

04-404-CD  
VIRGINIA Z. FETCHO vs. ANGELA G. PATTERSON, ETAL.

Virginia Z. Fetcho vs Angela G Patterson  
2004-404-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - EQUITY

VIRGINIA Z. FETCHO

Plaintiff

vs.

ANGELA G. PATTERSON also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,

Defendants

No. 2004-404-CO

\* TYPE OF CASE: Civil Action

\* TYPE OF PLEADING: Complaint

\* FILED ON BEHALF OF:

\* Plaintiff

\* COUNSEL OF RECORD FOR THIS PARTY:

\* David C. Mason, Esq.  
\* Supreme Court No. 39180  
\* Attorney at Law  
\* P. O. Box 28  
\* Philipsburg, PA 16866  
\* (814) 342-2240

FILED

MAR 24 2004

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William A. Shaw

Prothonotary/Clerk of Courts

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - EQUITY

VIRGINIA Z. FETCHO

Plaintiff

vs.

ANGELA G. PATTERSON also known  
as ANGELA PATTERSON and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,

Defendants

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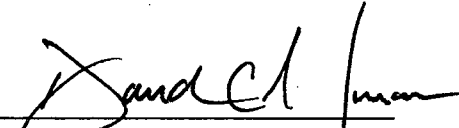
No.

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 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  
Clearfield, PA 16830  
(814) 765-3641

  
David C. Mason, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - EQUITY

VIRGINIA Z. FETCHO

Plaintiff

vs.

ANGELA G. PATTERSON also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,

Defendants

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\* No.  
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**COMPLAINT IN EQUITY**

**AND NOW**, the Plaintiff, by and through her Attorney, David C. Mason, files this  
Complaint against the Defendants of which the following are averments of fact:

1. Plaintiff is Virginia Z. Fetcho, an adult individual, whose address is RR 2 Box  
277, Munson, Pennsylvania, 16860.

2. Defendants are:

A. Angela G. Patterson, also known as Angela Patterson, an adult individual  
whose last known address is RR 1 Box 451, Philipsburg, Pennsylvania, 16866.

B. Robert G. Callahan and Traci M. Callahan, his wife, adult individuals,  
whose last known address is 181 Colorado Road, Munson, Pennsylvania, 16860.

3. At all times material and relevant hereto, Plaintiff was the owner of certain assets  
which are described as follows:

a. Premises situate in Morris Township, Clearfield County, PA, consisting of a

mobile home and two (2) parcels of land, identified on the tax maps of said municipality and county as Map No. 124-R10-077, and described in a deed to Virginia Z. Fetcho dated May 21, 1971 and entered for record in Deeds and Record Book Volume 575 at page 406.

- b. A 1984 Champion mobile home.
- c. Savings account at Clearfield Bank & Trust bearing account number 40117.
- d. Checking account at Clearfield Bank & Trust bearing account number 12329347.
- e. Owner and insured under a policy of life insurance with The Prudential Life Insurance Company, contract number D88 066 924..

4. At all times material and relevant hereto the Plaintiff Virginia Z. Fetcho was of weakened intellect, aged, and suffering from a variety illnesses, injuries and infirmities, including neurologic and cognitive functional impairments as the result of a fall.

5. At all times material and relevant hereto Plaintiff Virginia Z. Fetcho was in a confidential relationship with the Defendant Angela G. Patterson, on whom she relied for transportation, care, guidance, comfort and advice.

6. Plaintiff Virginia Z. Fetcho currently resides and for the past thirty (30) years has resided in a mobile home on two lots situate in Morris Township, Clearfield County, Pennsylvania, which she acquired from Frank Williams by a Deed dated May 21, 1971, and recorded in Deed Book Volume 575 at Page 406, copy attached as Exhibit "A".

**COUNT I**

**VIRGINIA Z. FETCHO, Plaintiff**

**vs.**

**ANGELA G. PATTERSON and**

**ROBERT G. CALLAHAN and TRACI M. CALLAHAN, his wife, Defendants**

Paragraphs 1 through 6 are incorporated herein by reference as though fully set forth at length.

7. The Defendant Angela G. Patterson induced Virginia Z. Fetcho to execute, acknowledge and deliver to the said Angela G. Patterson a deed to the real property described in paragraph 3(a) hereof. Attached as Exhibit "B" is a true and correct copy of this Deed.

8. Defendant Angela G. Patterson then transferred and conveyed the subject premises to Robert G. Callahan and Traci M. Callahan pursuant to a Deed dated April 23, 2003, and entered of record in the Office of the Recorder of Deeds to Instrument #200306512. Attached as Exhibit "C" is a true and correct copy of this Deed.

9. The recited consideration on the Deed paid by the Callahan Defendants to Ms. Green is \$20,000.00.

10. The Callahan Defendants knew, or in the exercise of reasonable diligence, should have known that these premises were owned and occupied by the Plaintiff.

11. The Defendant Angela G. Patterson unlawfully obtained title to the said real estate through undue influence over the Plaintiff at a time when the Plaintiff was weakened, dependant and confused by illness and injury.

12. Defendant Angela G. Patterson improperly and fraudulently converted the said realty to her own purpose by selling the Plaintiff's home to the Callahan Defendants.

13. The Callahan defendants participated in this improper, illegal and fraudulent conversion and paid the Plaintiff no consideration for the real property described in paragraph 3a hereof.

**WHEREFORE**, Plaintiff prays your Honorable Court for the entry of an Order:

A. Striking from the record the Deed from Virginia Z. Fetcho to Angela Patterson dated September 29, 1999, and recorded in Clearfield County Recorder of Deeds Office to Instrument No. 199916674.

B. Striking from the record the Deed from Angela G. Green formerly Angela Patterson and Richard L. Green to Robert G. Callahan and Traci M. Callahan, his wife, dated April 23, 2003, and recorded in Clearfield County Recorder of Deeds Office to Instrument No. 200306512.

C. Enjoining the Defendants from executing any or transferring to third parties of any interest in the real estate described in paragraph 3.

D. If the Court determines that the Defendants have made any transfer for value of Plaintiff's interest in any portion of the realty, that the said Defendants be ordered to pay unto the Plaintiff the total amount of the consideration received or to be received.

E. Awarding the costs of this action including reasonable attorney's fees to be paid to the plaintiff by the defendants, which the Court, after hearing, determines to be fair and

appropriate.

F. Such other and further equitable and legal relief as the Court deems just and proper.

**COUNT II**  
**VIRGINIA Z. FETCHO**, Plaintiff  
vs. **ANGELA G. PATTERSON**, Defendant

Paragraphs 1 through 6 are incorporated herein by reference as though fully set forth at length.

14. During the same relevant time period, Defendant Angela G. Patterson had access to the bank accounts of Plaintiff Virginia Z. Fetcho at Clearfield Bank & Trust and elsewhere.

15. Defendant Angela G. Patterson had this access to these bank accounts through the same undue influence over Plaintiff as described in paragraph 11, hereof, which is incorporated by reference as though set forth at length herein.

16. Defendant Angela G. Patterson converted the funds of the Plaintiff to her own use in an amount yet to be determined, but believed to be in excess of the jurisdictional limit for compulsory arbitration in this judicial district.

17. Defendant Angela G. Patterson engaged in "exploitation" of the Plaintiff Virginia Z. Fetcho as that term is defined by the Older Adults Protective Services Act, Act of November 6, 1987, P.L. 381, No. 79, title 35 P.S. §10211, *et seq.*

18. Defendant Angela G. Patterson engaged in "exploitation" of the Plaintiff Virginia Z. Fetcho in violation of the Older Adults Protective Services Act, Act of November



6, 1987, P.L. 381, No. 79, title 35 P.S. §10211, *et seq*, and is liable to the Plaintiff for the amount of the resources converted from her, together with other relief available under the said act.

**WHEREFORE**, Plaintiff prays your Honorable Court for the entry of a judgment in favor of Plaintiff and against the Defendant Angela G. Patterson in an amount in excess of \$20,000.00, together with costs of this action including reasonable attorney's fees as permitted by the Older Adults Protective Services Act, or any other provision of law which the Court, after hearing, determines to be fair and appropriate.

MASON LAW OFFICE



David C. Mason, Esquire  
Attorney for Plaintiff

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**VERIFICATION**

I, **VIRGINIA Z. FETCHO**, do hereby verify that the facts set forth in the foregoing **COMPLAINT** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

DATED: *3/12/2004*

*Virginia Z. Fetcho*  
Virginia Z. Fetcho

# Quit Claim Deed

Filed the Twenty-first (21st) day of May  
in the year nineteen hundred and seventy-one (1971).

Between FRANK WILLIAMS, (a widower, of the Village of Munson, Morris Township, Clearfield County, Pennsylvania (16860)), party of the first part hereinafter referred to as Grantor;

VIRGINIA Z. FETCHO, a widow, of the Village of Munson, Pa. (Box 249, Morris Township, Clearfield County, Pennsylvania (16860)), party of the second part hereinafter referred to as Grantee;

Witnesseth,

That the sum of Twenty-five (\$25.00) Dollars,

That the sum of Twenty-five (\$25.00) Dollars,

has been paid by the Grantee to the Grantor, as hereby acknowledged.

He said grantor does hereby release and quit claim to the said Grantee, her heirs and assigns,

All those certain pieces, parcels or lots of ground consisting of two (2) lots situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows, to-wit:

BEING a certain piece of seated land consisting of 1/2 of Lot and lot situate in the aforesaid Township and purporting to be owned and assessed in the name of Alex. C. Bailey, which for the return of the unpaid 1945 real estate taxes was sold at public vendue on August 25, 1947 by the Treasurer of Clearfield County, Pa. to the Commissioners of said County and State. The deed therefor being dated September 9, 1948 and recorded in Clearfield County, Pa. on August 25, 1956 in Deed Book Volume 752 at page 595 of the aforesaid County and State.

