MEGAN
WILSON, and MICHELLE
WILSON, Legal Guardian for
MACY WILSON, a minor,

Plaintiffs,

Case No.: 2003-958-CD

vs.

SANDHYA SETH,

Defendant.

PLAINTIFFS' REPLY TO NEW MATTER

Plaintiffs, by their counsel, Sherie Lynn Painter, and Pribanic & Pribanic, LLC, files the within Reply to New Matter asserted on behalf of Defendant and in support thereof avers as follows:

1. The averments of Defendant's New Matter are denied.
2. The application of the current joint and several liability legislation

in the Commonwealth of Pennsylvania is unconstitutional.

WHEREFORE, Plaintiffs respectfully request that they be afforded the relief sought in the Complaint filed in the captioned action.

ADDITIONAL DEFENDANT, MICHELLE WILSON'S, ANSWER TO COUNTERCLAIM

Additional Defendant, by her counsel, Sherie Lynn Painter, and Pribanic & Pribanic, LLC, files the within Answer to Counterclaim asserted on behalf of Defendant and in support thereof avers as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Denied. Additional Defendant did not fail to operate her motor vehicle with reasonable care, and did not fail to take due regard for the safety of her occupants and other motorists.

5. Denied. Additional Defendant did not commit certain acts or omissions as suggested by Defendant in that Additional Defendant operated her motor vehicle at a safe speed, she did not fail to maintain control of her vehicle, she did not fail to yield the right of way, she did not fail to maintain an adequate and proper lookout; she did not violate any provision of the Motor Vehicle Code.

6. Denied. It is denied that Additional Defendant's conduct, either through actions or omissions, constituted negligence.

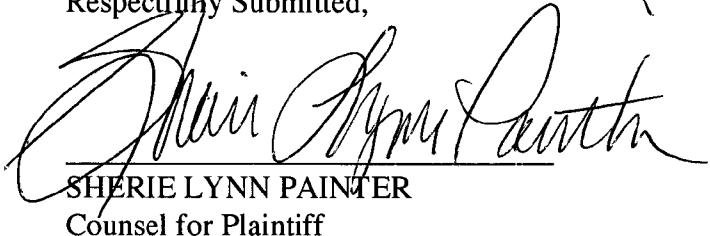
7. Denied. It is denied that Additional Defendant's conduct, either through actions or omissions, constituted negligence, and therefore, her actions or omissions are not the sole and proximate cause of any of the injuries and damages averred in Plaintiffs' Complaint but rather, the injuries and damages averred in Plaintiff's Complaint remain the sole and proximate cause of the negligent acts or omissions of Defendant, Sandhya Seth.

8. Denied. It is denied that Additional Defendant is solely liable to the Plaintiffs for said damages, nor is Additional Defendant jointly or severally liable to Plaintiffs for said damages, nor is

she liable over to Defendant Sandhya Seth for indemnification and/or contribution for said damages, but rather, Defendant, Sandhya Seth is solely liable to the Plaintiffs.

WHEREFORE, Plaintiffs and Additional Defendant respectfully request that they be afforded the relief sought in the Complaint filed in the captioned action.

Respectfully Submitted,



A handwritten signature in black ink, appearing to read "Sherie Lynn Painter".

SHERIE LYNN PAINTER
Counsel for Plaintiff

VERIFICATION

SHERIE LYNN PAINTER, Esquire, deposes and says that she is counsel for the foregoing party; that she is authorized to make this Verification; that the facts set forth in the foregoing are true and correct based upon information supplied to her by the foregoing party; that the purposes of this verification are to expedite the litigation; and that a Verification by the party hereto will be furnished if requested. This statement is made subject to penalties of 18 Pa. C.S. Section 4909 relating to unsworn falsification of authorities.



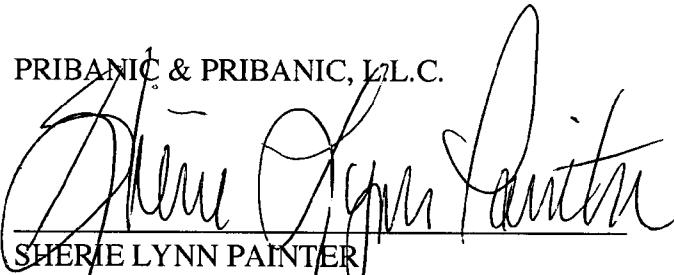
SHERIE LYNN PAINTER
Counsel for Plaintiffs and Additional Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within has been served via U.S. Postal Service postage prepaid on the 16th day of October, 2007 upon the following:

Laura R. Signorelli, Esquire
1180 US Steel Tower
Pittsburgh, PA 15219

PRIBANIC & PRIBANIC, L.L.C.


