

03-1328-CD
ALFHA M. LITTLE vs. SCOTT A. MARTELL, etal.

Civil Other

Date		Judge
9/8/2003	✓ Filing: Writ of Summons Paid by: Naddeo, James A. (attorney for Little, Aletha M.) Receipt number: 1865825 Dated: 09/08/2003 Amount: \$85.00 (Check) 2 Writs to Atty.	No Judge
9/29/2003	✓ Filing: Reissue Writ/Complaint Paid by: Naddeo, James A. (attorney for Little, Aletha M.) Receipt number: 1866751 Dated: 09/29/2003 Amount: \$7.00 (Check)	No Judge
	Præcipe To Reinstate Writ of Summons. filed by s/James A. Naddeo, Esquire 1 cc & 3 Writs to Atty	No Judge
10/8/2003	✓ Sheriff Return, Papers served on Defendant, Barbara R. Martell. Now October 8, 2003, return the within Summons 'NOT SERVED, TIME EXPIRED' as to Scott A. Martell, Defendant. Several attempts, not home. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge
10/16/2003	✓ Sheriff Return, Papers served on Defendant(s). So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm	No Judge
2/23/2005	✓ Complaint, filed by s/ James A. Naddeo, Esquire. 2CC to Atty	No Judge
5/10/2005	✓ Entry of Appearance, on behalf of Defendants Scott A. Martell and Barbara R. Martell, filed by s/ Troy J. Harper, Esquire. No CC	No Judge
3/10/2006	✓ Certificate of Service, filed. That a true and certified copy of Notice of Intention t Enter Default filed in the above-captioned action was served on Troy J. Harper, Esq., on the 10th day of March 2006, filed by s/ James A. Naddeo Esq. 1CC atty Naddeo.	No Judge
3/14/2006	✓ Answer and New Matter filed by s/ Troy J. Harper Esq. No CC.	No Judge
3/20/2006	✓ Certificate of Service, filed. That a true and certified copy of Interrogatories Addressed to Defendants filed in the above-captioned action was served on Troy J. harper Esq., on the 20th day of March 2006, filed by s/ James A. Naddeo. 1CC Atty Naddeo.	No Judge
3/30/2006	✓ Answer to New Matter, filed by s/ James A. Naddeo Esq. 1CC Naddeo.	No Judge
7/12/2006	✓ Scheduling Order, NOW, this 11th day of July, 2006, Ordered that a Status Conference is scheduled for the 28th day of August, 2006 at 1:30 p.m. in Courtroom No. 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Naddeo	Fredric Joseph Ammerman
7/14/2006	✓ Certificate of Service, filed. That a true and certified copy of Scheduling Order filed in the above-captioned action was served on the 14th day of July 2006 to Troy J. Harper Esq., filed by s/ James A. Naddeo Esq. 1CC Atty.	Fredric Joseph Ammerman
8/28/2006	✓ Scheduling Order, NOW, August 28th, 2006, the Court enters the following consent scheduling order: 1. all discovery shall be completed on or before October 31, 2006, and 2. any independent medical examinations shall be completed on or before Nov. 15, 2006, and any report from such examination shall be produced on or before Dec. 1, 2006. by The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Naddeo	Fredric Joseph Ammerman
9/28/2006	✓ Notice of Deposition of Plaintiff, filed by s/ Troy J. Harper Esq. No CC.	Fredric Joseph Ammerman
	✓ Certificate of Service, filed. That an original and one certified copy of the First Set of Request for Production of Documents Directed to the Plaintiff was served on the 27th day of September 2006 to James A. Naddeo Esq., filed by s/ Troy J. Harper Esq. No CC.	Fredric Joseph Ammerman

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

CIVIL DIVISION

**NBOC Bank
First Commonwealth Bank**

Vs.

No. 2006-02128-CD

**Harold F. Gustafson III
Mildred P. Smith**

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on February 20, 2007, marked:

Settled, discontinued and ended

Record costs in the sum of \$85.00 have been paid in full by Christopher E. Mohny Esq.

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IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 20th day of February A.D. 2007.

William A. Shaw, Prothonotary

Civil Other

Date		Judge
10/23/2006	✓ Certificate of Service, filed. That a true and correct copy of Plaintiff's Answers to First Set of Interrogatories Directed to Plaintiff and Plaintiff's Answers to First Set of Request for Production of Documents Directed to Plaintiff in the above-captioned action were served on the 23rd day of October 2006 to Troy J. Harper Esq., filed by s/ James A. Naddeo Esq. NO CC.	Fredric Joseph Ammerman
10/24/2006	✓ Certificate of Service, filed. That an original and one certified copy of the Defendant, Scott Martell's Answers and Objections to Interrogatories were served on the 23rd day of October 2006 to James A. Naddeo Esq., filed by s/ Troy J. Harper Esq. NO CC.	Fredric Joseph Ammerman
11/29/2006	✓ Praecipe to List for Trial, filed by Atty. Naddeo. 1 Cert. to Atty.	Fredric Joseph Ammerman
1/3/2007	✓ Order AND NOW, this 2nd day January 2007, it is the ORDER of this Court that the Pre-Trial Conference in the above matter shall be held on the 24th day of January 2007 at 2:00 p.m. in Chambers. BY THE COURT: /s/ Fredric J. Ammerman, P. Judge. 1CC Attys: Naddeo and Harper.	Fredric Joseph Ammerman
1/24/2007	✓ Motions In Limine, filed by s/ James A. Naddeo, Esquire. 1CC Atty. Naddeo	Fredric Joseph Ammerman
1/26/2007	✓ Order, NOW, this 24th day of Jan., following pre-trial Conference, it is Ordered: Jury Selection will be held on Feb. 1, 2007 at 9:00 a.m. in Courtroom 1. Jury Trial is scheduled for Wednesday, April 18th and Thur. April 19th 2007, in Courtroom 1. By The Court, /s/Fredric J. Ammerman, Pres. Judge. 2CC Attys: Naddeo, T. Harper	Fredric Joseph Ammerman
2/2/2007	✓ Rule, NOW, this 1st day of Feb., 2007, Ordered that a Rule be granted upon the Defendants. Rule Returnable and argument to be held the 20th of Feb., 2007, at 9:30 a.m. in Courtroom 3. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Naddeo	Fredric Joseph Ammerman
2/5/2007	✓ Certificate of Service, filed. Hereby certify that a true and correct copy of Notice of Notice of Taking Deposition in the above-captioned action was served on the 5th day of February 2007 to Troy J. Harper Esq., filed by s/ James A. Naddeo Esq. 1CC Atty Naddeo.	Fredric Joseph Ammerman