SUBSEQUENTLY, the Commissioners of Clearfield County, Pa. under Decree and approval of Court dated July 23, 1956, to proceedings filed to No. 496 May Term, 1956, sold the aforesaid premises at private sale and thereby conveyed said premises unto Frank Williams and Cecelia Williams, his wife, or one of the Grantors hereinabove designated, by their deed dated August 13, 1956, said deed being recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, on August 25, 1956 in Deed Book Volume 452 at pages 595 et seq. and page 597 thereof. Subsequent thereto said Cecelia Williams, wife of Frank Williams, the above named Grantor, predeceased him when she expired on May 12, 1969, hence, by virtue of their prior entireties ownership or seisin of the above described premises, title to the whole thereof thereupon became vested in her surviving spouse, husband or widower, Frank Williams, the grantor hereinabove first named. Hence, this deed.

COMMONWEALTH OF PENNSYLVANIA

NOTARY PUBLIC

25 CENTS (25)

p. 575 407

to the effect of the foregoing has been read and his hand and seal

(Frank Williams)



On this day of May 1971, before me a Notary Public,  
the said Frank Williams, a widower,  
personally appeared to be the person whose name is subscribed to the  
instrument and acknowledged that he executed the same for the purpose therein contained.  
In Testimony whereof, I have hereunto set my hand and Notarial seal.

Anna M. Ricotta - Notary  
Philipsburg, Centre Co., Pa. (16866)  
My Comm. Exp. 12/31/72

### Certificate of Residence

I hereby certify that the correct address and place of residence of the grantee  
is P.O. Box 24, Minson, Pa. (16860).

Notary of Agent for Grantee

STATE OF PENNSYLVANIA:  
COUNTY OF CLEARFIELD: SS

Certified from the records, in Marriage Book No. 575  
Page 406, this 16<sup>th</sup> day of February, 1983

Tim Wilson Recorder

RECORDER OF DEEDS

My Commission Expires  
First Monday in January 1984

Deed

AFFIDAVIT No. 31109

RD Meridian

RECORDING FEES -	\$13.00
RECORD	
COUNTY IMPROVEMENT	\$1.00
UND	
REORDER	\$1.00
IMPROVEMENT FUND	
TATE TRANSFER TAX	\$83.04
TATE WRIT TAX	\$0.50
ORRIS TOWNSHIP	\$41.52
EST BRANCH AREA	\$41.52
CHODLS	
DIAL	\$181.58

AREN L. STARCK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
199916674  
RECORDED ON  
Oct 06, 1999  
2:28:37 PM

## THIS DEED

MADE the 29th day of September, in the year nineteen hundred and ninety-nine (1999) BETWEEN VIRGINIA Z. FETCHO, a widow, of R.R. #1, Box 108, Philipsburg, Clearfield County, Pennsylvania, party of the first part, hereinafter referred to as the GRANTOR,

AND

ANGELA PATTERSON, an adult individual, of R.R. #1, Box 361, Morrisdale, Clearfield County, Pennsylvania, party of the second part, hereinafter referred to as the GRANTEE,

WITNESSETH, That in consideration of One and 00/100 (\$1.00) Dollar, in hand paid, the receipt whereof is hereby acknowledged, the said grantor does hereby grant and convey to the said grantee, her heirs, successors and assigns,

ALL those certain pieces, parcels or lots of ground consisting of two (2) lots situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING at certain piece of seated land consisting of L & L (lot and lot) situate in the aforesaid Township, and purporting to be owned and assessed in the name of Alex C. Bailey; which for the return of the unpaid 1945 real estate taxes was sold at public vendue on August 26, 1947 by the Treasurer of Clearfield County, Pennsylvania to the Commissioners of said County and State; the deed therefore being dated September 9, 1948 and recorded in Clearfield County, Pennsylvania on August 25, 1956 in Deed Book Volume 452 at Page 595 of the aforesaid County and State.

SUBSEQUENTLY, the Commissioners of Clearfield County, PA, under Decree and approval of Court dated July 23, 1956 to proceedings filed to No. 496 May Term, 1956 sold the aforesaid premises at private sale and thereby conveyed said premises unto Frank Williams and Cecelia Williams, his wife, by their deed dated August 13, 1956; said deed being recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, on August 25, 1956 in Deed Book

Ex "B"

Volume 452 at pages 595, et seq. And page 597 thereof. Subsequent thereto, said Cecelia Williams, wife of Frank Williams, predeceased him when she expired on May 12, 1969, hence, by virtue of their prior entireties ownership or seisin of the above described premises, title to the whole thereof thereupon became vested in her surviving spouse, husband or widower, Frank Williams.

Being identified in the Clearfield County Mapping and Assessment Office as Map No. 124-R10-000-00077.

*BEING* the same premises as was conveyed to Virginia Z. Fetcho, a widow, by Deed of Frank Williams, a widower, dated May 21, 1971 and entered for record in the Recorder's Office of Clearfield County in Deed Book Volume 575, Page 406.

TOGETHER with, all and singular, the ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, use, trust, property, possession, claim and demand whatsoever of Grantors in law, equity, or otherwise, howsoever, of, in, to, or out of the same.

TO HAVE AND TO HOLD the same together with all and singular, the said Grantors' hereditaments and premises hereby granted and released, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, her heirs, successors and assigns, to and for the only proper use and behoof of the said Grantee and assigns, forever.

BUYER ALSO UNDERSTANDS THAT THERE IS NO COMMUNITY OR PUBLIC SEWAGE SYSTEM AVAILABLE TO THE WITHIN PROPERTY. A PERMIT FOR ANY NEW INDIVIDUAL SEWAGE SYSTEM, OR ANY REPAIRS TO ANY EXISTING INDIVIDUAL SEWAGE SYSTEM, WILL HAVE TO BE OBTAINED FROM THE LOCAL AGENCY DESIGNATED AS PROVIDED IN THE PENNSYLVANIA SEWAGE FACILITIES ACT.

## NOTICE

In accordance with the provisions of "The Bituminous Mine Subsidence and Land Conservation Act of 1966", I/we, the undersigned grantee/grantees, hereby certify that I/we know and understand that I/we may not be obtaining the right of protection against subsidence resulting from coal mining operations and that the purchased property may be protected from damage due to mine subsidence by a private contract with the owners of the economic interest in the coal. I/we further certify that this certification is in a color contrasting with that in the deed proper and is printed in twelve point type preceded by the word "notice" printed in twenty-four point type.

Witness:

Angela L. Patterson

This 29<sup>th</sup> Day of September 1999

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended.)



The said Grantor will SPECIALLY WARRANT the property hereby conveyed.

IN WITNESS WHEREOF, said grantor has hereunto set her hand and seal, the day and  
year first above-written.

Sealed and delivered in  
the presence of:

Virginia Z. Fetcho  
VIRGINIA Z. FETCHO

CERTIFICATE OF RESIDENCE

I hereby certify that the precise residence of the grantees herein is as follows:

R.R. #1, Box 361  
Morrisdale, PA 16858

R. Denning Gearhart  
R. Denning Gearhart, Esquire  
NO TITLE SEARCH/CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA :

: ss:

COUNTY OF CLEARFIELD :

On this, the 29th day of September, 1999, before me, the undersigned officer, a  
Notary Public, personally appeared VIRGINIA Z. FETCHO, a widow, known to me, or  
satisfactorily proven, to be the person whose name is subscribed to the within instrument, and  
acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

My Commission Expires: \_\_\_\_\_

Jennifer A. Cutler  
Notary Public

Notarial Seal  
Jennifer A. Cutler, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires June 17, 2003

## **THIS DEED**

**MADE** the 23 day of April, in the year two thousand three (2003) **BETWEEN** ANGELA G. GREEN, formerly ANGELA PATTERSON, and RICHARD L. GREEN, His Wife, both of 163 Gardenia Lane, Philipsburg, PA 16866, parties of the first part, hereinafter referred to as the GRANTORS,

**A N D**

ROBERT G. CALLAHAN and TRACI M. CALLAHAN, His Wife, of 181 Colorado Road, Munson, PA 16860, as Tenants by the Entireties, parties of the second part, hereinafter referred to as the GRANTEES,

**WITNESSETH**, That in consideration of Twenty Thousand (\$20,000.00) Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees, their heirs, successors and assigns,

ALL those certain pieces, parcels or lots of ground consisting of two (2) lots situate in Morris Township, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING at certain piece of seated land consisting of L & L (lot and lot) situate in the aforesaid Township, and purporting to be owned and assessed in the name of Alex C. Bailey; which for the return of the unpaid 1945 real estate taxes was sold at public vendue on August 26, 1947 by the Treasurer of Clearfield County, Pennsylvania to the Commissioners of said County and State; the deed therefore being dated September 9, 1948 and recorded in Clearfield County, Pennsylvania on August 25, 1956 in Deed Book Volume 452 and Page 595 of the aforesaid County and State.

SUBSEQUENTLY, the Commissioners of Clearfield County, PA, under Decree and approval of Court dated July 23, 1956 to proceedings filed to No. 496 May Term, 1956 sold the aforesaid premises at private sale and thereby conveyed said premises unto Frank Williams and Cecelia Williams, his wife, by their deed dated August 13, 1956; said deed being recorded in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, on August 25, 1956 in Deed Book Volume 452 at pages 595, et seq. And page 597 thereof. Subsequent thereto, said Cecelia Williams, wife of Frank Williams, predeceased him when she expired on May 12, 1969, hence, by virtue of their prior entireties ownership or seisin of the above described premises, title to the whole thereof

Ex "C" 00

thereupon became vested in her surviving spouse, husband or widower, Frank Williams.

Being identified in the Clearfield County Mapping and Assessment Office as Map No. 124-R10-000-00077.

BEING the same premises as were granted and conveyed unto ANGELA PATTERSON, by deed of VIRGINIA FETCHO, dated September 29, 1999, and entered for record in the Office for the Recording of Deeds of Clearfield County, Pennsylvania, at Instrument No. 199916674.

EXCEPTING and RESERVING for VIRGINIA FETCHO a Life Estate.

**TOGETHER** with all and singular ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, use, trust, property, possession, claim and demand whatsoever of Grantor in law, equity, or otherwise, howsoever, of, in, to, or out of the same.

**TO HAVE AND TO HOLD** the said Grantor hereditaments and premises hereby granted and released, or mentioned and intended so to be, with the appurtenances, unto the said Grantees, their heirs, successors and assigns, to and for the only proper use and behoof of the said Grantees, their heirs and assigns, forever.

THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT. (This Notice is set forth pursuant to Act No. 255, approved September 10, 1965, as amended.)

