

2004-1057-CD
George Glagolich et al vs Margaret Richards

04-1057-CD
GEORGE A GLAGOLICH, et al VS MARGARET RICHARDS, et al

Date: 08/16/2005

Clearfield County Court of Common Pleas

User: LBENDER

Time: 02:36 PM

Page 1 of 1

ROA Report

Case: 2004-01057-CD

Current Judge: Fredric Joseph Ammerman

George A. Glagolich, Janice L. Lavelly vs. Margaret Richards, Ronald C. Richards, Mary McCluskey, Dorsey Wilson

Civil Other

Date		Judge
07/13/2004	Filing: Civil Complaint Paid by: King, David P. (attorney for Glagolich, George A.) Receipt number: 1882733 Dated: 07/13/2004 Amount: \$85.00 (Check) 6 CC Attorney King	No Judge
09/03/2004	Affidavit of Service, Complaint in Equity - Partition, upon Margaret Richards, Ronald C. Richards, Mary McCluskey, and Dorsey Wilson, filed by s/David P. King No CC	No Judge
	✓ Motion for Order Directing Partition, filed by s/David P. King, Esq. Three CC Attorney King	No Judge
09/09/2004	✓ Order Directing Partition: AND NOW, this 7th day of September, 2004, in consideration of the Motion of Plaintiffs' Counsel, it is the Order of this Court, and hereby directed that a Partition of the subject matter real estate be made. Parties or their attorney shall appear for a Preliminary Conference Sept. 29, 2004 at 9:30 AM. S/FJA 5 CC to Atty. King.	Fredric Joseph Ammerman
10/25/2004	✓ Order NOW, this 22nd day of October, 2004, the Court noting that the preliminary conference in the above captioned partition action having been previously completed, it is the ORDER of this Court that Cynthis Stewart, Esq. be and is hereby appointed as Master in Partition. S/FJA 2 CC to Atty. Hanak, King. 1 CC to Mary McCluskey and Dorsey Wilson	Fredric Joseph Ammerman
08/12/2005	Order, dated August 12, 2005, filed. it is the ORDER of this court that action in this matter be and is hereby suspended until such time as any of the parties petition this Court for a status conference. BY THE COURT: /S/ Fredric J. Ammerman, P. Judge. CC to C/A, Atty C. Stewart, Atty D. King, and Atty R. Hanak.	Fredric Joseph Ammerman

notar

filed 8/16/05

8/16/05

Current Judge: Fredric Joseph Ammerman

Michelle Herzing, Jeffrey A. Jarvis, Janell Herzing vs. Mary Kruszewski, DuBois Regional Medical Center, Patrick Shilala, Jerjie T. Alajaji, Russell E. Cameron MD