William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

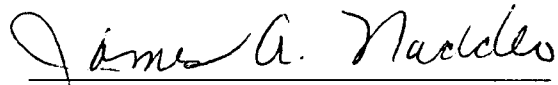
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No. 03 - - CD

PRAECIPE TO ISSUE WRIT OF SUMMONS

To the Prothonotary:

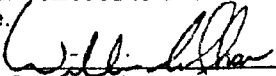
Please issue a Writ of Summons against Scott A. Martell, P.O. Box 27, Surveyor Road, Shawville, Pennsylvania 16873, and against Barbara R. Martell, P.O. Box 27, Surveyor Road, Shawville, Pennsylvania 16873.


James A. Naddeo, Esquire
Attorney for Plaintiff

Dated: September 8, 2003

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

29 Sept 03 Document
Reinstated/Reissued to ~~Shaw~~ Attorney
for service.


Deputy Prothonotary

FILED
SEP 08 2003
William A. Shaw
Prothonotary/Clerk of Courts
2 units to ~~Att~~
Att pd. 85.00

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

CC: 7

SUMMONS

Aletha M. Little

Vs.

NO.: 2003-01328-CD

**Scott A. Martell
Barbara R. Martell**

TO: SCOTT A. MARTELL
BARBARA R. MARTELL

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 09/08/2003

William A. Shaw
Prothonotary

Issuing Attorney:

James A. Naddeo
P.O. Box 552
Clearfield, PA 16830

William A. Shaw
Prothonotary, Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants


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No. 03 - 1328 - CD

PRAECIPE TO REINSTATE WRIT OF SUMMONS

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please reinstate the Writ of Summons filed in the
above-captioned case.


James A. Naddeo, Esquire
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
211½ EAST LOCUST STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

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

SUMMONS

Aletha M. Little

Vs.

NO.: 2003-01328-CD

Scott A. Martell
Barbara R. Martell

TO: SCOTT A. MARTELL
BARBARA R. MARTELL

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 09/08/2003

William A. Shaw
Prothonotary

Issuing Attorney:

James A. Naddeo
P.O. Box 552
Clearfield, PA 16830

9-29-03 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Deputy Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

LITTLE, ALETHA M.

VS.

MARTELL, SCOTT A. & BARBARA R.

Sheriff Docket #

14548

03-1328-CD

SUMMONS

SHERIFF RETURNS

NOW OCTOBER 6, 2003 AT 5:20 PM SERVED THE WITHIN SUMMONS ON BARBARA R. MARTELL, DEFENDANT AT RESIDENCE, PO BOX 27, SURVEYOR ROAD, SHAWVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO BARBARA R. MARTELL A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: MCCLEARY/NEVLING.

NOW OCTOBER 8, 2003 RETURN THE WITHIN SUMMONS "NOT SERVED, TIME EXPIRED" AS TO SCOTT A. MARTELL, DEFENDANT. SEVERAL ATTEMPTS, NOT HOME.

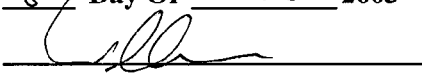
Return Costs

Cost	Description
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20.00	SURCHARGE PAID BY: ATTY Ck# 15395
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Sworn to Before Me This

8 Day Of OCT 2003


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

So Answers,


Chester A. Hawkins
Sheriff

FILED
OCT 08 2003
01:30 PM
William A. Shaw
Prothonotary/Clerk of Courts

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

SUMMONS

Aletha M. Little

Vs.

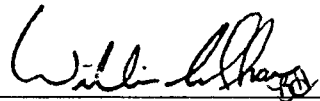
NO.: 2003-01328-CD

**Scott A. Martell
Barbara R. Martell**

**TO: SCOTT A. MARTELL
BARBARA R. MARTELL**

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 09/08/2003



William A. Shaw
Prothonotary

Issuing Attorney:

James A. Naddeo
P.O. Box 552
Clearfield, PA 16830

In The Court of Common Pleas of Clearfield County, Pennsylvania

LITTLE, ALETHA M.

VS.

MARTELL, SCOTT A. & BARBARA R.

Sheriff Docket #

14548

03-1328-CD

SUMMONS

SHERIFF RETURNS

NOW OCTOBER 14, 2003 AT 11:10 AM SERVED THE WITHIN SUMMONS ON SCOTT A. MARTELL, DEFENDANT AT RESIDENCE, 536 S. 2ND ST., APT #3, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SCOTT A. MARTELL A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

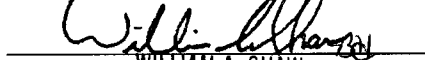
SERVED BY: MCCLEARY

Return Costs

Cost	Description
55.34	SHERIFF HAWKINS PAID BY: ATTY
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

11th Day Of October 2003



WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006

Clearfield Co., Clearfield, PA

So Answers,




Chester A. Hawkins

Sheriff

FILED

01/10:238d
OCT 16 2003


William A. Shaw
Prothonotary/Clerk of Courts

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

SUMMONS

Aletha M. Little

Vs.

NO.: 2003-01328-CD

Scott A. Martell
Barbara R. Martell

TO: SCOTT A. MARTELL
BARBARA R. MARTELL

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

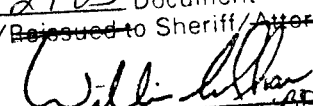
Date: 09/08/2003



William A. Shaw
Prothonotary

Issuing Attorney:

James A. Naddeo
P.O. Box 552
Clearfield, PA 16830

9-29-03 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Deputy Prothonotary

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

SUMMONS

Aletha M. Little

Vs.

NO.: 2003-01328-CD

Scott A. Martell
Barbara R. Martell

TO: SCOTT A. MARTELL
BARBARA R. MARTELL

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

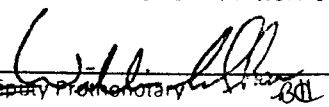
Date: 09/08/2003



William A. Shaw
Prothonotary

Issuing Attorney:

James A. Naddeo
P.O. Box 552
Clearfield, PA 16830

9-29-03 Document
Reinstated/~~Reissued~~ to Sheriff/~~Attorney~~
for service.