KAREN L. STARK  
REGISTER AND RECORDER  
CLEARFIELD COUNTY  
Pennsylvania

INSTRUMENT NUMBER  
200306512

RECORDED ON

Apr 23, 2003  
12:26:44 PM

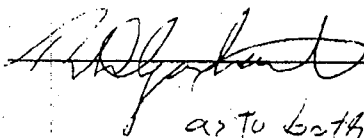
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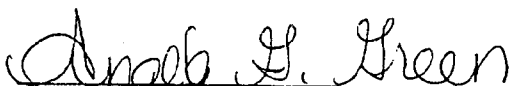

RECORDING FEES -	\$13.50
RECORDER	
COUNTY IMPROVEMENT	\$2.00
FUND	
RECORDER IMPROVEMENT	\$3.00
FUND	
JCS/ACCESS TO	\$10.00
JUSTICE	
STATE TRANSFER TAX	\$200.00
STATE MRET TAX	\$0.50
MORRIS TOWNSHIP	\$100.00
WEST BRANCH AREA	\$100.00
SCHOOLS	
TOTAL	\$429.00
CUSTOMER	
CALLAHAN, ROBERT G	

The said Grantors will SPECIALLY WARRANT the property hereby conveyed.

IN WITNESS WHEREOF, said grantors have hereunto set their hands and seals, the day and  
year first above-written.

Sealed and delivered in  
the presence of:

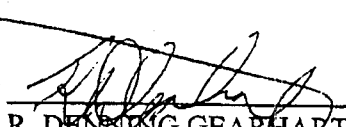
  
as to both

  
ANGELA G. GREEN  
  
Richard L. Green

**CERTIFICATE OF RESIDENCE**

I hereby certify that the precise residence of the grantees herein is as follows:

181 Colorado Road  
Munson, PA 16860

  
R. DENNING GEARHART  
Attorney for Grantees  
N.T.S.

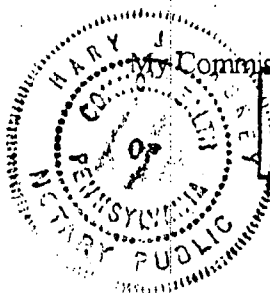
COMMONWEALTH OF PENNSYLVANIA

: SS:

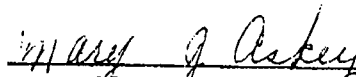
COUNTY OF CLEARFIELD

On this, the 23 day of April, 2003, before me, the undersigned  
officer, a Notary Public, personally appeared ANGELA G. GREEN and RICHARD L. GREEN,  
known to me, or satisfactorily proven, to be the persons whose names are subscribed to the within  
instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.



My Commission Expires: \_\_\_\_\_  
Notarial Seal  
Mary J. Askey, Notary Public  
South Philipsburg Boro, Centre County  
My Commission Expires Oct. 4, 2005  
Member, Pennsylvania Association of Notaries

  
Notary Public

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,  
Defendants

No. 04 - 404 - CD

Type of Pleading:

**ANSWER TO COMPLAINT  
AND NEW MATTER**

Filed on behalf of:  
Defendant Patterson

Counsel of Record for  
this party:

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

211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

**FILED**

**APR 15 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,  
Defendants


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No. 04 - 404 - CD

NOTICE TO PLEAD

TO THE PLAINTIFF:

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

  
\_\_\_\_\_  
James A. Naddeo, Esquire  
Attorney for Defendant Patterson

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,  
Defendants

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No. 04 - 404 - CD

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

NOW COMES the Defendant, Angela G. Patterson a/k/a  
Angela Patterson, by and through her attorney, James A. Naddeo,  
Esquire, and sets forth the following:

1. Admitted.

2. A. Admitted in so far as said allegation states  
that Defendant is Angela G. Patterson, also known as Angela  
Patterson. It is denied, however, that Defendant Patterson's  
address is RR1 Box 451, Philipsburg, Pennsylvania 16866. To the  
contrary, Defendant Patterson's address is 163 Gardenia Lane,  
Philipsburg, Pennsylvania 16866.

B. Denied. After reasonable investigation Defendant  
is without knowledge or information sufficient to form a belief as  
to the truth of said averment.

3. Admitted in part and denied in part as follows:

A. Admitted.

B. Denied. On the contrary, it is alleged that Plaintiff was the owner of a 1983 Champion mobile home.

C. Admitted.

D. Admitted in so far as it alleges that Plaintiff was the owner of a checking account at Clearfield Bank & Trust. It is denied, however, that the account number was 12329347 in that after reasonable investigation Defendant is without knowledge or information sufficient to form a belief as to the truth of said averment.

E. Admitted in so far as it alleges that Plaintiff was the owner of a Prudential life insurance policy. It is denied, however, that the contract number was D88 066 924 in that after reasonable investigation Defendant is without knowledge or information sufficient to form a belief as to the truth of said averment.

4. It is denied that Plaintiff had a weakened intellect and that she was suffering from a variety of illnesses, injuries and infirmities. In further answer thereto, it is alleged that Plaintiff suffered no neurologic or cognitive impairments as a result of the fall that occurred on October 15, 1999. In final answer thereto, it is alleged that Plaintiff's only known illness was high blood pressure.



5. It is denied that Plaintiff and Defendant Patterson had a confidential relationship as that term is defined as a legal word of art. It is admitted, however, that Defendant Patterson did provide assistance to Plaintiff in the nature of transportation, grocery shopping, banking and regular visits to Plaintiff's home.

6. Admitted.

#### COUNT I

VIRGINIA Z. FETCHO, PLAINTIFF  
vs. ANGELA G. PATTERSON and  
ROBERT G. CALLAHAN and TRACI M. CALLAHAN

7. Denied as stated. On the contrary it is alleged that Plaintiff voluntarily executed the deed to Defendant Patterson after privately consulting with counsel of Plaintiff's choosing.

8. Admitted.

9. Admitted.

10. Answering Defendant cannot respond to Paragraph 10 in that said allegation alleges knowledge on the part of Defendants Callahan, which knowledge would be exclusive to Defendants Callahan.

11. States a conclusion to which no answer is required. To the extent that an answer may be required, it is denied that Defendant Patterson exercised any influence over Plaintiff who

consulted privately with an attorney of her own choosing prior to executing the deed to Defendant Patterson. In further answer thereto, it is denied that Plaintiff was weakened, dependent or confused by illness and injury at the time said deed was executed.

12. States a conclusion to which no answer is required. To the extent that an answer may be required, it is denied that Defendant Patterson improperly or fraudulently converted Plaintiff's realty and to the contrary it is alleged that Plaintiff conveyed her property to Defendant Patterson after privately consulting with counsel of Plaintiff's choosing.

13. No answer required by answering Defendant Patterson.

WHEREFORE, Defendant Patterson respectfully requests that Count I of Plaintiff's Complaint be dismissed.

**NEW MATTER**

1. Plaintiff's action is barred by the applicable Statute of Limitation.

2. Plaintiff's action is barred by the Doctrine of Laches.

3. Plaintiff's action is barred by the Doctrine of Waiver.

4. Plaintiff's action is barred by the Doctrine of Estoppel.

WHEREFORE, Defendant Patterson respectfully requests that Plaintiff's Complaint be dismissed.

COUNT II

VIRGINIA Z. FETCHO, PLAINTIFF  
vs. ANGELA G. PATTERSON, DEFENDANT

14. Denied. On the contrary it is alleged that Defendant Patterson never had access to Plaintiff's savings account number 40117. It is admitted, however, that Defendant Patterson did have access to Plaintiff's checking account for a brief period during 1999 and possibly during the early part of 2000.

15. Denied. On the contrary it is alleged that Plaintiff was at all times in reasonably good health and fully cognizant of her actions. It is further denied that Plaintiff was weakened, dependent or confused by illness and injury or that Defendant Patterson exercised any undue influence over the Plaintiff.

16. Denied in so far as it alleges that Defendant Patterson converted funds of the Plaintiff to her own use and to the contrary, it is alleged that any transfer of assets made by Plaintiff to Defendant was made voluntarily without any undue influence from Defendant Patterson and while Plaintiff was in exceptionally good health for her age. In further answer thereto, it is alleged that any transfer of assets was made

after Plaintiff consulted dependently with counsel of her choosing.

17. States a conclusion of law to which no answer is required. To the extent that an answer may be required, said allegation is denied.

18. States a conclusion of law to which no answer is required. To the extent that an answer may be required, said allegation is denied.

WHEREFORE, Defendant Patterson respectfully requests that Count II of Plaintiff's Complaint be dismissed.

**NEW MATTER**

1. Plaintiff's action is barred by the applicable Statute of Limitation.

2. Plaintiff's action is barred by the Doctrine of Laches.

3. Plaintiff's action is barred by the Doctrine of Waiver.

4. Plaintiff's action is barred by the Doctrine of Estoppel.

WHEREFORE, Defendant Patterson respectfully requests  
that Plaintiff's Complaint be dismissed.

Respectfully submitted,

A handwritten signature in cursive script, reading "James A. Naddeo". The signature is written in dark ink and is positioned above a horizontal line.

James A. Naddeo, Esquire  
Attorney for Angela Patterson

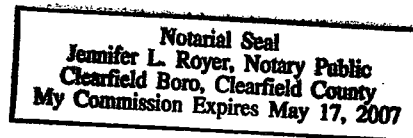
COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared ANGELA PATTERSON who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Answer are true and correct to the best of her knowledge, information and belief.

Angela Patterson  
Angela Patterson

SWORN and SUBSCRIBED before me this 14th day of April, 2004.

