

04-222-CD  
RANDY F. STOUT, et al. vs. FRENCH BROTHERS LIMITED, et al.

2004-222-CD  
Randy Stout et al vs. French Bros. Lim. et al

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs :  
: No. 2004- 222 -CD  
vs :  
: TYPE OF CASE:  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE and :  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
: TYPE OF PLEADING:  
: Complaint for Partition  
: FILED ON BEHALF OF:  
: Plaintiffs  
: ATTORNEY OF RECORD FOR THIS  
: PARTY:  
: Peter F. Smith, Esquire  
: Supreme Court I.D. #34291  
: 30 South Second Street  
: P.O. Box 130  
: Clearfield, PA 16830  
: (814) 765-5595  
:

FILED

FEB 17 2004

William A. Shaw  
Prothonotary

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs : No. 2004- -CD  
: :  
vs : :  
: :  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE and :  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants : :  
:

**NOTICE TO DEFEND**

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

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

Clearfield County Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830  
(814) 765-2641

## ***AMERICANS WITH DISABILITIES ACT OF 1990***

The Court of Common Pleas of Clearfield County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact our office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

Clearfield County Court Administrator  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830  
(814) 765-2641

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs : No. 2004- -CD  
:  
vs :  
:  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE and :  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
:

**COMPLAINT**

COMES NOW, the Plaintiffs by their Attorney Peter F. Smith, who respectfully states in support of this complaint:

1. Name of the first Plaintiff is RANDY F. STOUT, who resides at R.D. #1 48F, Corsica, Pennsylvania, 15829.
2. The name of the second Plaintiff is THOMAS R. LANAGER, who resides at 2119 Legion Road, Clearfield, Pennsylvania 16830.
3. The name of the first Defendant is the FRENCH BROTHERS LIMITED PARTNERSHIP. Clearfield County Tax Assessment Records indicate that its address is P.O. Box 232, Woodstock, Virginia 22664.
4. ORRIN L. FRENCH is believed to be either a general partner and/or agent of French Brothers Limited Partnership since its mailing address is identical to that of the second defendant.
5. The names of the second Defendants are JEFFREY A. DALKE and ORRIN L. FRENCH as Co-Trustees of the SCHOONOVER REAL ESTATE TRUST, with mailing address

of P.O. Box 232, Woodstock, Virginia, 22664.

6. The subjects of this action are two parcels of real estate which adjoin one another in Cooper Township, Clearfield County Pennsylvania. They are identified as follows:

**PARCEL I**

**ALL that certain piece or parcel of land situate in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows:**

**Beginning at a corner in line of lands of John Humenik and Frank Albert; thence East along lands of John Humenik, five thousand two hundred sixty (5260') feet to a point; thence South along the line of the lands of O. L. Schoonover Heirs, two thousand two hundred eighty (2,280') feet; thence West along the lands of Arthur Hartle and Frances Hartle, five thousand two hundred sixty (5,260') feet; thence North along the lands of Frank Albert, two thousand two hundred eighty (2,280') feet to the point of beginning.**

**CONTAINING 233 acres.**

**Being identified by Clearfield County Tax Map Number 110-T06-27.**

**PARCEL II**

**ALL that certain piece of parcel of land situate in Cooper Township, Clearfield County, Pennsylvania, bounded and described as follows:**

**Beginning at the intersection of the line of lands to the Clearfield Bituminous Coal Corporation and the western shore of Moshannon Creek; thence West along the lands of the Clearfield Bituminous Coal Corporation, four thousand eight hundred sixty (4,860') feet to a point; thence North along the lands of the O. L. Schoonover Heirs, three thousand eight hundred (3,800') feet to a point; thence East at a right angle from the lands of the Schoonover Heirs, three thousand eight hundred twenty (3,820') feet to a point on the western shore of the Moshannon Creek; thence along said creek to the place of beginning.**

**CONTAINING 433 acres.**

**Being identified by Clearfield County Tax Map Number 110-U04-01.**

7. Pennsylvania Rule of Civil Procedure 1555(a) permits Plaintiffs to plead more than one cause of action for the partition of all or any part of any properties in which the Plaintiffs and the Defendants are Co-tenants.