Civil Other

Date	Judge
02/06/2004	Motion to Compel Answers to Writte Discovery Requests from Defendants DuBois Regional Medical Center and Russell E. Cameron, filed by Atty. Acheson no Cert. Copies. John K. Reilly Jr.
02/11/2004	ORDER OF COURT, AND NOW, this 10th day of February, 2004, re: Plaintiffs' Motion to Compel. by the Court, s/FJA, P.J. 1 cc Atty Acheson Fredric Joseph Ammerman
04/28/2004	Motion To Compel Plaintiffs To Answer Expert Interrogatories And/Or Produce Expert Reports. filed by, s/John WE\ Blasko, Esquire Certificate of Service no cc Fredric Joseph Ammerman
05/03/2004	ORDER OF COURT, AND NOW, this 3rd day of May, 2004, re: Plaintiffs to produce and serve on the Defendant within 30 days from the date hereof full and complete Answers or expert Reports (medical and non-medical) to Defendant's Expert Interrogatories or be barred from producing expert (medical and non-medical) testimony at the time of trial. by the Court, s/FJA, P.J. 4 cc Atty Blasko Fredric Joseph Ammerman
05/07/2004	Plaintiffs' Motion For Reconsideration. filed by, s/Amy Acheson, Esquire Certificate of Service no cc Fredric Joseph Ammerman
05/10/2004	Motion To Compel Defendant Kruszewski To Answer Expert Interrogatories And/Or Produce Expert Reports. filed by, s/Amy Acheson, Esq. Certificate of Service no cc Fredric Joseph Ammerman
	Motion To Compel Plaintiffs To Answer Expert Interrogatories And/Or Produce Expert Reports. filed by, s/David R. Johnson, Esquire Certificate of Service no cc Fredric Joseph Ammerman
05/11/2004	ORDER OF COURT, AND NOW, to wit, this 11th day of May, 2004, re: Defendant Kruszewski shall produce and serve upon Plaintiffs, within 30 days after receipt of Plaintiffs' expert reports, full and complete Answers or Expert Reports (medical and non-medical) to Plaintiffs' expert interrogatories or be barred from producing expert (medical or non-medical) testimony at the time of trial. by the Court, s/FJA, P.J. 1 cc to Atty Fredric Joseph Ammerman
	ORDER OF COURT, AND NOW, this 11th day of May, 2004, re: Plaintiffs, Fredric Joseph Ammerman Michelle Herzing and Jeffrey A. Jarvis, shall produce and serve on the Defendant, within 30 days from the date hereof full and complete answers or expert reports (medical and non-medical) to Defendants' expert interrogatories or be barred from produce expert (medical and non-medical) testimony at the time of trial. by the Court, s/FJA, P.J. 1 cc to Atty Fredric Joseph Ammerman
05/13/2004	ORDER, AND NOW, this 12th day of May, 2004, re: Plaintiffs' Motion For Reconsideration has been scheduled for the 14th day of June, 2004, at 10:30 a.m., in Courtroom No. 1. by the Court, s/FJA, P.J. 5 cc Atty Acheson Fredric Joseph Ammerman
	ORDER OF COURT, AND NOW, to wit, this 12th day of May, 2004, re: Order of Court dated May 3, 2004 is STAYED until further Order of this Court. by the Court, s/FJA, P.J. 2 cc Atty Acheson Fredric Joseph Ammerman
05/18/2004	Motion to Compel Defendants DuBois Regional Medical Center and Russell E. Cameron to Answer Expert Interrogatories and/or Produce Expert Reports. No cc. Fredric Joseph Ammerman

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

GEORGE A. GLAGOLICH and JANICE L. NO. 04-1057-CO
LAVELY,

Plaintiffs

Type of Case: Civil

vs.

Type of Pleading: Complaint in
Equity - Partition

MARGARET RICHARDS, RONALD C.
RICHARDS, MARY McCLUSKEY and
DORSEY WILSON,

Defendants

Filed on behalf of: Plaintiffs

Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760

Supreme Court No. 22980

FILED

JUL 13 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

NOTICE

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

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

Court Administrator
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ext. 50-51

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. _____ C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

COMPLAINT IN EQUITY - PARTITION

AND NOW, come the Plaintiffs, GEORGE A. GLAGOLICH and JANICE L. LAVELY, through their Attorney, David P. King, and brings the following Complaint on causes of action wherein the following is a statement:

1. The Plaintiff, GEORGE A. GLAGOLICH, is an adult individual residing at 793 West Calle Del Regalo, Green Valley, AZ 85614.
2. The Plaintiff, JANICE L. LAVELY, is an adult individual residing at 167 Westwood Drive, Clarion, PA 16214.
3. The Defendant, MARGARET RICHARDS, is an adult individual residing at Waterford Pike, R. D. 3, Brookville, PA 15825.
4. The Defendant, RONALD C. RICHARDS, is an adult individual residing at 202 Taft Road, St. Marys, PA 15857.
5. The Defendant, MARY McCLUSKEY, is an adult individual residing at 16095 Cynthia Drive, Brook Park, OH 44142.
6. The Defendant, DORSEY WILSON, is an adult individual residing at 525 South Cornell Avenue, Villa Park, IL 60181.