Jennifer L. Royer



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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,  
Defendants

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No. 04 - 404 - CD


CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and certified copy of Defendant Patterson's Answer to Complaint and New Matter filed in the above-captioned action was served on the following persons and in the following manner on the 15th day of April, 2004:

First-Class Mail, Postage Prepaid

David C. Mason, Esquire  
409 North Front Street  
P.O. Box 28  
Philipsburg, PA 16866

Robert G. & Traci M. Callahan  
181 Colorado Road  
Muson, PA 16860

  
James A. Naddeo, Esquire  
Attorney for Defendant,  
Angela Patterson

FILED  
2013/3/21/2014  
APR 15 2004  
Att'y Maddeo

William A. Straw  
Prothonotary, C. J. K. of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

VIRGINIA Z. FETCHO,  
Plaintiff

vs

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

: CIVIL DIVISION  
: EQUITY  
:

: No. 2004-404-CD  
:

: PRAECIPE FOR ENTRY OF APPEARANCE;  
: CERTIFICATE OF SERVICE  
:

: FILED ON BEHALF OF:  
: DEFENDANTS/ROBERT G. CALLAHAN AND  
: TRACI M. CALLAHAN  
:

: COUNSEL OF RECORD FOR THIS PARTY:  
: WINIFRED H. JONES-WENGER, ESQUIRE  
: ID #23751  
: 333 LAUREL STREET/P.O. BOX 469  
: PHILIPSBURG, PA 16866  
: (814) 342-4330  
:

: COUNSEL OF RECORD FOR PLAINTIFF:  
: DAVID C. MASON, ESQUIRE  
: ID #39180  
: 409 NORTH FRONT STREET/P.O. BOX 28  
: PHILIPSBURG, PA 16866  
: (814) 342-2240  
:

: COUNSEL OF RECORD FOR DEFENDANT  
: PATTERSON:  
: JAMES A. NADDEO, ESQUIRE  
: ID #06820  
: 211 ½ E. LOCUST STREET/P.O. BOX 552  
: CLEARFIELD, PA 16830  
: (814) 765-1601

**FILED**

**APR 20 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs

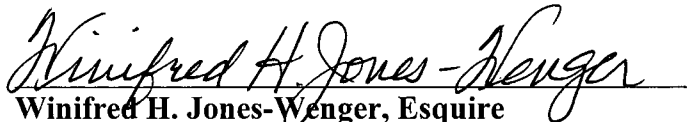
ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

No. 2004-404-CD

**PRAECIPE**

TO: WILLIAM A. SHAW, PROTHONOTARY

Please enter my appearance as attorney of record for the Defendants, Robert G. Callahan and Traci M. Callahan, in the above-captioned case.

  
Winifred H. Jones-Wenger, Esquire  
ID #23751  
333 Laurel Street  
P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330

Dated: April 20, 2004

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

VIRGINIA Z. FETCHO,  
Plaintiff


vs

No. 2004-404-CD

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

CERTIFICATE OF SERVICE

I, Winifred H. Jones-Wenger, the undersigned, certify that I did serve a copy of the Praecipe for Entry of Appearance, concerning the above-captioned case, on David C. Mason, Esquire, Attorney of Record for Plaintiff, at his place of business at 409 North Front Street, P.O. Box 28, Philipsburg, Pennsylvania 16866 and on James A. Naddeo, Esquire, Attorney of Record for Defendant Patterson, at his place of business at 211 ½ E. Locust Street, P.O. Box 552, Clearfield, Pennsylvania 16830 by depositing a copy for each with the U.S. Postal Service on April 20, 2004, for delivery by U.S. mail, first class, postage prepaid.

  
WINIFRED H. JONES-WENGER  
Attorney for Defendant Callahans

Dated: April 20, 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

VIRGINIA Z. FETCHO,  
Plaintiff

vs

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

: CIVIL DIVISION  
: EQUITY

:  
: No. 2004-404-CD  
:

: PRELIMINARY OBJECTIONS; CERTIFICATE  
: OF SERVICE  
:

: FILED ON BEHALF OF:  
: DEFENDANTS/ROBERT G. CALLAHAN AND  
: TRACI M. CALLAHAN  
:

: COUNSEL OF RECORD FOR THIS PARTY:  
: WINIFRED H. JONES-WENGER, ESQUIRE  
: ID #23751  
: 333 LAUREL STREET/P.O. BOX 469  
: PHILIPSBURG, PA 16866  
: (814) 342-4330  
:

: COUNSEL OF RECORD FOR PLAINTIFF:  
: DAVID C. MASON, ESQUIRE  
: ID #39180  
: 409 NORTH FRONT STREET/P.O. BOX 28  
: PHILIPSBURG, PA 16866  
: (814) 342-2240  
:

: COUNSEL OF RECORD FOR DEFENDANT  
: PATTERSON:  
: JAMES A. NADDEO, ESQUIRE  
: ID #06820  
: 211 ½ E. LOCUST STREET/P.O. BOX 552  
: CLEARFIELD, PA 16830  
: (814) 765-1601

**FILED**

**APR 20 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

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No. 2004-404-CD

**PRELIMINARY OBJECTIONS**

AND NOW COME the Defendants Robert G. Callahan and Traci M. Callahan, (hereafter  
“Defendant Callahans”) by their attorney Winifred H. Jones-Wenger, Esquire, who sets forth the  
following Preliminary Objections to Plaintiff’s Complaint.

**Insufficient Specificity**  
**(Pa. R.C.P. 1028(a)(3))**

1. Plaintiff has filed an action in equity in which she alleges that the Defendant  
Callahans acquired from Defendant Patterson title to real property that Plaintiff had previously  
owned.

2. Plaintiff has alleged in her Complaint, and in Paragraph 13 in particular, that  
Defendant Callahans “participated in this improper, illegal and fraudulent conversion”.

3. From an overall reading of the Complaint, it is apparent that the gist of Plaintiff’s  
allegations against Defendant Callahans is that they committed or participated in some type of

fraudulent action, however the allegations are vague and it is impossible to discern the acts which Defendant Callahans are alleged to have done.

4. Plaintiff has failed to plead with any reasonable specificity the nature and basis of her claim against Defendant Callahans.

5. This failure prevents Defendant Callahans from understanding the basis of Plaintiff's Complaint as against them, prevents Defendant Callahans from meaningfully responding to such Complaint and prevents Defendant Callahans from defending themselves from Plaintiff's claims.

WHEREFORE Defendant Callahans object to the insufficient specificity in Plaintiff's Complaint pursuant to Pa. R.C.P. 1028(a)(3).

**Failure to Conform to Law**  
**(Pa.R.C.P. 1028(2))**

6. The averments of Paragraphs 1 through 5 of Defendant Callahans' Preliminary Objections are incorporated herein as though set forth at length.

7. Pa.R.C.P 1019(b) requires that "averments of fraud . . . shall be averred with particularity".

8. Plaintiff fails to set forth in her pleadings any specific facts to support the alleged fraud on the part of Defendant Callahans.

WHEREFORE Defendant Callahans object to the Complaint for failure to conform to law pursuant to Pa. R.C.P. 1028(2).

**Legal Insufficiency (Demurrer) I**  
**(Pa. R.C.P. 1028(a)(4))**

9. In her Complaint Plaintiff alleges the following averments against the Defendant Callahans:

a. In Paragraph 8 Plaintiff alleges that the real property that was transferred to Defendant Patterson by deed attached as Exhibit "B" (which is dated September 29, 1999, **recorded on October 6, 1999**) was conveyed by Defendant Patterson to Defendant Callahans **by deed dated April 23, 2003**.

b. That the consideration for the conveyance to Defendant Callahans was \$20,000. (Paragraph 9)

c. That the Defendant Callahans know or should have known that the premises were owned and occupied by Plaintiff. (Paragraph 10)

d. That the Defendant Callahans participated in a fraudulent conversion of the real estate by Defendant Patterson and paid Plaintiff no consideration for the real property. (Paragraph 13)

10. It is plain from the face of the Complaint and Exhibit "B" thereof, that as of the time the premises were conveyed to Defendant Callahans that Defendant Patterson was the owner thereof, as demonstrated by the deed (Exhibit "B") that had been recorded in the Office of Recording of Deeds in and for Clearfield County four (4) years previously.

11. It is plain from the face of the Complaint and Exhibit "B" thereof, that as of the time the premises were conveyed to Defendant Callahans that Plaintiff owned a life estate in the premises, which is stated in the deed, which would explain Plaintiff's continued occupancy thereof.

12 It is plain from the face of the Complaint and Exhibit "C" thereof, that as of the time the premises were conveyed to Defendant Callahans that Plaintiff continued to own and maintain a life estate in the premises, which is stated in such deed.

13 It is plain from the facts as stated, that Defendant Callahans purchased the property from Defendant Patterson and therefore owed no consideration to Plaintiff.

14. Plaintiff does not state a cause of action against Defendant Callahans.

WHEREFORE Defendant Callahans object (demur) to the legal insufficiency of Plaintiff's Complaint.

**Legal Insufficiency (Demurrer) II**  
**(Pa. R.C.P. 1028(a)(4)**

15. Plaintiff in her Complaint alleges that Defendant Callahans participated in a "fraudulent conversion" of the real estate.

16 Fraudulent conversion<sup>1</sup> is the withholding of the property of another with the intent to defraud, to deprive the other of its use and benefit or to convert the same to defendant's own use as against the owner.

17. Defendant Callahans acquired the real property from Defendant Patterson, not from Plaintiff.

18. At the time Defendant Callahans acquired the real property Plaintiff had not been the owner of the same for a period of approximately 4 years.

19. Plaintiff does not allege any facts or plead the elements of fraudulent conversion with respect to the Defendant Callahans.

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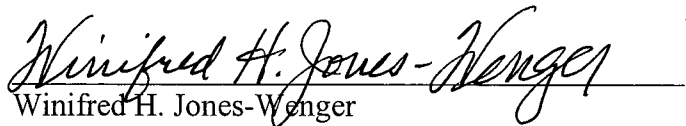
<sup>1</sup> It is almost impossible to find a definition for "fraudulent conversion" in the civil sense in any case in the last 100 years. The term is almost exclusively used in a criminal context.



20. Plaintiff does not state a cause of action against Defendant Callahans for fraudulent conversion.

WHEREFORE Defendant Callahans object (demur) to the legal insufficiency of Plaintiff's Complaint.