Deputy Prothonotary

William A. Shaw
Prothonotary

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

ALETHA M. LITTLE,	*	
Plaintiff	*	
	*	
vs.	*	No. 03 - 1328 - CD
	*	
SCOTT A. MARTELL and	*	
BARBARA R. MARTELL,	*	
Defendants	*	

NOTICE

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

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

Court Administrator
Clearfield County Courthouse
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

C O M P L A I N T

NOW COMES the Plaintiffs, ALETHA M. LITTLE, and by her attorney, James A. Naddeo, Esquire, sets forth the following:

1. That the Plaintiff is Aletha M. Little whose address is 75 Cherry Drive, Frenchville, Pennsylvania 16836.

2. That the Defendant, Scott A. Martell, is a sui juris, adult individual whose address is 536 South Second Street, Apt. #3, Clearfield, Pennsylvania 16830.

3. That the Defendant, Barbara R. Martell, is a sui juris, adult individual whose address is P.O. Box 27, Surveyor Road, Shawville, Pennsylvania 16873.

COUNT I

Aletha M. Little vs. Scott A. Martell

4. That on or about November 11, 2001, at approximately 12:15 p.m. Plaintiff, Aletha M. Little, was a passenger in the right front seat of a 1998 Ford Truck bearing

Pennsylvania Registration No. YGY6833, which vehicle was operated by Thomas Moody.

5. That on the said date at or about the said time, the Defendant, Scott A. Martell, was the operator of a 1998 Ford Truck bearing Pennsylvania Registration No. YAL8898.

6. That State Route 879 is a 2-lane macadam road which proceeds in a generally East-West direction through Goshen Township, Clearfield County, Pennsylvania.

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

8. That on the said date at or about the said time, the vehicle in which the Plaintiff was a passenger was proceeding East on State Route 879 in its proper lane of travel.

9. That on the said date at or about the said time, the vehicle operated by Defendant, Scott A. Martell, was proceeding West on State Route 879.

10. That on the said date at or about the said time and at a point approximately 1.5 miles West of Shawville, Pennsylvania, the Defendant, Scott A. Martell, crossed over the double yellow line into the Eastbound lane of travel where he collided with the vehicle in which the Plaintiff was a passenger causing it to spin in a counterclockwise direction and slide 125' where it came to a rest in the Westbound lane facing South.

11. That as a result of the collision described in Paragraph 10 hereof, which is incorporated herein by reference, the Plaintiff was thrown generally forward and backward within the vehicle in which she was a passenger causing the numerous and serious injuries hereinafter set forth.

12. That the Defendant was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries received by the Plaintiff as follows:

A. The Defendant failed to have his vehicle under proper control;

B. The Defendant failed to maintain a proper lookout;

C. The Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3714, 75 Pa.C.S.A. Section 3714, and supplements thereto, in that he operated his vehicle upon State Route 879 in careless disregard for the safety of the Plaintiff.

D. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3361, 75 Pa.C.S.A. Section 3361 and supplements thereto, in that he operated his vehicle upon State Route 879 at a speed greater than was reasonable and prudent under the conditions then and there existing and without

regard to the actual and/or potential hazards then and there existing and at a speed which was greater than would permit him to bring his vehicle to a stop within the assured clear distance ahead.

E. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3309, 75 Pa.C.S.A. Section 3309 and supplements thereto, in that he failed to operate his vehicle entirely within a single lane of a roadway laned for traffic without first ascertaining that the movement could be made with safety.

F. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. Section 3736, 75 Pa.C.S.A. Section 3736, and supplements thereto, in that he operated his vehicle upon State Route 879 in willful or wanton disregard for the safety of the person of the Plaintiff.

G. That the Defendant was negligent, careless and reckless in that he failed to use due care under all of the circumstances of the case.

13. That as a result of the negligence, recklessness and carelessness of the Defendant as set forth in Paragraph 12 hereof, which is incorporated herein by reference, the Plaintiff

received serious and extensive injuries which may and probably will be permanent as follows:

- A. Ligamentis sprain cervical spine;
- B. Bruising of sternum;
- C. Seatbelt injury - bruising across abdomen; and
- D. Multiple bruises and contusions - chest, shoulders, abdomen and right leg.

14. That the Plaintiff has or will be required to expend sums for the treatment of the injuries referred to in Paragraph 13 hereof and will continue to incur medical services for an indefinite period of time in the future, which expenses are not covered by insurance.

15. That as a result of the injuries referred to in Paragraph 13 hereof, which is incorporated herein by reference, the Plaintiff suffers serious and permanent physical impairment which substantially prohibits her ability to engage in the normal and usual functions which she enjoyed prior to the accident, including but not limited to her household duties, hobbies and social relationships.

16. That the Plaintiff claims a reasonable amount for the following:

A. A reasonable amount for pain and suffering; past, present and future;

B. Cost of replacing household services;

C. Privation and inconvenience due to the injuries and treatment, past, present and future;

D. Mental anguish and depression resulting from the accident;

E. Other damages allowable by law.

WHEREFORE, Plaintiff claims unliquidated damages against the Defendant in an amount in excess of Twenty-five Thousand (\$25,000.00) Dollars. Jury Trial Demanded.

COUNT II

Aletha M. Little vs. Barbara R. Martell

17. That Plaintiff incorporates Paragraphs 1 through 16 of her Complaint by reference.

18. That at all times referred to herein the Defendant, Scott A. Martell, was acting under the supervision and direction of the Defendant, Barbara R. Martell, and in the furtherance of the business of the said Barbara R. Martell.



James A. Naddeo, Esquire
Attorney for Plaintiff

COUNTY OF CLEARFIELD)

Aletha M. Little
Aletha M. Little

Jennifer L. Royer

Notarial Seal
Jennifer L. Royer, Notary Public
Clearfield, Pa.