8. Plaintiffs are the owners of an undivided 50.69% in the premises by virtue of the following deeds.

- a. Deed dated April 9, 2003 from David Kenneth Dahlgren, et ux, recorded on April 11, 2003 at Clearfield County Instrument No. 200305797;
- b. Deed dated April 10, 2003 from Bonnie Lou Dahlgren Gilman, recorded April 11, 2003 at Clearfield County Instrument No. 200305796;
- c. Deed dated April 29, 2003 from Robert L. Gregerson et ex., recorded May 7, 2003 at Clearfield County Instrument No. 200307476.

9. Defendant FRENCH BROTHERS LIMITED PARTNERSHIP is believed to be the owner of an undivided 20.14% interest in the premises by virtue of a conveyance at Clearfield County Record Volume 1728, page 301.

10. The Defendants JEFFREY A. BALKE and ORRIN L. FRENCH as Co-Trustees of the SCHOONOVER REAL ESTATE TRUST are believed to hold legal title to an undivided 29.16% interest in the premises by virtue of a conveyance at Clearfield County Record Volume 1651, page 252.

11. No partition or division of the property has ever been made.

WHEREFORE, Plaintiffs respectfully request that the Court enter an Order directing partition of the premises and appoint a Master to conduct further proceedings in this matter as specified by Pennsylvania Rules of Civil Procedure.

Respectfully submitted,



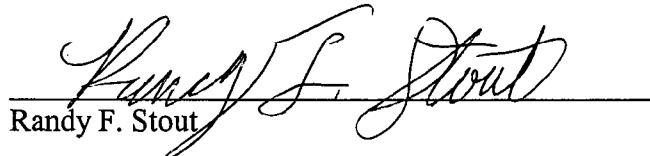
Peter F. Smith, Esquire  
Attorney for Plaintiffs

Dated: February 16, 2004

## VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

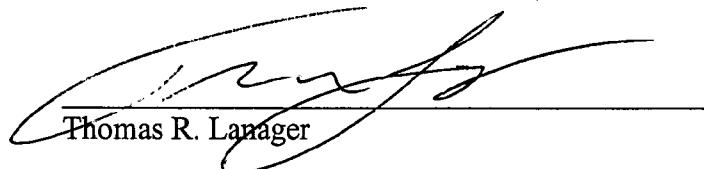
Dated: 1/30/04

  
Randy F. Stout

## VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Dated: 2/10/04

  
Thomas R. Lanager

**FILED**

FEB 17 2004

William A. Shaw  
Prothonotary

**PETER F. SMITH**  
ATTORNEY  
30 SOUTH SECOND STREET  
P.O. BOX 130  
CLEARFIELD, PA. 16830

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

RANDY F. STOUT and THOMAS  
R. LANAGER,  
Plaintiffs  
VS.  
FRENCH BROTHERS LIMITED  
PARTNERSHIP, JEFFREY A.  
DALKE and ORRIN L. FRENCH,  
as Co-Trustees of the  
SCHOONOVER REAL ESTATE TRUST,  
Defendants  
:

NO.2004-222-CD  
Type of Case:  
EQUITY  
Type of Pleading:  
ANSWER IN PARTITION  
Filed on Behalf of:  
French Brothers Limited  
Partnership, Jeffrey A. Dalke  
and Orrin L. French, as Co-  
Trustee of the Schoonover Real  
Estate Trust, Defendants  
Counsel of Record for this  
Party:  
Ann B. Wood, Esquire  
Supreme Court No. 23364  
Bell, Silberblatt & Wood  
318 East Locust Street  
P.O. Box 670  
Clearfield, PA 16830  
(814) 765-5537

FILED

MAR 23 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

RANDY F. STOUT and THOMAS R. LANAGER, : NO. 2004-222-CD  
Plaintiffs : Type of Case:  
VS. : EQUITY  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. :  
DALKE and ORRIN L. FRENCH, :  
as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
:

ANSWER IN PARTITION

NOW COME the Defendants, French Brothers Limited Partnership, and Jeffrey A. Dalke and Orrin L. French, as Co-Trustees of the Schoonover Real Estate Trust, and respectfully sets forth their Answer to the Complaint in the above captioned matters as follows:

1. Paragraph 1 of the Complaint is admitted.
2. Paragraph 2 of the Complaint is admitted.
3. Paragraph 3 of the Complaint is admitted.
4. Paragraph 4 of the Complaint is admitted in that Orrin L. French is a general partner of the French Brothers Limited Partnership.