Respectfully submitted,



Winifred H. Jones-Wenger  
Counsel for Defendant Callahans  
333 Laurel Street (P.O. Box 469)  
Philipsburg, PA 16866  
(814) 342-4330  
PA ID No. 23751

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

VIRGINIA Z. FETCHO,  
Plaintiff

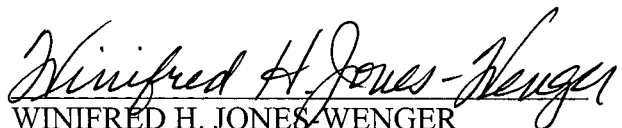
vs

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

No. 2004-404-CD

**CERTIFICATE OF SERVICE**

I, Winifred H. Jones-Wenger, the undersigned, certify that I did serve a copy of the Preliminary Objections, concerning the above-captioned case, on David C. Mason, Esquire, Attorney of Record for Plaintiff, at his place of business at 409 North Front Street, P.O. Box 28, Philipsburg, Pennsylvania 16866 and on James A. Naddeo, Esquire, Attorney of Record for Defendant Patterson, at his place of business at 211 ½ E. Locust Street, P.O. Box 552, Clearfield, Pennsylvania 16830 by depositing a copy for each with the U.S. Postal Service on April 20, 2004, for delivery by U.S. mail, first class, postage prepaid.

  
WINIFRED H. JONES-WENGER  
Attorney for Defendant Callahans

Dated: April 20, 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

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\* No. 04-404-CD

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\* TYPE OF CASE: Civil Action

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\* TYPE OF PLEADING: Plaintiff's Reply  
to Defendant Patterson's New Matter

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\* FILED ON BEHALF OF:  
Plaintiff

\*

\*

\* COUNSEL OF RECORD FOR THIS  
PARTY:

\*

COUNSEL OF RECORD FOR  
DEFENDANTS: Robert G. Callahan  
and Traci M. Callahan, his wife,  
Winifred H. Jones-Wenger, Esquire  
333 Laurel Street, P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330  
ID No. 23751

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\* COUNSEL OF RECORD FOR DEFENDANT  
PATTERSON:

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David C. Mason, Esquire  
MASON LAW OFFICE  
ID No. 39180  
Attorney at Law  
P. O. Box 28  
Philipsburg, PA 16866  
(814) 342-2240

FILED

MAY 07 2004

William A. Shaw  
Prothonotary/Clerk of Courts

James A. Naddeo, Esquire  
ID No. 06820  
211 ½ E. Locust St. P.O. Box 552  
Clearfield, PA 16830  
(814) 765-1601

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.**

**CIVIL ACTION - LAW**

**VIRGINIA Z. FETCHO,**

Plaintiff

VS.

**ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,**

Defendants

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\* **No. 04-404-CD**

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**PLAINTIFF'S REPLY**

**TO DEFENDANT PATTERSON'S NEW MATTER**

AND NOW comes the Plaintiff, Virginia Z. Fetcho, by and through her attorney,  
David C. Mason, Esquire, and files this Reply to Defendant Patterson's New Matter.

**COUNT I**

Paragraphs 1 through 4 constitute conclusions of law not averments of fact.  
Accordingly, no response is necessary or required. To the extent a response is necessary,  
the averments contained in paragraphs 1 through 4 of Defendants' New Matter are denied  
and strict proof thereof, to the extent deemed relevant, is demanded at the time of trial.

**COUNT II**

Paragraphs 1 through 4 constitute conclusions of law not averments of fact. Accordingly, no response is necessary or required. To the extent a response is necessary, the averments contained in paragraphs 1 through 4 of Defendants' New Matter are denied and strict proof thereof, to the extent deemed relevant, is demanded at the time of trial.

**WHEREFORE,** Plaintiff prays your Honorable Court for the entry of an Order granting the relief requested in the prayer for relief contained in Plaintiff's Complaint.

Respectfully submitted,

  
\_\_\_\_\_  
David C. Mason  
Attorney for Plaintiff  
Supreme Court No. 39180

FILED  
2015 JUN 10

FILED

MAY 10 3 30 PM '04

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William A. Shaw

Prothonotary/Clerk of Courts

No cc

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.**

**CIVIL ACTION - LAW**

**VIRGINIA Z. FETCHO,**

Plaintiff

vs.

**ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,**

Defendants

\*

\* **No. 04-404-CD**

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\* **TYPE OF CASE: Civil Action**

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\* **TYPE OF PLEADING: Certificate of Service**

\*

\* **FILED ON BEHALF OF:**

\*

Plaintiff

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\*

\* **COUNSEL OF RECORD FOR THIS**

\*

**PARTY:**

\*

**COUNSEL OF RECORD FOR  
DEFENDANTS: Robert G. Callahan  
and Traci M. Callahan, his wife,  
Winifred H. Jones-Wenger, Esquire  
333 Laurel Street, P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330  
ID No. 23751**

\*

**David C. Mason, Esquire**

\*

**MASON LAW OFFICE**

\*

**ID No. 39180**

\*

**Attorney at Law**

\*

**P. O. Box 28**

\*

**Philipsburg, PA 16866**

\*

**(814) 342-2240**

\*

\* **COUNSEL OF RECORD FOR DEFENDANT**

\*

**PATTERSON:**

\*

**James A. Naddeo, Esquire**

\*

**ID No. 06820**

\*

**211 ½ E. Locust St. P.O. Box 552**

\*

**Clearfield, PA 16830**

\*

**(814) 765-1601**

**FILED**

**MAY 07 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

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\* No. 04-404-CD

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CERTIFICATE OF SERVICE

I, DAVID C. MASON, do hereby certify that I served a true and correct copy of  
Plaintiff's Reply to Defendant Patterson's New Matter filed to the above captioned action  
by placing a copy of the same in the United States mail, addressed as follows:

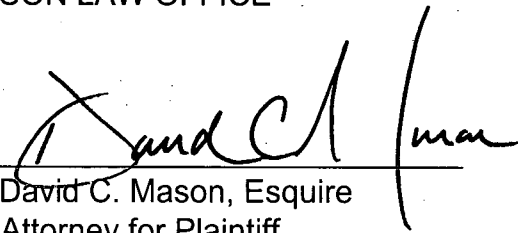
JAMES A. NADDEO, Esquire  
211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

WINIFRED H. JONES-WENGER, Esquire  
333 Laurel Street  
P.O. Box 469  
Philipsburg, PA 16866

MASON LAW OFFICE

DATED: 5-5-04

By:

  
David C. Mason, Esquire  
Attorney for Plaintiff



FILED Ncc

MAY 10 3 30 PM '04

MAY 07 2004

William A. Shaw

Prothonotary/Clerk of Courts

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

FETCHO, VIRGINIA Z.

VS.

PATTERSON, ANGELA G.

COMPLAINT IN EQUITY

Sheriff Docket #

15356

04-404-CD

**SHERIFF RETURNS**

NOW MARCH 31, 2004 AT 10:23 AM SERVED THE WITHIN COMPLAINT IN EQUITY ON TRACI M. CALLAHAN, DEFENDANT AT RESIDENCE, 181 COLORADO ROAD, MUNSON, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TRACI M. CALLAHAN A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EQUITY AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: DAVIS

NOW MARCH 31, 2004 AT 10:23 AM SERVED THE WITHIN COMPLAINT IN EQUITY ON ROBERT G. CALLAHAN, DEFENDANT AT RESIDENCE, 181 COLORADO ROAD, MUNSON, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TRACI CALLAHAN, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EQUITY AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: DAVIS

NOW APRIL 1, 2004 AT 10:10 AM SERVED THE WITHIN COMPLAINT IN EQUITY ON ANGELA G. PATTERSON a/k/a ANGELA PATTERSON, DEFENDANT AT EMPLOYMENT, CEN CLEAR CHILD SERVICE, INC., RR#3 BOX 106, PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ANGELA G. PATTERSON (GREEN) A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN EQUITY AND MADE KNOWN TO HER THE CONTENTS THEREOF.

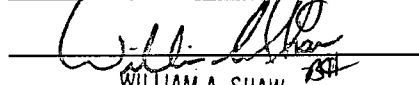
SERVED BY: DAVIS

**Return Costs**

Cost	Description
75.00	SHERIFF HAWKINS PAID BY: ATTY CK# 8909
30.00	SURCHARGE PAID BY: ATTY CK# 8910

Sworn to Before Me This

10<sup>th</sup> Day Of May 2004

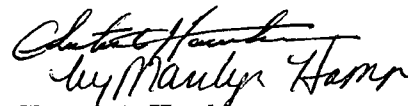


WILLIAM A. SHAW

Prothonotary

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

So Answers,



Chester A. Hawkins

Sheriff

**FILED**

9/14/04  
MAY 10 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO

vs.

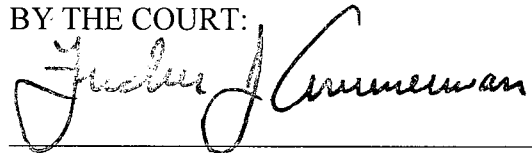
No. 04-404-CD

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife

**ORDER**

AND NOW, this 12<sup>th</sup> day of May, 2004, upon consideration of  
Attorney Jones-Wenger's Preliminary Objections, it is the ORDER of the Court  
that argument on said Preliminary Objections has been scheduled for the 10  
day of June, 2004, at 10:30 A.M. in Courtroom No.  
1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:



FREDRIC J. AMMERMAN  
President Judge

**FILED**

**MAY 12 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

FILED

3

01/31/04

MAY 12 2004

William A. Shaw

Prothonotary/Clerk of Courts

Att'y Wengert w/ service mem

FILED

MAY 12 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

VIRGINIA Z. FETCHO,  
Plaintiff

vs

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

: CIVIL DIVISION  
: EQUITY

:  
: No. 2004-404-CD

:  
: CERTIFICATE OF SERVICE-05/12/04 ORDER  
: OF COURT-ARGUMENT ON PRELIMINARY  
: OBJECTIONS

:  
: FILED ON BEHALF OF:  
: DEFENDANTS-ROBERT G. CALLAHAN  
: TRACI M. CALLAHAN

:  
: COUNSEL OF RECORD FOR THIS PARTY:  
: WINIFRED H. JONES-WENGER, ESQUIRE  
: ID #23751  
: 333 LAUREL STREET/P.O. BOX 469  
: PHILIPSBURG, PA 16866  
: (814) 342-4330

:  
: COUNSEL OF RECORD FOR PLAINTIFF:  
: DAVID C. MASON, ESQUIRE  
: ID #39180  
: 409 NORTH FRONT STREET/P.O. BOX 28  
: PHILIPSBURG, PA 16866  
: (814) 342-2240

:  
: COUNSEL OF RECORD FOR DEFENDANT  
: PATTERSON:  
: JAMES A. NADDEO, ESQUIRE  
: ID #06820  
: 211 1/2 E. LOCUST STREET/P.O. BOX 552  
: CLEARFIELD, PA 16830  
: (814) 765-1601

FILED

MAY 24 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO,  
Plaintiff

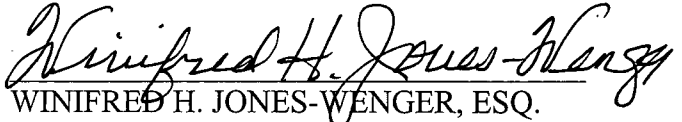
vs

No. 2004-404-CD

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

**CERTIFICATE OF SERVICE**

I, Winifred H. Jones-Wenger, the undersigned, certify that I did serve a copy of the May 12, 2004 Order of Court scheduling Argument on Preliminary Objections, concerning the above-captioned case, on David C. Mason, Esquire, Attorney of Record for Plaintiff, at his place of business at 409 North Front Street, P.O. Box 28, Philipsburg, Pennsylvania 16866 and on James A. Naddeo, Esquire, Attorney of Record for Defendant Patterson, at his place of business at 211 ½ E. Locust Street, P.O. Box 552, Clearfield, Pennsylvania 16830 by depositing a copy for each with the U.S. Postal Service on May 21, 2004, for delivery by U.S. mail, first class, postage prepaid.