Notarial Seal
Jennifer L. Royer, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires May 17, 2007

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

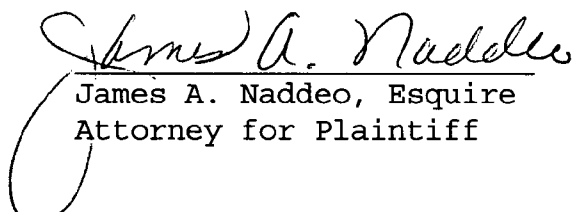
CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Plaintiff's Complaint filed in the above-captioned action was served on the following persons and in the following manner on the 23rd day of February, 2005:

First-Class Mail, Postage Prepaid

Scott A. Martell
536 South Second Street, Apt. #3
Clearfield, PA 16830

Barbara R. Martell
P.O. Box 27
Surveyor Road
Shawville, PA 16873


James A. Naddeo, Esquire
Attorney for Plaintiff

JAMES A. NADDEO
ATTORNEY AT LAW
207 EAST MARKET STREET
P.O. BOX 552
CLEARFIELD, PENNSYLVANIA 16830

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and BARBARA
R. MARTELL,

Defendants.

CIVIL ACTION - LAW

Number 2003- 1328 C.D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on behalf of: Defendants

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED ⁶⁰
m/15/04 cc
MAY 10 2005
Prothonotary, Clearfield County

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and BARBARA R.
MARTELL,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania

*

* Civil Action - Law

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* Number 2003 - 1328 C.D.

APPEARANCE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please enter our Appearance on behalf of the Defendants, SCOTT A. MARTELL and
BARBARA R. MARTELL, in regard to the above entitled matter.

DENNISON, DENNISON & HARPER

By



Troy J. Harper

Attorneys for the Defendants

Dated: _____

5/9/05

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Appearance was served on the

9th day of May, 2005, by United States Mail, First Class,

Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.
207 East Market Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendants

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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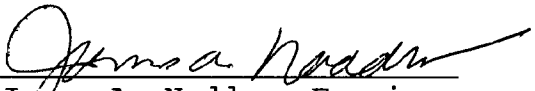
No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Notice of Intention to Enter Default filed in the above-captioned action was served on the following persons and in the following manner on the 10th day of March, 200:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants.

CIVIL ACTION - LAW

Number 2003 - 1328 C.D.

Type of Case: Civil Division

Type of Pleading: Answer and New Matter

Filed on behalf of: Defendants

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED *np cc*
m1:3264
MAR 14 2006 *um*

William A. Shaw
Prothonotary/Clerk of Courts

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

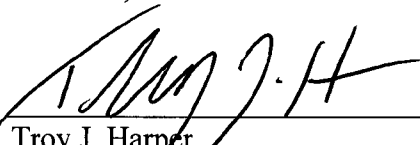
* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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* Number 2003 - 1328 C.D.

NOTICE TO PLEAD

TO: THE PLAINTIFF:

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

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for the Defendants

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Action - Law
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*
* Number 2003 - 1328 C.D.

ANSWER AND NEW MATTER

AND NOW, come the Defendants, SCOTT A. MARTELL and BARBARA R. MARTELL, by and through their attorneys, Dennison, Dennison & Harper, who file the following Answer and New Matter in response to the Plaintiff's Complaint:

1. After reasonable investigation, the Defendants, Scott A. Martell and Barbara R. Martell, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 1 of the Plaintiff's Complaint, and said averments are therefore denied.
2. Denied as stated. On the contrary, the Defendant, Scott A. Martell, is an adult individual who resides at Box 37, Surveyor Road, Shawville, PA 16873.
3. Denied as stated. On the contrary, the Defendant, Barbara R. Martell, is an adult individual who resides at Box 37, Surveyor Road, Shawville, PA 16873.

COUNT I

Aletha M. Little v. Scott A. Martell

4. After reasonable investigation, the Defendants, Scott A. Martell and Barbara R.

Martell, are without sufficient knowledge and information to form a belief as to the truth of the averments in Paragraph 4 of the Plaintiff's Complaint, and said averments are therefore denied.

5. It is that denied, the Defendant, Scott A. Martell, was operating the vehicle at 12:15 p.m. On the contrary, he was operating the vehicle at approximately 12:15 a.m. The remaining averments of Paragraph 5 of the Plaintiff's Complaint are admitted.

6. Admitted.

7. The averments of Paragraph 7 of the Plaintiff's Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

8. The averments of Paragraph 8 of the Plaintiff's Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

9. The averments of Paragraph 9 of the Plaintiff's Complaint are admitted only insofar as the Defendant, Scott A. Martell, was operating the vehicle. The remaining averments of Paragraph 9 of the Plaintiff's Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

10. The averments of Paragraph 10 of the Plaintiff's Complaint are admitted only insofar as the Defendant, Scott A. Martell, was operating the vehicle. The remaining averments of Paragraph 10 of the Plaintiff's Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

11. After reasonable investigation, the Defendants, Scott A. Martell and Barbara R. Martell, are without sufficient knowledge and information to form a belief as to the truth of the averments in Paragraph 11 of the Plaintiff's Complaint, and said averments are therefore denied.

12. The averments of Paragraph 12 of the Plaintiff's Complaint and subparagraphs A through G thereof are admitted only insofar as the Defendant, Scott A. Martell, was operating the vehicle. The remaining averments of Paragraph 12 of the Plaintiff's Complaint and subparagraphs A through G thereof are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

13. The averments of Paragraph 13 of the Plaintiff's Complaint that the Defendant, Scott A. Martell, was negligent, reckless or careless are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 13 and Subparagraphs A. through D. thereof, after reasonable investigation, the Defendants, Scott A. Martell and Barbara R. Martell, are without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

14. After reasonable investigation the Defendants, Scott A. Martell and Barbara R. Martell, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 14 of the Plaintiff's Complaint, and said averments are therefore denied.

15. After reasonable investigation the Defendants, Scott A. Martell and Barbara R. Martell, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 15 of the Plaintiff's Complaint, and said averments are therefore denied.

16. The averments of Paragraph 16 of the Plaintiff's Complaint constitute conclusions of law, and no response is deemed required. To the extent any further response would be deemed required, said averments are denied pursuant to Pa.R.C.P. 1029(e).