5. Paragraph 5 of the Complaint is admitted.

6. Paragraph 6 of the Complaint is admitted.

7. Paragraph 7 of the Complaint being a legal conclusion, no answer is required thereto.

8. Paragraph 8 of the Complaint is admitted.

9. Paragraph 9 of the Complaint is admitted.

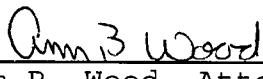
10. Paragraph 10 of the Complaint is admitted.

11. Paragraph 11 of the Complaint is admitted.

WHEREFORE, Defendants respectfully request that the Court enter an Order directing partition of the premises and appoint a Master to conduct further proceedings in this matter.

Respectfully submitted,

BELL, SILBERBLATT & WOOD  
By:

  
\_\_\_\_\_  
Ann B. Wood, Attorney For  
Defendants

AFFIDAVIT

STATE OF VIRGINIA :  
COUNTY OF Sherwood : SS.

ORRIN L. FRENCH, being duly sworn according to law, deposes and says that he is the Co-Trustee of the SCHOONOVER REAL ESTATE TRUST, Partner of the French Brothers Limited Partnership, as such, is duly authorized to make this Affidavit, and further, that the facts set forth in the foregoing Answer In Partition are true and correct to the best of his knowledge, information and belief.

Orrin L French Co-Trustee  
ORRIN L. FRENCH, Co-Trustee  
Orrin L French, Partner

SWORN TO AND SUBSCRIBED  
before me this 15<sup>th</sup> day  
of March, 2004

Orrin L French

My Conn Exp. - 4/30/06

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

RANDY F. STOUT and THOMAS R. LANAGER, : NO. 2004-222-CD  
Plaintiffs :  
VS. : Type of Case:  
FRENCH BROTHERS LIMITED : EQUITY  
PARTNERSHIP, JEFFREY A. :  
DALKE and ORRIN L. FRENCH, :  
as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
:

CERTIFICATE OF SERVICE

I hereby certify that Certified Copy of Answer In Partition with reference to the above captioned matter has been served upon the attorney for Plaintiffs by mailing a true and correct copy of same to him by United States First Class Mail, postage prepaid, addressed as follows on March 23, 2004 :

Peter F. Smith, Esquire  
30 South Second Street  
P.O. Box 130  
Clearfield, PA 16830

BELL, SILBERBLATT & WOOD  
By:

Ann B. Wood  
Ann B. Wood, Esquire  
Attorney for Defendants

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

RANDY F. STOUT and THOMAS R.  
MANAGER,

Plaintiffs  
vs.

FRENCH BROTHERS LIMITED  
PARTNERSHIP, ET AL.,  
Defendants

ANSWER IN PARTITION

FILED 10a  
21 2004 Amy Wood  
MAR 23 2004  
Clerk  
REX

William A. Shaw  
Prothonotary/Clerk of Courts

BELL, SILBERBLATT & WOOD  
ATTORNEYS AT LAW  
318 EAST LOCUST STREET  
P. O. BOX 670  
CLEARFIELD, PA. 16830

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs : No. 2004-222-CD  
:  
vs :  
:  
FRENCH BROTHERS LIMITED : TYPE OF CASE:  
PARTNERSHIP, JEFFREY A. DALKE and : **Equity**  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants : TYPE OF PLEADING:  
: **Motion for Order Directing Partition**  
: **with Order Attached**  
:  
: FILED ON BEHALF OF:  
: **Plaintiffs**  
:  
:  
ATTORNEY OF RECORD FOR THIS :  
PARTY:  
: **Peter F. Smith, Esquire**  
: Supreme Court I.D. #34291  
: 30 South Second Street  
: P.O. Box 130  
: Clearfield, PA 16830  
: (814) 765-5595  
:  
:  
: Attorney for the Defendants:  
: **Ann B. Wood, Esquire**  
: Supreme Court I.D. #23364  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
: P.O. Box 670  
: Clearfield, PA 16830  
: (814) 765-5537



APR 07 2004

William A. Shaw  
Prothonotary

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs : No. 2004-222-CD  
:  
vs :  
:  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE and :  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
:

**MOTION FOR ORDER DIRECTING PARTITION OF REAL PROPERTY**

COMES NOW, the Plaintiffs by their Attorney Peter F. Smith, who moves this Honorable Court to enter an Order Directing Partition of the Real Estate subject to this action pursuant to Pennsylvania Rule of Civil Procedure 1557 and in support thereof states:

1. Service has been made by the Sheriff of Clearfield County upon all the Defendants on February 23, 2004.
2. Attorney Ann B. Wood has entered an appearance on behalf of all the Defendants and filed an answer to the Plaintiffs' complaint.
3. In their answer, Defendants admit that the interest of the owners in the premises who are all named as parties to this actions are as follows:

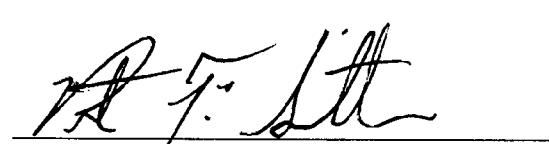
a.	Plaintiffs	50.69%
b.	French Brothers Limited Partnership	20.14%
c.	Jeffrey A. Dalke and Orrin L. French as Co-Trustees of the Schoonover Real Estate Trust	<u>29.16%</u>
	Representing the Total	100%

4. The Defendants raised no objection or defense to Plaintiff's prayer that the Court enter an Order Directing Partition. The Defendants at the conclusion of their Answer also request that this Honorable Court to enter an Order directing partition and appointing a Master.

WHEREFORE, Plaintiffs pray this Honor Court to enter an Order Directing Partition of the subject real estate, specifying the parties' interest therein and scheduling a preliminary conference pursuant to Pa.R.C.P. 1585.

Respectfully submitted,

Date: 4/6/04



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Peter F. Smith, Esquire  
Attorney for Plaintiffs

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs :  
: No. 2004-222-CD  
vs :  
: :  
FRENCH BROTHERS LIMITED : TYPE OF CASE:  
PARTNERSHIP, JEFFREY A. DALKE and : **Equity**  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants : TYPE OF PLEADING:  
: **Order Directing Partition**  
: **of Real Property and Scheduling a**  
: **Preliminary Conference Pursuant to**  
: **Pa.R.C.P. 1558**  
: :  
: FILED ON BEHALF OF:  
: **Plaintiffs**  
: :  
: ATTORNEY OF RECORD FOR THIS  
: PARTY:  
: **Peter F. Smith, Esquire**  
: Supreme Court I.D. #34291  
: 30 South Second Street  
: P.O. Box 130  
: Clearfield, PA 16830  
: (814) 765-5595  
: :  
: Attorney for the Defendants:  
: **Ann B. Wood, Esquire**  
: Supreme Court I.D. #23364  
: Bell, Silberblatt & Wood  
: 318 East Locust Street  
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: :

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs : No. 2004-222-CD  
:  
vs :  
:  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE and :  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
:

**ORDER DIRECTING PARTITION OF REAL PROPERTY**

AND NOW this \_\_\_\_\_ day of April, 2004 upon consideration of Plaintiffs' Motion for the entry of an Order directing partition because of the Defendants' admission, and it further appearing that the complaint has been duly served, and that the Defendants have admitted the averments of the complaint and the relief requested, it is

ORDERED that partition be made of the real estate described in the paragraph six of the complaint among the named parties in proportion to the respective interest as follows:

To Randy F. Stout and Thomas R. Lanager, as Tenants in Common,	50.69%;
To French Brothers Limited Partnership,	20.14%;
To Jeffrey A. Dalke and Orrin L. French as co-Trustees of the Schoonover Real Estate Trust,	29.14%

The parties or their attorneys are directed to appear for a preliminary conference on \_\_\_\_\_, 2004 to consider the matters set forth in Pa.R.C.P. 1558.

By the Court,

Date

\_\_\_\_\_  
Judge

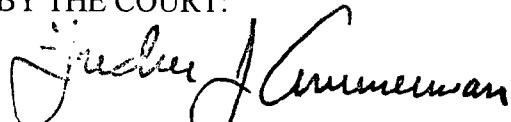
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION

RANDY F. STOUT and :  
THOMAS R. LANAGER :  
vs. : No. 04-222-CD  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE :  
and ORRIN L. FRENCH, as Co-Trustees :  
of the SCHOONOVER REAL ESTATE :  
TRUST :  
CH

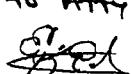
O R D E R

NOW, this 8th day of April, 2004, it is the ORDER of the Court that Preliminary Conference in the above Action in Partition has been scheduled for the 1 day of May, 2004, at 3:00 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

FILED

APR 08 2004  
o (4:00)  
William A. Shaw  
Prothonotary/Clerk of Courts  
2 copies to Harry  


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

STOUT, RANDY F. & THOMAS R. LANAGER

VS.