  
WINIFRED H. JONES-WENGER, ESQ.  
Attorney for Defendant Callahans

Dated: May 21, 2004

68

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

VIRGINIA Z. FETCHO

vs.


:  
:  
: No. 04-404-CD  
:  
:

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife

**ORDER**

AND NOW, this 1<sup>st</sup> day of June, 2004, it is the ORDER of the  
Court that argument on Attorney Jones-Wenger's Preliminary Objections has been  
rescheduled from June 10, 2004 to **Wednesday, June 16, 2004 at 10:00 A.M.** in  
Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge

**FILED**

**JUN 01 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

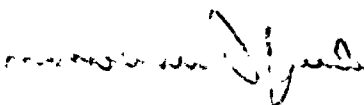
FILED

3cc-9

010:50/87  
JUN 01 2004

service memo  
to Attys Wengert

William A. Shaw,  
Prothonotary/Clerk of Courts





IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

VIRGINIA Z. FETCHO,  
Plaintiff

vs

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

: CIVIL DIVISION  
: EQUITY

:  
: No. 2004-404-CD

:  
: CERTIFICATE OF SERVICE-06/01/04 ORDER  
: OF COURT-ARGUMENT ON PRELIMINARY  
: OBJECTIONS

:  
: FILED ON BEHALF OF:  
: DEFENDANTS-ROBERT G. CALLAHAN  
: TRACI M. CALLAHAN

:  
: COUNSEL OF RECORD FOR THIS PARTY:  
: WINIFRED H. JONES-WENGER, ESQUIRE  
: ID #23751  
: 333 LAUREL STREET/P.O. BOX 469  
: PHILIPSBURG, PA 16866  
: (814) 342-4330

:  
: COUNSEL OF RECORD FOR PLAINTIFF:  
: DAVID C. MASON, ESQUIRE  
: ID #39180  
: 409 NORTH FRONT STREET/P.O. BOX 28  
: PHILIPSBURG, PA 16866  
: (814) 342-2240

:  
: COUNSEL OF RECORD FOR DEFENDANT  
: PATTERSON:  
: JAMES A. NADDEO, ESQUIRE  
: ID #06820  
: 207 E. MARKET STREET/P.O. BOX 552  
: CLEARFIELD, PA 16830  
: (814) 765-1601

**FILED**

**JUN 04 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO,  
Plaintiff

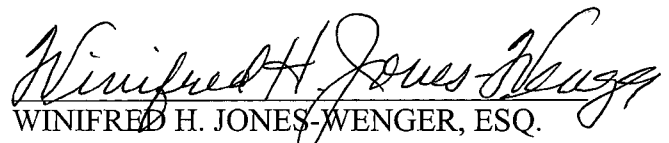
vs

No. 2004-404-CD

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

CERTIFICATE OF SERVICE

I, Winifred H. Jones-Wenger, the undersigned, certify that I did serve a certified copy of the June 1, 2004 Order of Court rescheduling Argument on Preliminary Objections, concerning the above-captioned case, on David C. Mason, Esquire, Attorney of Record for Plaintiff, at his place of business at 409 North Front Street, P.O. Box 28, Philipsburg, Pennsylvania 16866 and on James A. Naddeo, Esquire, Attorney of Record for Defendant Patterson, at his place of business at 207 E. Market Street, P.O. Box 552, Clearfield, Pennsylvania 16830 by depositing a copy for each with the U.S. Postal Service on June 3, 2004, for delivery by U.S. mail, first class, postage prepaid.

  
WINIFRED H. JONES-WENGER, ESQ.  
Attorney for Defendant Callahans

Dated: June 3, 2004

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

\*

\* No. 04-404-CD

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\* TYPE OF CASE: Civil Action

\*

\*

\* TYPE OF PLEADING: Certificate of Service

\*

\* FILED ON BEHALF OF:

\*

Plaintiff

\*

\*

\* COUNSEL OF RECORD FOR THIS

\*

PARTY:

\*

COUNSEL OF RECORD FOR  
DEFENDANTS: Robert G. Callahan  
and Traci M. Callahan, his wife,  
Winifred H. Jones-Wenger, Esquire  
333 Laurel Street, P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330  
ID No. 23751

\*

David C. Mason, Esquire

\*

MASON LAW OFFICE

\*

ID No. 39180

\*

Attorney at Law

\*

P. O. Box 28

\*

Philipsburg, PA 16866

\*

(814) 342-2240

\*

\* COUNSEL OF RECORD FOR DEFENDANT

\*

PATTERSON:

\*

James A. Naddeo, Esquire

\*

ID No. 06820

\*

211 ½ E. Locust St. P.O. Box 552

\*

Clearfield, PA 16830

\*

(814) 765-1601

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

\*  
\* No. 04-404-CD  
\*  
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\*  
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\*  
\*  
\*

FILED

JUN 09 2004

William A. Shaw  
Prothonotary

CERTIFICATE OF SERVICE

I, DAVID C. MASON, do hereby certify that I served a true and correct copy of Plaintiff's Request for Production of Documents First Set filed to the above captioned action by placing a copy of the same in the United States mail, addressed as follows:

JAMES A. NADDEO, Esquire  
211 1/2 E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

WINIFRED H. JONES-WENGER, Esquire  
333 Laurel Street  
P.O. Box 469  
Philipsburg, PA 16866

MASON LAW OFFICE

DATED: 6-7-04

By:

  
David C. Mason, Esquire  
Attorney for Plaintiff

FILED

@ 11:20 AM

WOC

JUN 09 2004

*[Signature]*

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

**FILED**

JUN 09 2004

William A. Shaw  
Prothonotary

COUNSEL OF RECORD FOR  
DEFENDANTS: Robert G. Callahan  
and Traci M. Callahan, his wife,  
Winifred H. Jones-Wenger, Esquire  
333 Laurel Street, P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330  
ID No. 23751

\*  
\* No. 04-404-CD  
\*

\*  
\* TYPE OF CASE: Civil Action  
\*

\*  
\* TYPE OF PLEADING: Plaintiff's Reply  
\* to Defendant Patterson's New Matter  
\*

\*  
\* FILED ON BEHALF OF:  
\* Plaintiff  
\*

\*  
\* COUNSEL OF RECORD FOR THIS  
\* PARTY:  
\*

\* David C. Mason, Esquire  
\* MASON LAW OFFICE  
\* ID No. 39180  
\* Attorney at Law  
\* P. O. Box 28  
\* Philipsburg, PA 16866  
\* (814) 342-2240  
\*

\* COUNSEL OF RECORD FOR DEFENDANT  
\* PATTERSON:  
\* James A. Naddeo, Esquire  
\* ID No. 06820  
\* 211 ½ E. Locust St. P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.**

**CIVIL ACTION - LAW**

**VIRGINIA Z. FETCHO,**

Plaintiff

vs.

**ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,**

Defendants

\*  
\* **No. 04-404-CD**  
\*  
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**PLAINTIFF'S REPLY**

**TO DEFENDANT PATTERSON'S NEW MATTER**

AND NOW comes the Plaintiff, Virginia Z. Fetcho, by and through her attorney,  
David C. Mason, Esquire, and files this Reply to Defendant Patterson's New Matter.

**COUNT I**

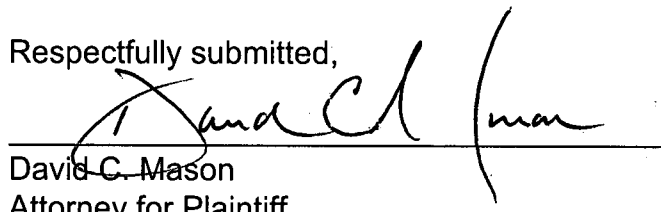
Paragraphs 1 through 4 constitute conclusions of law not averments of fact.  
Accordingly, no response is necessary or required. To the extent a response is necessary,  
the averments contained in paragraphs 1 through 4 of Defendants' New Matter are denied  
and strict proof thereof, to the extent deemed relevant, is demanded at the time of trial.

**COUNT II**

Paragraphs 1 through 4 constitute conclusions of law not averments of fact. Accordingly, no response is necessary or required. To the extent a response is necessary, the averments contained in paragraphs 1 through 4 of Defendants' New Matter are denied and strict proof thereof, to the extent deemed relevant, is demanded at the time of trial.

**WHEREFORE**, Plaintiff prays your Honorable Court for the entry of an Order granting the relief requested in the prayer for relief contained in Plaintiff's Complaint.