SHERIE LYNN PAINTER

Counsel for Plaintiffs and Additional Defendant

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

MICHELLE WILSON, MEGAN :
WILSON, and MICHELLE :
WILSON, Legal Guardian for :
MACY WILSON, a minor :
-vs- : No. 03-958-CD
SANDHYA SETH :

O R D E R

AND NOW, this 30th day of October, 2007, it is
the ORDER of this Court that the Motion in Limine filed on
behalf of the Defense is granted. The Plaintiff shall not
make any reference to insurance, insurance companies or any
settlement negotiations during the course of these
proceedings.

In addition, it is the further ORDER of this
Court that Plaintiff shall not mention any claims made by
the husband of the Plaintiff, Mark Wilson, and/or Macy
Wilson.

BY THE COURT,


Paul E. Cheaney
Judge

FILED
01/01/07
NOV 01 2007

William A. Shaw
Prothonotary/Clerk of Courts

ICC Atty's:
P. Banic & Bainter

Inzana
Signorelli

(60)

2004 4168
 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
 MICHELLE WILSON, MEGAN WILSON and CIVIL DIVISION
 MICHELLE WILSON, Legal Guardian for CASE NO. 2003-958-CD
 MACY WILSON, a minor,

Plaintiffs,

v.
 SANDHYA SETH,
 Defendant.

FILED (R)
 NOV 01 2007
 011:58 AM
 William A. Shaw
 Prothonotary/Clerk of Courts
 No C/C

STIPULATION

AND NOW, comes the Plaintiffs, Michelle Wilson, Megan Wilson and Michelle Wilson, Legal Guardian for Macy Wilson, by her attorney, Sherrie Painter, Esquire, and the Defendant Sandhya Seth, their attorney, Laura R. Signorelli Esquire, and hereby agree, consent and stipulate as follows:

- (1) The have entered into a confidential high-low damages agreement with a low of \$3,000.00 and a high of \$100,000.00
- (2) Medical evidence will be introduced at trial through the introduction of records. The records and medical documents, though introduced at trial, will not be provided to the jury during deliberations.
- (3) Following entry of the verdict, counsel for the parties will ask the Court to mold the verdict to conform to this agreement to reflect that any verdict entered in favor of the Plaintiffs will not exceed \$100,000.00. Additionally the Plaintiff will be guaranteed a minimum of \$3,000.00.
- (4) By entering into this agreement, Plaintiffs have agreed to waive any potential claim for delay damages.
- (5) The terms of the agreement will not be disclosed to the jury at any time. The terms of the agreement will be disclosed to the Court only after the entry of the verdict for purposes of molding the verdict.

This above-stated Stipulation, which is executed by the Parties below, represents the agreement in its entirety

10/26/07
 DATE

Sherrie Painter
 Sherrie Painter, Esquire
 Attorney for Plaintiff

10/26/07
 DATE

Laura R. Signorelli
 Laura R. Signorelli, Esquire
 Attorney for Defendant

Filed by: Thomas D. Snyder
 Thomas D. Snyder,
 Court Reporter

LAW OFFICES OF

PRIBANIC & PRIBANIC

A Limited Liability Corporation

1735 LINCOLN WAY

WHITE OAK, PENNSYLVANIA 15131

TEL. 412/672-5444

—
FAX. 412/672-3715

PITTSBURGH OFFICE

513 COURT PLACE

PITTSBURGH, PA 15219

TEL. 412/281-8844

FACSIMILE COVERSHEET

To: Danna Signorelli, Esq.

Company: _____

Fax Number: 412-471-6708

Telephone: _____

From: Sherie Lynn Painter, Esquire

Date: 10/24/07

Re: Wilson vs Seth

Comments:

Have a nice weekend.

(2)

Total number of pages, including this coversheet: _____

If you do not receive all the pages indicated, please contact the sender at (412) 672-5444 immediately.

The information contained in the facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone. Thank you.

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

MICHELLE WILSON, MEGAN	:	NO. 2003-958-CD
WILSON, and MICHELLE	:	
WILSON, Legal Guardian for	:	
MACY WILSON, a minor,	:	
Plaintiffs	:	
V.	:	
SANDHYA SETH,	:	
Defendant	:	

FILED

NOV 01 2007
13:30 fm
William A. Shaw
Prothonotary/Clerk of Courts

VERDICT

Question 1:

Do you find that the Defendant, Sandhya Seth, was negligent?