FRENCH BROTHERS LIMITED PARTNERSHP, a/

**COMPLAINT IN PARTITION ; INTERROGATORIES AND REQUEST**

Sheriff Docket # 15190

04-222-CD

**SHERIFF RETURNS**

---

NOW FEBRURY 23, 2004 SERVED THE WITHIN COMPLAINT IN PARTITION; INTERROGATORIES AND REQUEST FOR PRODUCTION ON FRENCH BROTHERS LIMITED PARTNERSHIP, DEFENDANT BY CERT. MAIL# 7002 3150 0000 7854 5177 AT C/O ORRIN L. FRENCH, P.O. BOX 232, WOODSTOCK, VA. 22664 BEING THEIR LAST KNOWN ADDRESS. THE RETURN RECEIPT IS HERETO ATTACHED AND MADE A PART OF THIS RETURN ENDORSED BY AGENT FOR DEFENDANT.

---

NOW FEBRUARY 23, 2004 SERVED THE WITHIN COMPLAINT IN PARTITION, INTERROGATORIES AND REQUEST FOR PRODUCTION ON SCHOONOVER REAL ESTATE TRUST, DEFENDANT BY CERT. MAIL #7002 3150 0000 7854 5191 AT c/o ORRIN L. FRENCH, CO-TRUSTEE, P.O. BOX 232, WOODSTOCK, VA. 22664 BEING THEIR LAST KNOWN ADDRESS. THE RETURN RECEIPT IS HERETO ATTACHED AND MADE A PART OF THIS RETURN ENDORSED BY AGENT FOR DEFENDANT.

---

NOW FEBRUARY 23, 2004 SERVED THE WITHIN COMPLAINT IN PARTITION, INTERROGATORIES AND REQUEST FOR PRODUCTION ON SCHOONOVER REAL ESTATE TRUST, DEFENDANT BY CERT. MAIL # 7002 3150 0000 7854 5184 AT C/O JEFFREY A. DALKE, CO-TRUSTEE, P.O. BOX 232, WOODSTOCK VA. 22664 BEING THEIR LAST KNOWN ADDRESS. THE RETURN RECEIPT IS HERETO ATTACHED AND MADE A PART OF THIS RETURN ENDORSED BY AGENT FOR DEFENDANT.

---

**Return Costs**

**Cost      Description**

**44.55      SHERIFF HAWKINS PAID BY: ALLEGHENY ENTERPRISES INC.**

**30.00      SURCHARGE PAID BY: ALLEGHENY ENTERPRISES, INC. CK#898**

---

Sworn to Before Me This

30<sup>th</sup> Day Of April 2004  
W. A. Shaw

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

So Answers,

  
Chester A. Hawkins  
Sheriff

**FILED**  
1/30/04  
APR 30 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**SE. 1 DER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

FRENCH BROTHERS LIMITED PARTNERSHIP  
c/o Orrin L. French  
P.O. Box 232  
Woodstock, VA. 22664

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

Deborah H. Rayna

 Agent Addressee**B. Received by (Printed Name)**

Deborah H. Rayna

**C. Date of Delivery**

2-23-04

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

Certified Mail

 Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**2. Article Number**

(Transfer from service label)

7002 3150 0000 7854 5177

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10\*

• Sender: Please print your name, address, and ZIP+4 in this box •

CHESTER A. HAWKINS,  
Sheriff of Clearfield County  
1 N. 2nd ST. Suite 116  
Clearfield, Pa. 16830

C=15190



7002 3150 0000 7854 5177

**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .83
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ .88

*CLERFELD PA 16830*  
Postmark  
FEB 18 2002  
USPS

*Sent To*  
French Brothers Limited Partnership  
Street, Apt. No.: \_\_\_\_\_  
or PO Box No. c/o Orrin L. French  
City, State, ZIP+4 P.O. Box 232  
Woodstock, VA. 22664