7. All of the parties hereto, that is Plaintiffs and Defendants, are the joint owners of a certain parcel, piece and tract of land situated in Goshen Township, Clearfield County, Pennsylvania, consisting of 1,100 acres, with a camp, and being further identified in the assessment records of Clearfield County by Map No. M02-000-00002. Being known as Warrant No. 5326.

8. The parties hereto, that is the Plaintiffs and Defendants, acquired co-ownership of the subject matter premises by Order of this Honorable Court at No. 98-1269-C. D. which inter alia confirmed that GEORGE A. GLAGOLICH owns a 1/4th interest; JANICE L. LAVELY owns a 1/8th interest; MARGARET RICHARDS owns a 1/8th interest; RONALD C. RICHARDS owns a 1/8th interest; MARY McCLUSKEY owns a 1/8th interest; and DORSEY WILSON owns a 1/4th interest.

9. No persons other than the parties to this suit have any interest in the said property which is presently in the possession of the Defendants.

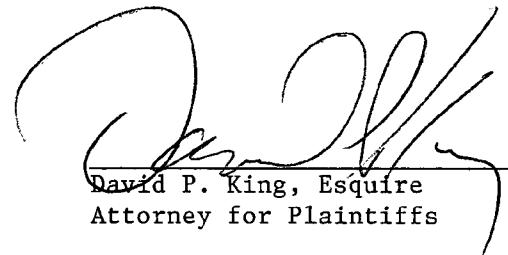
10. No partition or division of the above described property has ever been made.

WHEREFORE, the Plaintiffs request your Honorable Court as follows:

- (a) That the Court decree partition of the said real estate;
- (b) That the share or shares to which the respective parties are entitled be set out to them in severalty, and that all proper and necessary conveyances and assurances be executed for carrying said partition into effect;
- (c) If the said real estate cannot be divided without prejudice and spoiling the value of the whole, then a proper and necessary

sale of the subject matter premises may be made by such person and in such manner as the Court may direct; and

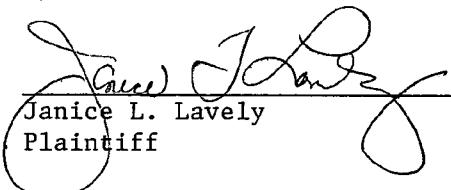
(d) Such other relief that the Court deems just and proper in accordance with the laws of the Commonwealth.



David P. King, Esquire
Attorney for Plaintiffs

I verify that the statements made in this Complaint in Equity - Partition 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.

Date: June 29, 2004


Janice L. Lavely
Plaintiff

I verify that the statements made in this Complaint in Equity - Partition 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.

Date: July 1, 2004

George A. Glagolich
George A. Glagolich
Plaintiff

FILED
JUL 13 2004
Atty King
cc
William A. Shaw
Atty pd.
Prothonotary/Clerk of Courts
Atty pd. \$5.00

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA
ss.
COUNTY OF CLEARFIELD

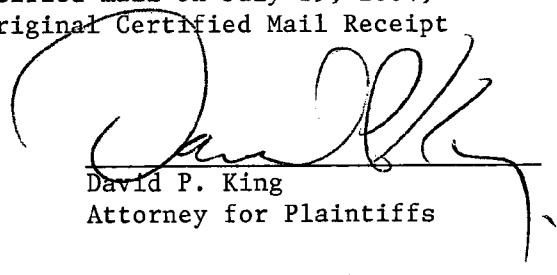
The undersigned, David P. King, Attorney for Plaintiffs in the above matter, hereby states and affirms that service on all of the Defendants was made on the following dates and in the following manner:

MARGARET RICHARDS, by Acceptance of Service, signed by Attorney Robert M. Hanak, dated the 26th day of July, 2004, the original attached hereto;

RONALD C. RICHARDS, by Acceptance of Service, signed by Attorney Robert M. Hanak, dated the 26th day of July, 2004, the original attached hereto;

MARY McCLUSKEY (out of State) by certified mail on July 26, 2004, with a copy of correspondence and original Certified Mail Receipt and Signature Card attached hereto; and

DORSEY WILSON (out of State) by certified mail on July 19, 2004, with a copy of correspondence and original Certified Mail Receipt and Signature Card attached hereto.