Respectfully submitted,

  
\_\_\_\_\_  
David C. Mason  
Attorney for Plaintiff  
Supreme Court No. 39180



FILED

O 11:25 AM JCL

JUN 09 2004

*[Handwritten signature]*

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

\*  
\* No. 04-404-CD  
\*

FILED

JUN 09 2004

William A. Shaw  
Prothonotary

\* TYPE OF CASE: Civil Action  
\*

\* TYPE OF PLEADING: Certificate of Service  
\*

\* FILED ON BEHALF OF:  
\* Plaintiff  
\*

\* COUNSEL OF RECORD FOR THIS  
\* PARTY:  
\*

COUNSEL OF RECORD FOR  
DEFENDANTS: Robert G. Callahan  
and Traci M. Callahan, his wife,  
Winifred H. Jones-Wenger, Esquire  
333 Laurel Street, P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330  
ID No. 23751

\* David C. Mason, Esquire  
\* MASON LAW OFFICE  
\* ID No. 39180  
\* Attorney at Law  
\* P. O. Box 28  
\* Philipsburg, PA 16866  
\* (814) 342-2240  
\*

\* COUNSEL OF RECORD FOR DEFENDANT  
\* PATTERSON:  
\*

\* James A. Naddeo, Esquire  
\* ID No. 06820  
\* 211 1/2 E. Locust St. P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601  
\*

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

JUN 09 2004

Attest.

*William A. Shaw*  
Prothonotary/  
Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.**

**CIVIL ACTION - LAW**

**VIRGINIA Z. FETCHO,**

Plaintiff

vs.

**ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,**

Defendants

\*  
\* **No. 04-404-CD**  
\*  
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\*

**CERTIFICATE OF SERVICE**

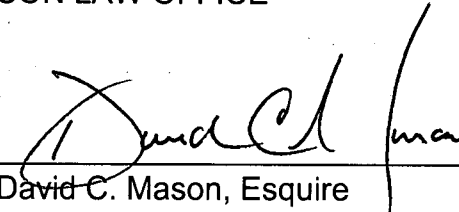
I, DAVID C. MASON, do hereby certify that I served a true and correct copy of Plaintiff's Reply to Defendant Patterson's New Matter filed to the above captioned action by placing a copy of the same in the United States mail, addressed as follows:

JAMES A. NADDEO, Esquire  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

WINIFRED H. JONES-WENGER, Esquire  
333 Laurel Street  
P.O. Box 469  
Philipsburg, PA 16866

MASON LAW OFFICE

DATED: **6-7-04**

By:   
David C. Mason, Esquire  
Attorney for Plaintiff

FILED

0 11.20 04 No CC

JUN 09 2004

21

William A. Shaw  
Prothonotary

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

FILED

JUN 18 2004

William A. Shaw  
Prothonotary/Clerk of Courts

VIRGINIA Z. FETCHO

-VS-

No. 04-404-CD

ANGELA G. PATTERSON, a/k/a :  
ANGELA PATTERSON, and :  
ROBERT G. CALLAHAN and :  
TRACI M. CALLAHAN, his wife:

O R D E R

NOW, this 16th day of June, 2004, following argument on the Preliminary Objections filed on behalf of Defendants Robert and Traci Callahan, it is the ORDER of this Court as follows:

1. Defendants Callahan shall have no more than five (5) days from this date in which to supply counsel for the Plaintiff with full and complete answers to the request for production of documents previously served;

2. In no more than twenty-five (25) days from this date, Plaintiff shall file an amended complaint setting forth more specific circumstances as to the allegations of inappropriate, illegal and/or fraudulent conduct on behalf of Defendants Callahan;

3. The remaining Preliminary Objections are

hereby dismissed, without prejudice.

BY THE COURT,

A handwritten signature in cursive script, appearing to read "Frederick J. Cummings", is written over a horizontal line. The signature is written in dark ink and is somewhat stylized.

President Judge

FILED

JUN 18 2004

William A. Shaw  
Prothonotary/Clerk of Courts

2cc Atty's  
Mason  
Naddeo  
Jones-Wenger

100  
100

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

VIRGINIA Z. FETCHO,  
Plaintiff

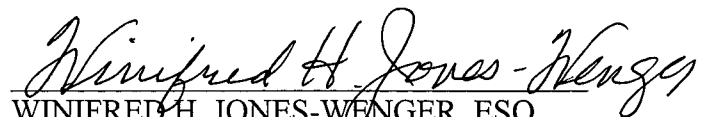
vs

No. 2004-404-CD

ANGELA G. PATTERSON, also known  
as ANGELA PATTERSON, and  
ROBERT G. CALLAHAN and TRACI  
M. CALLAHAN, his wife,  
Defendants

**CERTIFICATE OF SERVICE**

I, Winifred H. Jones-Wenger, the undersigned, certify that I did serve a copy of the Response by Defendants Callahan to Request for Production of Documents, concerning the above-captioned case, on David C. Mason, Esquire, Attorney of Record for Plaintiff, by personal service on June 21, 2004 at his place of business at 409 North Front Street, P.O. Box 28, Philipsburg, Pennsylvania 16866 and on James A. Naddeo, Esquire, Attorney of Record for Defendant Patterson, at his place of business at 207 E. Market Street, P.O. Box 552, Clearfield, Pennsylvania 16830 by depositing a copy for with the U.S. Postal Service on June 21, 2004, for delivery by U.S. mail, first class, postage prepaid.

  
WINIFRED H. JONES-WENGER, ESQ.  
Attorney for Defendant Callahans

Dated: June 21, 2004

**FILED**

**JUN 22 2004**

William A. Shaw  
Prothonotary/Clerk of Courts



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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERG G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,  
Defendants

No. 04 - 404 - CD

Type of Pleading:

**CERTIFICATE OF SERVICE**

Filed on behalf of:  
Defendant Patterson

Counsel of Record for  
this party:

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

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

**FILED**

**JUN 28 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

No. 04 - 404 - CD

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,  
Defendants

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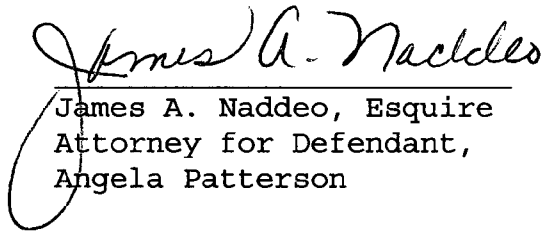
CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Defendant Patterson's Response to Request for Production of Documents in the above-captioned action was served on the following persons and in the following manner on the 28th day of June, 2004:

First-Class Mail, Postage Prepaid

David C. Mason, Esquire  
409 North Front Street  
P.O. Box 28  
Philipsburg, PA 16866

Winifred H. Jones-Wenger, Esquire  
333 Laurel Street  
P.O. Box 469  
Philipsburg, PA 16866

  
James A. Naddeo, Esquire  
Attorney for Defendant,  
Angela Patterson

FILED No cc  
9/3/58  
JUN 28 2004  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

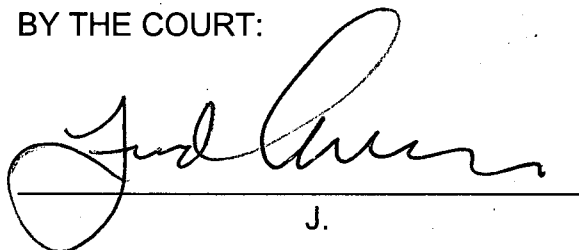
Defendants

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\* No. 04-404-CD  
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ORDER

It is now ORDERED and DECREED this 29 day of July, 2004, that Defendants Robert G. Callahan and Traci M. Callahan, his wife, are hereby dismissed as Defendants to the within captioned action and it is further ORDERED that the caption may be amended to remove Defendants Robert G. Callahan and Traci M. Callahan, his wife, from the caption.

BY THE COURT:

  
J.

FILED

JUL 30 2004

William A. Shaw  
Prothonotary/Clerk of Courts

Prothonotary/Clerk of Courts

William A. Shaw

JUL 30 2004

FILED

*WMS*

*1cc  
Amy Mason*

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

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\* No. 04-404-CD

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\* TYPE OF CASE: Civil Action

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\* TYPE OF PLEADING: Stipulation

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\* FILED ON BEHALF OF:

\*

Plaintiff

\*

\*

\* COUNSEL OF RECORD FOR THIS  
PARTY:

\*

\*

David C. Mason, Esquire

\*

MASON LAW OFFICE

\*

ID No. 39180

\*

Attorney at Law

\*

P. O. Box 28

\*

Philipsburg, PA 16866

\*

(814) 342-2240

\*

\* COUNSEL OF RECORD FOR DEFENDANT  
PATTERSON:

\*

James A. Naddeo, Esquire

\*

ID No. 06820

\*

211 ½ E. Locust St. P.O. Box 552

\*

Clearfield, PA 16830

\*

(814) 765-1601

COUNSEL OF RECORD FOR  
DEFENDANTS: Robert G. Callahan  
and Traci M. Callahan, his wife,  
Winifred H. Jones-Wenger, Esquire  
333 Laurel Street, P.O. Box 469  
Philipsburg, PA 16866  
(814) 342-4330  
ID No. 23751

FILED

JUL 30 2004

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,  
and ROBERT G. CALLAHAN and  
TRACI M. CALLAHAN, his wife,

Defendants

\*  
\* No. 04-404-CD  
\*

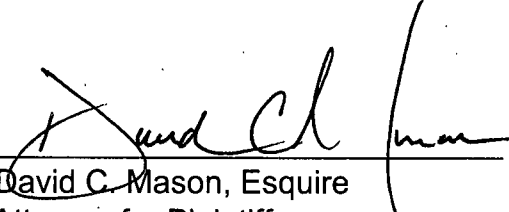
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STIPULATION

The undersigned, being counsel of record for all of the parties herein stipulate and agree to the withdrawal of Plaintiff's Complaint against Robert G. Callahan and Traci M. Callahan, his wife, as set forth in Count I of Plaintiff's Complaint. The parties further agree to the amendment of the caption by praecipe to remove the names of the Callahan defendants.