WHEREFORE, the Defendant, Scott A. Martell, demands judgment in his favor and against the Plaintiff. **JURY TRIAL DEMANDED.**

COUNT II

Aletha M. Little v. Barbara R. Martell

17. Paragraph 17 of the Plaintiff's Complaint fails to contain any specific averments of fact is merely an incorporation clause to which no response is deemed required. To the extent any further response would be deemed required, the averments of Paragraphs 1 through 16 of this Answer are incorporated herein by reference thereto.

18. Denied.

WHEREFORE, the Defendant, Barbara R. Martell, demands judgment in her favor and against the Plaintiff. **JURY TRIAL DEMANDED.**

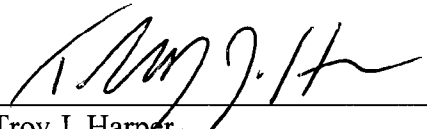
NEW MATTER

19. The terms and conditions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., are hereby incorporated herein by reference thereto as fully as the same bar and/or diminish any claim or cause of action of the Plaintiff.

20. The Plaintiff has failed to state a cause of action upon which relief may be granted.

WHEREFORE, the Defendants, Scott A. Martell and Barbara R. Martell, demand judgment in their favor and against the Plaintiff. **JURY TRIAL DEMANDED.**

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for Defendants

VERIFICATION

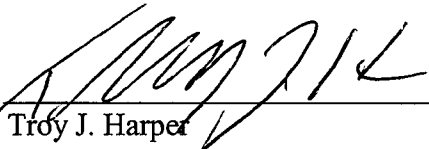
I verify that the averments made in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.


Barbara R. Martell

VERIFICATION

Troy J. Harper, attorney for the Defendant, Scott A. Martell, verifies that the averments made in the foregoing Complaint are true and correct to the best of his knowledge, information and belief based on the information provided to him through his representation of the Defendant, Scott A. Martell. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Counsel for the Defendant, Scott A. Martell

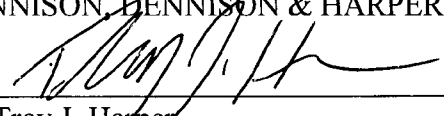
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Answer and New Matter was served on the 13th day of March, 2006, by United States Mail, First Class, Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.
207 East Market Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendants

William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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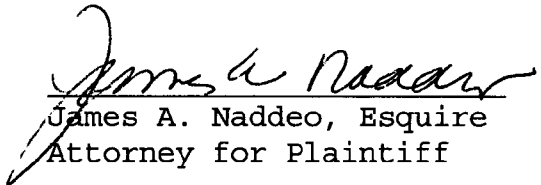
No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Interrogatories Addressed to Defendants filed in the above-captioned action was served on the following persons and in the following manner on the 20th day of March, 2006:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

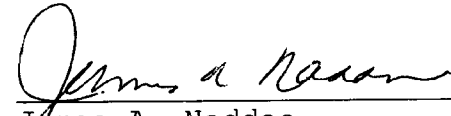
ANSWER TO NEW MATTER

NOW COMES the Plaintiff, Aletha M. Little, and by her attorney, James A. Naddeo, Esquire, sets forth the following:

19. States a conclusion of law to which no answer is required.

20. States a conclusion of law to which no answer is required. To the extent that an answer may be required, said allegation is denied and Plaintiff incorporates the allegations of her complaint by reference.

WHEREFORE, Plaintiff demands judgment as set forth in her Complaint.


James A. Naddeo
Attorney for Plaintiff

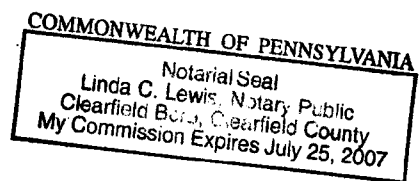
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared ALTHEA M. LITTLE, who being duly sworn according to law, depose and state that the facts set forth in the foregoing Answer to New Matter are true and correct to the best of her knowledge, information and belief.

Althea Little
Althea M. Little

SWORN and SUBSCRIBED before me this 29th day of March, 2006.

Sandra C. Lewis



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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Answer to New Matter filed in the above-captioned action was served on the following person and in the following manner on the 30th day of March, 2006:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

No. 03 - 1328 - CD

Type of Pleading:

SCHEDULING ORDER

Filed on behalf of:
Plaintiff

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

207 East Market Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED *icc*
0110:5281 *Att. Naddeo*
JUL 12 2006 *GP*

William A. Shaw
Prothonotary/Clerk of Courts

CA

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

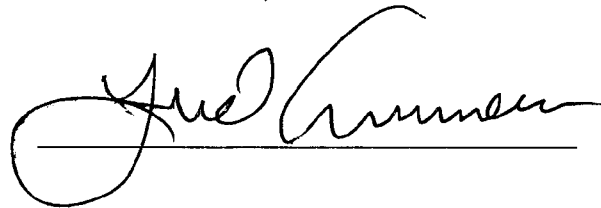
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No. 03 - 1328 - CD

O R D E R

AND NOW, this 11 day of July, 2006, it is the
ORDER of this Court that a Status Conference is scheduled for
the 28th day of August, 2006, at 1:30 p.m. in Courtroom
No. 1, Clearfield County Courthouse, Clearfield,
Pennsylvania.

BY THE COURT,



A handwritten signature, likely of Judge Annunzio, is written over a horizontal line.

William A. Shaw
Prothonotary/Clerk of Courts

JUL 12 2006

FILED

DATE: 7/12/06

☒ You are responsible for serving all appropriate parties.

____ The Prothonotary's office has provided service to the following parties:

____ Plaintiff(s) ____ Plaintiff(s) Attorney ____ Other

____ Defendant(s) ____ Defendant(s) Attorney

____ Special Instructions:

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

Type of Pleading:

CERTIFICATE OF SERVICE

Filed on behalf of:
Plaintiff

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

207 East Market Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Scheduling Order filed in the above-captioned action was served on the following persons and in the following manner on the 14th day of July, 2006:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291

James A. Naddeo
James A. Naddeo, Esquire
Attorney for Plaintiff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and BARBARA R.
MARTELL,

Defendants.

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* Civil Action - Law
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* Number 2003 - 1328 C.D.