See Reverse for Instructions

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.  
Internet access to delivery information is not available on mail  
addressed to APOs and FPOs.**

0151

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

<sup>1</sup> Article Addressed to:  
SCHOONOVER REAL ESTATE TRUST  
c/o Orrin L. French, Co-Trustee  
P.O. Box 232  
Woodstock, VA. 22664

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

Deborah H. Ray  Agent  
 Deborah H. Ray  Addressee

## B. Received by (Printed Name)

Deborah H. Ray

## C. Date of Delivery

2-23-04

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

## 3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

## 2. Article Number

(Transfer from service label)

7002 3150 0000 7854 5191

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

CHESTER A. HAWKINS  
Sheriff of Clearfield County  
1 N. 2nd St. Suite 116  
Clearfield, Pa. 16830

C-15190



7854 5191  
0000 0000  
3150 0000  
2002 0000

**U.S. POSTAL SERVICE**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Postage	\$ 60
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

*PA 16630*  
*Postmark Here*  
*FEB 18 2004*  
*CERTIFIED MAIL*  
*USPS*

**Sent To**  
**SCHOONOVER REAL ESTATE TRUST**  
Street, Apt. No.,  
or PO Box No. **c/o Orrin L. French, Co-Trustee**  
City, State, ZIP+4 **P.O. Box 232**  
**Woodstock VA. 22664**

PS Form 3800, June 2002  
See Reverse for Instructions

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

PS Form 3600, June 2002 (Reverse)

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
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addressed to APOs and FPOs.**

1519

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

SCHOONOVER REAL ESTATE TRUST  
c/o Jeffrey A. Dalke, Co-Trustee  
P.O. Box 232  
Woodstock, VA. 22664

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

Deborah H Raynor  Agent  
 Addressee

## B. Received by (Printed Name)

Deborah H Raynor

## C. Date of Delivery

2-23-04

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

## 3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

## 2. Article Number

(Transfer from service label)

7002 3150 0000 7854 5184

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

CHESTER A. HAWKINS  
Sheriff of Clearfield County  
1 N. 2nd St. Suite 116  
Clearfield, Pa. 16830

C-15190



U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Postage	\$ .60
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65

Postmark  
CLEARFIELD PA 16830  
FEB 18 2002

**Sent To**  
SCHOONOVER REAL ESTATE TRUST  
c/o Jeffrey A. Dalke, Co-Trustee  
P.O. Box 232  
Woodstock, VA. 22664

PS Form 3800, June 2002  
See Reverse for Instructions

**Certified Mail Provides:**

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**IMPORTANT: Save this receipt and present it when making an inquiry.  
Internet access to delivery information is not available on mail  
addressed to APOs and FPOs.**

0b151

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

RANDY F. STOUT and :  
THOMAS R. LANAGER, :  
Plaintiffs : No. 2004-222-CD  
:  
vs :  
:  
FRENCH BROTHERS LIMITED :  
PARTNERSHIP, JEFFREY A. DALKE and :  
ORRIN L. FRENCH, as Co-Trustees of the :  
SCHOONOVER REAL ESTATE TRUST, :  
Defendants :  
:

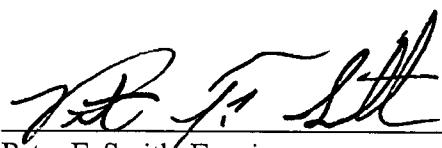
**PRAECIPE TO DISCONTINUE**

Clearfield County Prothonotary

Dear Sir:

Please mark the above-captioned matter settled and discontinued.

Respectfully submitted,

  
Peter F. Smith, Esquire  
Counsel for Plaintiffs

Date: November 18, 2004

cc: Ann B. Wood, Esquire

⑥  
FILED NOCC  
01/29/05 Cert. of Disc. to  
NOV 18 2004 Atty Smith  
William A. Shaw Prothonotary/Clerk of Courts Copy to CIA

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Randy F. Stout and  
Thomas R. Lanager

Vs.

No. 2004-00222-CD

French Brothers Limited Partnership,  
Jeffrey A. Dalke and  
Orrin L. French as Co-Trustees of the  
Schoonover Real Estate Trust

**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 November 18, 2004, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by Peter F. Smith, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of November A.D. 2004.

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William A. Shaw, Prothonotary