David P. King
Attorney for Plaintiffs

Sworn to and subscribed before me
this 17th day of August, 2004.

Margaret J. Thompson

NOTARIAL SEAL
MARGARET J. THOMPSON, NOTARY PUBLIC
CITY OF DUBOIS, CLEARFIELD COUNTY
MY COMMISSION EXPIRES OCTOBER 31, 2006

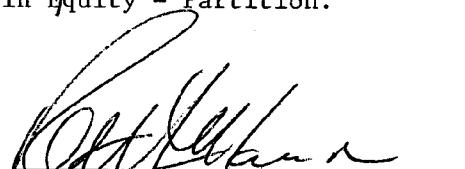
FILED NO
m/11/04
SEP 03 2004
B6
William A. Shaw
Prothonotary/Clerk of Courts

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

ACCEPTANCE OF SERVICE

Service accepted this 26 day of July, 2004, on behalf of
Margaret Richards, Defendant, of the Complaint in Equity - Partition.



Robert M. Hanak, Esquire

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
: :
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :
:

ACCEPTANCE OF SERVICE

Service accepted this 26th day of July, 2004, on behalf
of Ronald C. Richards, Defendant, of the Complaint in Equity - Partition.



Robert M. Haniak, Esquire

David P. King, Esq.

Law Offices
DAVID P. KING
P.O. Box 1016
23 Beaver Drive
DuBois, PA 15801

July 15, 2004

COPY

Phone (814) 371-3760
Telecopier (814) 371-4874

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

Mrs. Mary McCluskey
16095 Cynthia Drive
Brook Park, OH 44142

Re: "Orchard Club Property"

Dear Mrs. McCluskey:

On behalf of George Glagolich and Jan Lavelly, we have filed a Partition action with the Court of Common Pleas of Clearfield County, Pennsylvania. A certified copy of the Complaint is enclosed.

Basically, Mr. Glagolich and Mrs. Lavelly wish to divest themselves of their fractional interests in the former Orchard Club property. An action in Partition is one way to do this.

Basically, in the normal course of events of a Partition action, if none of the other owners wish to buy out the shares of Mr. Glagolich and Mrs. Lavelly, then the property will be put on the open market for sale.

While my clients have no problem selling to the other owners in interest at an appropriate price, we are not sure how long it would take to negotiate the same without some sort of Court proceeding moving the parties along.

In any event, I am sending a copy of this letter to Attorney Robert Hanak in the event that you wish to retain him to represent you in this matter. You may want to speak to him about this for legal advice and guidance. That of course is your choice.

We do hope, however, that all parties can cooperate without this going through the full Partition process. That would only be very costly to all of the parties involved.

Very truly yours,

David P. King

DPK:pp
Enclosure
cc: Robert M. Hanak, Esquire

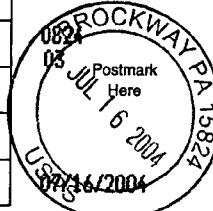
U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

BURO **RECIPIENT USE**

BROOK PARK OH 44142

7002	3150	0005	3231	5476
Postage \$ 6.60				
Certified Fee \$2.30				
Return Receipt Fee (Endorsement Required) \$1.75				
Restricted Delivery Fee (Endorsement Required) \$3.50				
Total Postage & Fees \$ 8.15				



ROCKWAY PA 15824
03 Postmark
JUL 6 2004
U.S. POSTAL SERVICE
09/16/2004

Sent To

Mrs. Mary Mccluskey
Street, Apt. No.,
or PO Box No. 16095 Cynthia Drive
City, State, ZIP+4 Brook Park, OH 44142

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Addressee</p> <p><i>Mary B Mccluskey</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Mary B Mccluskey</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p style="text-align: center;">JUL 2 6 2004</p>	
<p>1. Article Addressed to:</p> <p>Mrs. Mary Mccluskey 16095 Cynthia Drive Brook Park, OH 44142</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7002 3150 0005 3231 5476</p>			

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

Law Offices
DAVID P. KING
P.O. Box 1016
23 Beaver Drive
DuBois, PA 15801

David P. King, Esq.