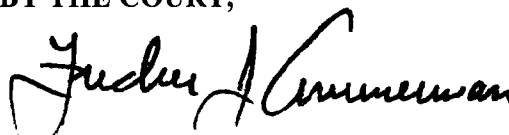
SCHEDULING ORDER

AND NOW, August 28th, 2006, the Plaintiff
having requested a Status Conference in the above-captioned matter and the Court having scheduled
a Status Conference for August 28, 2006, and the parties through their respective counsel having
reached an agreement and stipulation concerning a scheduling order, the Court enters the following
consent scheduling order:

(1) all discovery, including all written discovery and depositions of any parties and/or
nonexpert witnesses shall be completed on or before October 31, 2006; and

(2) any independent medical examinations shall be completed on or before November 15,
2006, and any report from such examination shall be produced on or before December 1, 2006.

BY THE COURT,



Fredric J. Ammerman, P.J.

FILED 3cc
04:00 PM
AUG 28 2006
Amy Naddo
EW

William A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

CIVIL ACTION - LAW

Number 2003 - 1328 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of
Deposition of Plaintiff

Filed on behalf of: Defendants

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED *vac*
mj 1:34/64
SEP 28 2006 *(F)*

William A. Shaw
Prothonotary/Clerk of Courts

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania

*

* Civil Action Law

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* Number 2003 - 1328 C.D.

NOTICE OF DEPOSITION

TO: Aletha M. Little
c/o James A. Naddeo, Esquire
207 East Market Street
PO Box 552
Clearfield, PA 16830

Take notice that the deposition of **ALETHA M. LITTLE** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, on Tuesday, October 17, 2006, at 10:00 a.m., at the law offices of James A. Naddeo, 207 East Market Street, Clearfield, Pennsylvania 16830. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

By: 

Troy J. Harper
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of September, 2006, a true and correct copy of the foregoing Notice of Deposition for Aletha M. Little was mailed by United States mail, first class, postage prepaid, addressed to the following:

James A. Naddeo, Esquire
207 East Market Street
PO Box 552
Clearfield, PA 16830

Sargent's Court Reporting Service, Inc.
210 Main Street
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

By: 

Troy J. Harper
Attorneys for Defendants

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

CIVIL ACTION - LAW

Number 2003 - 1328 C. D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendants

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED
m11:346/1
SEP 28 2006
LST

William A. Shaw
Prothonotary/Clerk of Courts

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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* Number 2003 - 1328 C.D.

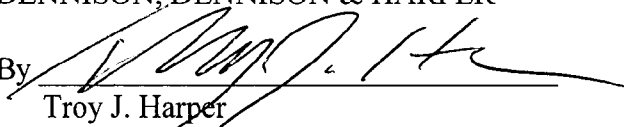
CERTIFICATE OF SERVICE

I certify that an original and one certified copy of the First Set of Interrogatories Directed to the Plaintiff and an original and one certified copy of the First Set of Request for Production of Documents Directed to the Plaintiff was served on the 27th day of September, 2005, by United States Mail, First Class, postage prepaid, addressed to the following:

James A. Naddeo, Esq.
207 East Market Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendants

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

No. 03 - 1328 - CD

Type of Pleading:

CERTIFICATE OF SERVICE

Filed on behalf of:
Plaintiff

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

207 East Market Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

DATED: October 23, 2006

0134061
NCC
⑤
Prothonotary, Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Plaintiff's Answers to First Set of Interrogatories Directed to Plaintiff and Plaintiff's Answers to First Set of Request for Production of Documents Directed to Plaintiff in the above-captioned action were served on the following and in the following manner on the 23rd day of October, 2006:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants.

CIVIL ACTION - LAW

Number 2003 - 1328 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendants

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED
OCT 24 2006
m/2:00/4
William A. Shaw
Prothonotary/Clerk of Courts
No C/C

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania

*

* Civil Action - Law

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* Number 2003 - 1328 C.D.

CERTIFICATE OF SERVICE

I certify that an original and one certified copy of the Defendant, Scott Martell's, Answers and Objections to Interrogatories, were served on the 23rd day of

October, 2006, by United States Mail, First Class, Postage Prepaid, addressed to the following:

James A. Naddeo, Esq.
207 East Market Street
P.O. Box 552
Clearfield, Pennsylvania 16830

DENNISON, DENNISON & HARPER,

By


Troy J. Harper

Attorneys for the Defendants

1A

V.

No. 03 - 1328 - CD

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

Type of Pleading:

**PRAECIPE TO LIST
FOR TRIAL**

Filed on behalf of:
Plaintiff

Counsel of Record for
this party:

James A. Naddeo, Esq.
Pa I.D. 06820

207 East Market Street
P.O. Box 552
Clearfield, PA 16830
(814) 765-1601

FILED *(Signature)*

NOV 29 2006

0/101-30/C
William A. Shaw

Prothonotary/Clerk of Courts

1 CENT TO 1-177

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

ALETHA M. LITTLE,
Plaintiff

v.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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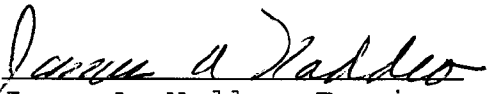
No. 03 - 1328 - CD

PRAECIPE TO LIST FOR TRIAL

TO THE PROTHONOTARY:

Please place the above-captioned matter on the next list for trial. In support thereof I certify the following:

1. There are no Motions outstanding.
2. Discovery has been completed and the case is ready for trial.
3. The case is to be heard by jury.
4. Notice of the Praecipe has been given to opposing counsel.
5. The time for trial is estimated at two (2) days.


James A. Naddeo, Esquire
Attorney for Plaintiff

Date: November 29, 2006

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

ALETHA M. LITTLE,
Plaintiff,

v.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants.

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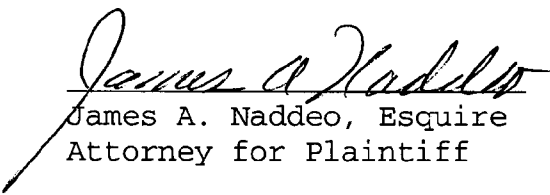
No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praecipe To List For Trial in the above-captioned action was served on the following and in the following manner on the 29th day of November, 2006:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA. 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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NO. 03-1328-CD

ORDER

AND NOW, this 2nd day of January, 2007, it is the ORDER of this Court that the
Pre-Trial Conference in the above matter shall be held on the **24th day of January,**
2007 at 2:00 p.m. in Chambers.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED 10:00 AM JAN 03 2007
recd Atty's: Nadel Harper
William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff,

v.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants.