7-15-04

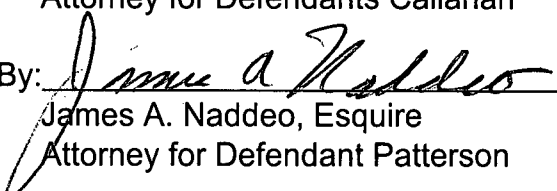
By:

  
David C. Mason, Esquire  
Attorney for Plaintiff

By:

  
Winifred Jones-Wenger, Esquire  
Attorney for Defendants Callahan

By:

  
James A. Naddeo, Esquire  
Attorney for Defendant Patterson

FILED  
9/3/04  
JUL 30 2004

William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

\*

\* No. 04-404-CD

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\* TYPE OF CASE: Civil Action

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\* TYPE OF PLEADING: Praecipe to Amend  
Caption

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\* FILED ON BEHALF OF:  
Plaintiff

\*

\*

\* COUNSEL OF RECORD FOR THIS  
PARTY:

\*

\* David C. Mason, Esquire  
\* MASON LAW OFFICE  
\* ID No. 39180  
\* Attorney at Law  
\* P. O. Box 28  
\* Philipsburg, PA 16866  
\* (814) 342-2240  
\*

\* COUNSEL OF RECORD FOR DEFENDANT  
PATTERSON:

\*

\* James A. Naddeo, Esquire  
\* ID No. 06820  
\* 211 ½ E. Locust St. P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

FILED No cc  
m/10:54  
AUG 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.**

**CIVIL ACTION - LAW**

**VIRGINIA Z. FETCHO,**

Plaintiff

vs.

**ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,**

Defendant

\*  
\* **No. 04-404-CD**  
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**PRAECIPE TO  
AMEND CAPTION**

TO: PROTHONOTARY OF SAID COURT:

Kindly amend the caption in the above captioned matter as indicated on this Praecipe. A Stipulation and Consent to amend said caption has been signed by all counsel of record as will more fully appear on the record.

MASON LAW OFFICE

By:

  
David C. Mason, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendants

\*

\* No. 04-404-CD

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\* TYPE OF CASE: Civil Action

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\* TYPE OF PLEADING: Certificate of Service

\*

\* FILED ON BEHALF OF:

\*

Plaintiff

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\* COUNSEL OF RECORD FOR THIS

\*

PARTY:

\*

\*

David C. Mason, Esquire

\*

MASON LAW OFFICE

\*

ID No. 39180

\*

Attorney at Law

\*

P. O. Box 28

\*

Philipsburg, PA 16866

\*

(814) 342-2240

\*

\* COUNSEL OF RECORD FOR DEFENDANT

\*

PATTERSON:

\*

James A. Naddeo, Esquire

\*

ID No. 06820

\*

211 ½ E. Locust St. P.O. Box 552

\*

Clearfield, PA 16830

\*

(814) 765-1601

FILED

mlh:5401  
AUG 13 2004

William A. Shaw  
Prothonotary/Clerk of Courts

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.**

**CIVIL ACTION - LAW**

**VIRGINIA Z. FETCHO,**

Plaintiff

vs.

**ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,**

Defendants

\*  
\* No. 04-404-CD  
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**CERTIFICATE OF SERVICE**

I, DAVID C. MASON, do hereby certify that I served a true and correct copy of Plaintiff's Praecipe to Amend Caption filed to the above captioned action by placing a copy of the same in the United States mail, addressed as follows:

JAMES A. NADDEO, Esquire  
211 ½ E. Locust Street  
P.O. Box 552  
Clearfield, PA 16830

MASON LAW OFFICE

DATED: 8/12/04

By: \_\_\_\_\_

David C. Mason, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

v.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

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\* No. 04-404-CD

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\* TYPE OF PLEADING: Praecept for Trial List

\*

\* FILED ON BEHALF OF: Plaintiff

\*

\* COUNSEL OF RECORD FOR THIS

\* PARTY:

\*

David C. Mason, Esquire

\*

I.D. No. 39180

\*

Mason Law Office

\*

P.O. Box 28

\*

409 N. Front Street

\*

Philipsburg, PA 16866

\*

(814) 342-2240

\*

\* COUNSEL OF RECORD FOR DEFENDANT:

\*

James A. Naddeo, Esquire

\*

I.D. No. 06820

\*

P.O. Box 552

\*

211 ½ E. Locust Street

\*

Clearfield, PA 16830

\*

(814) 765-1601

\*

*EBK*  
**FILED** *ice*

*01/10/09*

**DEC 10 2004**

*copy to CIA*  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

v.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

\*  
\* No. 04-404-CD  
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**PRAECIPE FOR TRIAL LIST**

TO THE PROTHONOTARY OF SAID COURT:

Kindly list the above captioned matter on the Trial List. I certify that the pleadings are closed and there are no outstanding Discovery Motions and that all Discovery has been completed.

A copy of this Notice is, on this date, being served upon the attorney for the Defendant, James A. Naddeo, Esquire.

DATED:

*Dec 3, 2004*

MASON LAW OFFICE

  
\_\_\_\_\_  
David C. Mason, Esquire  
Attorney for Plaintiff  
Supreme Court No. 39180

CA

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

VIRGINIA Z. FETCHO,  
Plaintiff

vs.

NO. 04-404-CD

ANGELA P. PATTERSON, also known as  
ANGELA PATTERSON,  
Defendant

ORDER

NOW, this 21<sup>st</sup> day of January, 2005, following Pre-Trial Conference among the Court and counsel it is the ORDER of this Court as follows:

1. The parties have agreed to proceed with Non-Jury Trial. Non-Jury Trial is hereby scheduled to commence at 9:00 a.m. on April 13, 2005 in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania;
2. Counsel for the Plaintiff shall provide to counsel for the Defendant by no later than February 28, 2005 copies of any cancelled checks from the Plaintiff that are in dispute and a detailed statement of the Plaintiff's damages claim.

FILED  
01/23/05  
JAN 25 2005

William A. Shaw  
Prothonotary/Clerk of Courts

BY THE COURT,

*Fredric J. Ammerman*  
FREDRIC J. AMMERMAN  
President Judge

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

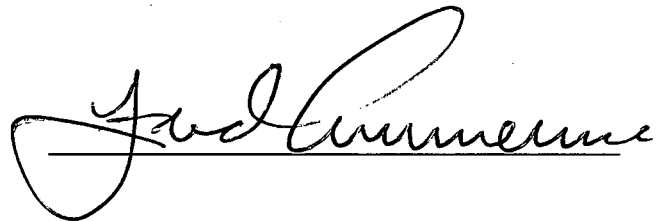
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No. 04-404-CD

ORDER OF COURT

AND NOW, this 10<sup>th</sup> day of May, 2005, following Trial in the  
above captioned matter, a verdict is entered in favor of Plaintiff, Virginia Z. Fetcho and  
against the Defendant, Angela G. Patterson, also known as Angela Patterson in the  
amount of \$26,606.00.

BY THE COURT:



FILED <sup>62</sup>icc Atty's.  
013:21/11 Mason  
MAY 10 2005 Naddo

William A. Shaw  
Prothonotary/Clerk of Courts



FILED

MAY 10 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

No. 04-404-CD

TYPE OF PLEADING:

Praecipe for Entry of Judgment

FILED ON BEHALF OF:

Virginia Z. Fetcho, Plaintiff

ATTORNEY FOR PLAINTIFF:

David C. Mason, Esquire  
Supreme Court ID #39180  
P.O. Box 28  
Philipsburg, PA 16866  
(814) 342-2240

ATTORNEY FOR DEFENDANT:

FILED

JUN 20 2005

m/103016

William A. Shaw  
Prothonotary

STATEMENT & ATT  
NOTICE OF JUDGMENT TO  
ATTY NADDO & DCA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

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No. 04-404-CD

**PRAECIPE FOR ENTRY OF JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff, Virginia Z. Fetcho, and against the Defendant, Angela G. Patterson a/k/a Angela Patterson, above named, pursuant to an Order of Court dated May 10, 2005. A copy of said Order is attached hereto.

MASON LAW OFFICE

DATED:

*Jun 15, 2005*

By:

*David C. Mason*  
David C. Mason, Attorney for  
Plaintiff

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

## CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

VS.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

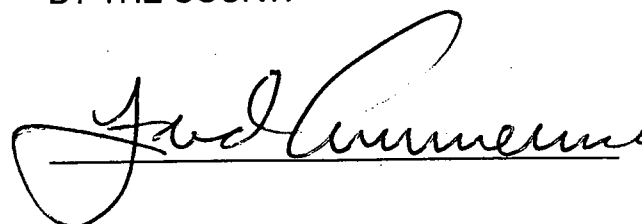
Defendant

No. 04-404-CD

ORDER OF COURT

AND NOW, this 10<sup>th</sup> day of May, 2005, following Trial in the above captioned matter, a verdict is entered in favor of Plaintiff, Virginia Z. Fetcho and against the Defendant, Angela G. Patterson, also known as Angela Patterson in the amount of \$26,606.00.


BY THE COURT:



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

MAY 10 2005

Attest.

  
Prothonotary/  
Clerk of Courts

**FILED**

JUN 20 2005

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

Virginia Z. Fetcho  
Plaintiff(s)

No.: 2004-00404-CD

Real Debt: \$26,606.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Angela G. Patterson  
Defendant(s)

Entry: \$20.00

Instrument: Court Ordered

Date of Entry: June 20, 2005

Expires: June 20, 2010

Certified from the record this June 20, 2005

\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

No. 04-404-CD

TYPE OF PLEADING:

Notice of Entry of Judgment

FILED ON BEHALF OF:

Virginia Z. Fetcho, Plaintiff

ATTORNEY FOR PLAINTIFF:

David C. Mason, Esquire

Supreme Court ID #39180

P.O. Box 28

Philipsburg, PA 16866

(814) 342-2240

ATTORNEY FOR DEFENDANT:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

VIRGINIA Z. FETCHO,

Plaintiff

vs.

ANGELA G. PATTERSON also  
known as ANGELA PATTERSON,

Defendant

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No. 04-404-CD

**NOTICE OF ENTRY OF JUDGMENT**

TO: James A. Naddeo, Esquire  
Attorney for Angela G. Patterson  
a/k/a Angela Patterson  
211 ½ East Locust Street  
Marino Building  
P.O. Box 552  
Clearfield, PA 16830

Pursuant to Rule 236, please be advised that the Court has entered a

\_\_\_\_\_ Order  
\_\_\_\_\_ Decree  
\_\_\_X\_\_\_ Judgment  
\_\_\_\_\_ Opinion

in the above proceeding, and a copy thereof is enclosed.

Dated:

\_\_\_\_\_  
Prothonotary