Yes No

If you answer Question 1 "No", the Plaintiffs cannot recover and you should not answer any further questions and return to the courtroom.

Question 2:

Was the Defendant's negligence a factual cause in bringing about the Plaintiffs' harm?

Yes No

If you answer Question 2 "No", the Plaintiffs cannot recover and you should not answer any further questions and return to the courtroom.

Question 3:

Do you find that the Plaintiffs sustained economic or "out of pocket" damages as a result of the accident?

Yes No

Question 4:

What amount do you find the Plaintiff's economic damages to be?

\$ _____

Question 5:

Do you find that the Plaintiff Michelle Wilson sustained a serious injury?

Yes _____ No _____

If you answered "Yes", go to question 6.

If you answered "No", skip question 6 and go to question 7.

Question 6:

State the amount of non economic damages, if any, sustained by the Plaintiff, Michelle Wilson.

\$ _____

The figures set forth in the answer to this Question should reflect the total amount of damages without regard to any negligence that you may have found on the part of the Plaintiff, Michelle Wilson, in response to Question No. 5. The Court will adjust the damages according to law to account for any negligence that you may have found on the part of the Plaintiff, Michelle Wilson.

Go to Question 7.

Question 7:

Do you find that the Plaintiff Megan Wilson sustained a serious injury?

Yes _____ No _____

If you answered "Yes", go to question 8.

If you answered "No", skip question 7 and go on to question 9.

Question 8:

State the amount of non economic damages, if any, sustained by the Plaintiff, Megan Wilson.

\$ _____

Go to Question 9.

Question 9:

Was the Plaintiff, Michelle Wilson, contributorily negligent?

Yes _____ No _____

If you answered "No", sign this form and return to the courtroom.

If you answered "Yes", proceed to Question 10.

Question 10:

If you answered Question 9 "Yes", was the Plaintiff, Michelle Wilson's contributory negligence a factual cause in bringing about her harm?

Yes _____ No _____

If you answered "No", sign this form and return to the courtroom.

If you answered "Yes", proceed to Question 11.

Question 11:

Taking the combined negligence that was a factual cause in bringing about the Plaintiffs' harm as 100 percent, what percentage of that causal negligence was attributable to the Defendant and what percentage was attributable to the Plaintiff?

Percentage of causal negligence attributable to Defendant, Sandhya Seth
(Answer only if have answered "Yes" to Questions 1 and 2 for Defendant).

_____ %

Percentage of causal negligence attributable to the Plaintiff, Michelle Wilson (Answer only if have answered "Yes" to Questions 3 and 4).

_____ %
TOTAL 100%

If you have found the Plaintiff, Michelle Wilson's causal negligence to be greater than 50% then the Plaintiffs cannot recover and you should not answer Questions 6 and 8 and should return to the courtroom.

Please sign this form and return to the courtroom.

Date:

11/1/07

Foreperson

Kenneth A. Hunt

COURT OF COMMON PLEAS, CLEARFIELD COUNTY
PENNSYLVANIA

CASE NO. 03-958-CD

Date of Jury Selection: August 28, 2007

Presiding Judge: Paul E. Cherry, Judge

Michelle Wilson

Court Reporter: Tom Snyder

VS

Date of Trial: Oct. 30 to Nov. 1, 2007

Sandhya Seth

Date Trial Ended: 10-1-07

MEMBERS OF THE JURY

1. Jody Joiner
2. Robert McGarvey
3. Michael Evans
4. Phyllis Luzier
5. Christopher Evans
6. Bonnie Luzier
ALT #1 Jean Barger

7. Ross McClure
8. Kenneth Kosut
9. Carol Daly
10. Shirley Freeman
11. Sharon Beveridge
12. Stephen Pastir
ALT #2 Nelson Provost

PLAINTIFF'S WITNESSES:

1. Mark Wilson
2. Steve Radolty (officer)
3. Gregor Wilson
4. Sharon Wallace
5. Michelle Wilson
6. _____

DEFENDANT'S WITNESSES:

1. Sandhya Seth
2. _____
3. _____
4. _____
5. _____
6. _____

PLAINTIFF'S ATTY: Victor H. Pribanic Esq.

ADDRESS TO JURY: 3:05 pm

JUDGE'S ADDRESS TO JURY: _____

VERDICT: Defense

DEFENDANT'S ATTY: Laura R. Signorelli Esq

ADDRESS TO JURY: 2:02 pm

JURY OUT: _____ JURY IN: _____

Rebuttal
1. Michelle Wilson

FOREPERSON: Kenneth Kosut