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No. 03-1328-CD

MOTIONS IN LIMINE

Plaintiff, Aletha M. Little, by and through her attorney, James A. Naddeo, files the following Motions in Limine and avers as follows:

1. This action was brought by Plaintiff for injuries she sustained as a result of an automobile accident on November 11, 2001.

**MOTION TO PRECLUDE TESTIMONY BY EXPERT WITNESS,
RICK D. PASQUARIELLO, M.D. THAT RELATES
TO INJURIES OTHER THAN HYPERTENSION**

2. Plaintiff incorporates by reference paragraph 1, as if more fully stated herein at length.

3. Plaintiff was examined by Rick D. Pasquariello, M.D. at the request of plaintiff's insurance carrier.

4. The examination by Rick D. Pasquariello, M.D. and his report as submitted and attached to defendant's pre-trial statement speaks only to the condition of hypertension and to no other conditions.

5. Plaintiff believes that defendant will attempt to question this expert witness with regard to other health conditions or injuries at the trial of the present matter.

6. Plaintiff therefore asks that any testimony by expert, Rick D. Pasquariello, M.D. regarding any injury other than hypertension be excluded.

WHEREFORE, Plaintiff, Aletha M. Little, request this Honorable Court to enter an Order precluding the Defendants from offering any evidence or testimony by expert, Rick D. Pasquariello, M.D. regarding any injury or health condition other than hypertension.

MOTION TO PRECLUDE TESTIMONY BY DEFENDANT, SCOTT A. MARTELL, REGARDING THE MANNER IN WHICH THE ACCIDENT OCCURRED

7. Plaintiff incorporates by reference paragraphs 1 through 7, inclusive, as if more fully stated herein at length.

8. Defendant, Scott A. Martell, submitted an affidavit in the course of discovery and as an answer to interrogatories propounded by plaintiff to the defendant.

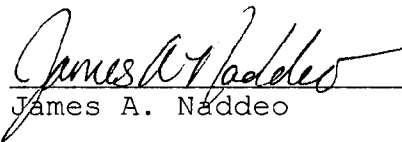
9. Contained in the affidavit of Defendant, Scott A. Martell, in answer to the question "Describe how the accident occurred, including the actions of the respective parties and particularly describe any action you took," the defendant's response is "I don't remember how it occurred."

10. Plaintiff believes that defendants may attempt to question Defendant, Scott A. Martell, regarding the manner in which the accident occurred.

11. Plaintiff therefore asks that any testimony by Defendant, Scott A. Martell pertaining to the manner in which the accident occurred be excluded.

WHEREFORE, Plaintiff, Aletha M. Little, request this Honorable Court to enter an Order precluding the Defendants from offering any testimony by Defendant, Scott A. Martell pertaining to the manner in which the accident occurred.

NADDEO & LEWIS, LLC

By: 
James A. Naddeo

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

ALTHEA M. LITTLE,
Plaintiff,

v.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants.

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No. 03-1328-CD

Certificate of Service

I, James A. Naddeo, attorney for the plaintiff, do hereby certify that a copy of Plaintiff's Motions in Limine was served on the following parties this 24th day of January, 2007:

First Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

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

ALETHA M. LITTLE,
Plaintiff
vs.
SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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NO. 03-1328-CD

2cc Atty's!
FILED *Nadddeo*
6/2/10 cm
JAN 26 2007 *T. Harper*
(GK)

William A. Shaw
Prothonotary/Clerk of Courts

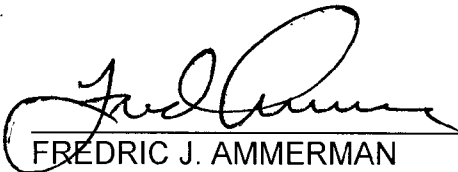
ORDER

AND NOW, this 24th day of January, 2007, following Pre-Trial Conference with counsel for the parties as set forth above, it is the ORDER of this Court as follows:

1. Jury Selection will be held on February 1, 2007 commencing at 9:00 a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
2. Jury Trial is hereby scheduled for Wednesday, April 18th and Thursday, April 19th, 2007 in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
3. Any party making objections relative the testimony to be provided by any witness in the form of a deposition at time of trial shall submit said objections to the Court, in writing, no later than thirty (30) days prior to the commencement of trial. All objections shall reference specific page and line numbers within the deposition(s) in question along with that party's brief relative same. The opposing party shall submit its brief in opposition to said objections no later than fifteen (15) days prior to the commencement of trial.

4. Any party filing any Motion or Petition regarding limitation or exclusion of evidence or testimony to be presented at time of trial, including but not limited to Motions in Limine, shall file the same no more than thirty (30) days prior to the trial date. The party's Petition or Motion shall be accompanied by an appropriate brief. The responding party thereto shall file its Answer and submit appropriate response brief no later than fifteen (15) days prior to trial.
5. Following a discussion among the Court and counsel during the Pre-Trial Conference, it was the belief of the Court that the Defense will stipulate to the Defendant's negligence. The case was scheduled for two days under this belief. In the event the Defense is not willing to stipulate to negligence, the Court and opposing counsel must be notified by no later than February 1, 2007.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

DATE 1-26-2007

 You are responsible for serving all appropriate parties.

 X The Prothonotary's office has provided service to the following parties:

 Plaintiff(s) X Plaintiff(s) Attorney Other

 Defendant(s) X Defendant(s) Attorney

 Special Instructions:

FILED

JAN 26 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

vs.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

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012:21 By Amy
FEB 02 2007 Nadeo

William A. Shaw
Prothonotary/Clerk of Courts

RULE

AND NOW, this 1st day of February, 2007, it is hereby
ORDERED that a Rule be granted upon the Defendants, Scott A.
Martell and Barbara R. Martell, to show cause why the motions in
limine filed by the Plaintiff, Aletha M. Little, should not be
granted.

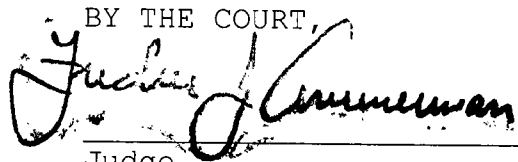
Rule Returnable and argument thereon to be held the 20th of
February, 2007, at 9:30 A.M., in Courtroom 3 of the
Clearfield County Courthouse, Clearfield, Pennsylvania.

NOTICE

A PETITION HAS BEEN FILED AGAINST YOU IN COURT. IF YOU WISH
TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PETITION,
YOU MUST TAKE ACTION BY ENTERING A WRITTEN APPEARANCE PERSONALLY
OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES
OR OBJECTIONS TO THE MATTER SET FORTH AGAINST YOU. YOU ARE WARNED
THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND AN
ORDER MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER
NOTICE FOR RELIEF REQUESTED BY THE PETITIONER OR MOVANT. YOU MAY
LOSE RIGHTS IMPORTANT TO YOU.

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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641, Ext. 5982

BY THE COURT,


Judge

William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff,

v.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants.

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No. 03 - 1328 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Notice of Taking Deposition in the above-captioned action was served on the following and in the following manner on the 5th day of February, 2007:

First-Class Mail, Postage Prepaid

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291

NADDEO & LEWIS, LLC

James A. Naddeo
James A. Naddeo, Esquire
Attorney for Plaintiff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and BARBARA R.
MARTELL,

Defendants.

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Civil Action - Law

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* Number 2003 - 1328 C.D.

FILED *ND CC*
01/11/10/30
FEB 21 2007 *(GK)*
William A. Shaw
Prothonotary/Clerk of Courts

STIPULATION

AND NOW, come the parties through their respective counsel who enter into the following Stipulation:

(1) the Defendant, for purposes of the trial of this case, stipulates that he was negligent in the operation of the automobile he was operating at the time and location of the accident, and this stipulation is not an admission as to the issues of factual cause (causation) of any injury and/or damages or as to any injuries or damages themselves;

(2) the Defendant will not offer any evidence, testimony or argument at the time of trial concerning how the accident occurred;

(3) the Plaintiff will not offer any evidence, testimony or argument at the time of trial concerning the activities of the Defendant after the accident;

(4) the Plaintiff will not offer any evidence, testimony or argument and will make no damage claim concerning any allegations that she suffered problems or injuries related to her

blood pressure after the accident and, as such, the Defendant will not call Dr. Rick D.

Pasquariello as an expert witness at the time of trial;

(5) Inasmuch as the Plaintiff's first party medical benefits were not exhausted, the Plaintiff at the time of trial will not offer any testimony, evidence or argument concerning any medical care expenses;

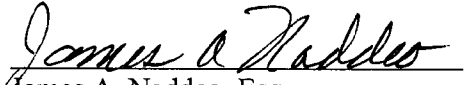
(6) the Plaintiff withdraws any claim for punitive damages and will not seek the same at the time of trial; and

(7) the parties agree to the dismissal of all claims and causes of action against the Defendant, Barbara Martell, and her dismissal from the suit pursuant to Pa.R.C.P. 229(b)(1).

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendants


James A. Naddeo, Esq.
Attorney for the Plaintiff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

FILED *2cc*
01/11/2007 *Atty's:*
FEB 21 2007 *Harper*
Naddeo
William A. Shaw
Prothonotary/Clerk of Courts *(610)*

ALETHA M. LITTLE,

Plaintiff,

vs.

SCOTT A. MARTELL and BARBARA R.
MARTELL,

Defendants.

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* Civil Action - Law
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* Number 2003 - 1328 C.D.

ORDER

AND NOW, Feb. 20th, 2007, the Plaintiff

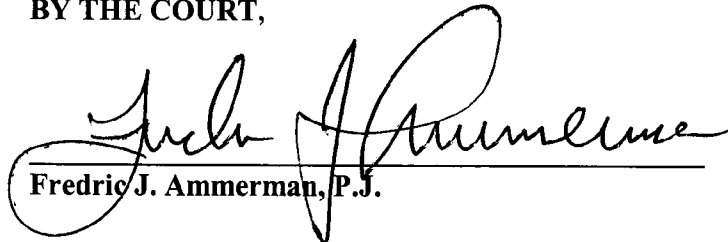
having filed a Motion in Limine and the same being set for a Rule Returnable and Hearing on February 20, 2007, and the parties having entered into a stipulation concerning the issues raised in the Motion In Limine as well as other pretrial issues;

IT IS HEREBY ORDERED that:

(1) the Rule Returnable and Hearing scheduled for February 20, 2007, at 9:30 a.m. is canceled as the parties have reached a stipulation concerning the issues raised therein; and

(2) as set forth in the parties Stipulation, all claims and causes of action against the Defendant, Barbara Martell, are dismissed and the suit as to that Defendant is discontinued pursuant to the parties stipulation pursuant to Pa.R.C.P. 229(b)(1).

BY THE COURT,


Fredric J. Ammerman, P.J.

William A. Shaw
Prothonotary/Clerk of Courts

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

ALETHA M. LITTLE,
Plaintiff

v.

SCOTT A. MARTELL and
BARBARA R. MARTELL,
Defendants

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No. 03 - 1328 - CD

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Please mark the above-captioned case settled and
discontinued.

Naddeo & Lewis, LLC

By: 


James A. Naddeo, Esquire
Attorney for Plaintiff

ALETHA M. LITTLE, *
Plaintiff, *
*
v. *
*
SCOTT A. MARTELL and *
BARBARA R. MARTELL, *
Defendants. *

SCOTT A. MARTELL and *
BARBARA R. MARTELL, *
Defendants. *

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praeceptum to Settle and Discontinue in the above-captioned action was served on the following and in the following manner on the 26th day of March, 2007:

Troy J. Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825-1291


James A. Naddeo, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Aletha M. Little

Vs.

No. 2003-01328-CD

Scott A. Martell

Barbara R. Martell

CERTIFICATE OF DISCONTINUATION

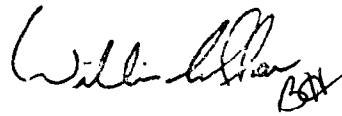
Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on March 26, 2007, marked:

Settled and Discontinued

Record costs in the sum of \$92.00 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 26th day of March A.D. 2007.



William A. Shaw, Prothonotary