July 15, 2004

COPY

Phone (814) 371-3760
Telecopier (814) 371-4874

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

Mr. Dorsey Wilson
525 South Cornell Avenue
Villa Park, IL 60181

Re: "Orchard Club Property"

Dear Mr. Wilson:

On behalf of George Glagolich and Jan Lavelly, we have filed a Partition action with the Court of Common Pleas of Clearfield County, Pennsylvania. A certified copy of the Complaint is enclosed.

Basically, Mr. Glagolich and Mrs. Lavelly wish to divest themselves of their fractional interests in the former Orchard Club property. An action in Partition is one way to do this.

Basically, in the normal course of events of a Partition action, if none of the other owners wish to buy out the shares of Mr. Glagolich and Mrs. Lavelly, then the property will be put on the open market for sale.

While my clients have no problem selling to the other owners in interest at an appropriate price, we are not sure how long it would take to negotiate the same without some sort of Court proceeding moving the parties along.

In any event, I am sending a copy of this letter to Attorney Robert Hanak in the event that you wish to retain him to represent you in this matter. You may want to speak to him about this for legal advice and guidance. That of course is your choice.

We do hope, however, that all parties can cooperate without this going through the full Partition process. That would only be very costly to all of the parties involved.

Very truly yours,

David P. King

DPK:pp
Enclosure
cc: Robert M. Hanak, Esquire

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

VILLA PARK IL 60181

Postage	\$ 0.60
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$3.50
Total Postage & Fees	\$ 8.85

0824
13 Postmark
Here
004
AD 15824 07/16/2004

Sent To Mr. Dorsey Wilson
Street, Apt. No., or P.O. Box No. 525 South Cornell Avenue
City, State, ZIP+4 Villa Park, IL 60181

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature  <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="text" value="719-09"/> C. Date of Delivery <input type="text" value="719-09"/></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p><i>D. Wilson</i></p>	
1. Article Addressed to: Mr. Dorsey Wilson 525 South Cornell Avenue Villa Park, IL 60181		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
2. Article Number <i>(Transfer from service label)</i>		7003 2260 0000 1515 2831 102595-02-M-1540	

PS Form 3811, August 2001 Domestic Return Receipt

FILED

SEP 03 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

GEORGE A. GLAGOLICH and JANICE L. NO. 04-1057-C.D.
LAVELY,

Plaintiffs Type of Case: Civil

vs.

Type of Pleading: Motion for Order
Directing Partition

MARGARET RICHARDS, RONALD C.
RICHARDS, MARY McCLUSKEY and
DORSEY WILSON,

Defendants Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760

Supreme Court No. 22980

FILED 3cc
not 11/09/04 Atty King
SEP 03 2004
Shaw
Notary/Clerk of Courts

William A. Shaw
Notary/Clerk of Courts

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

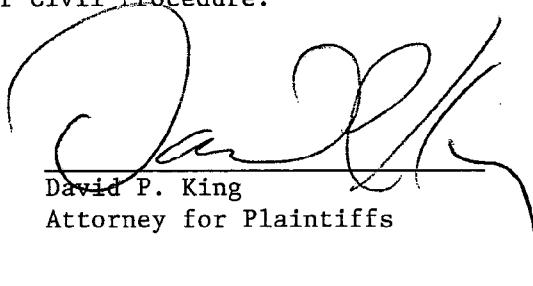
GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

MOTION FOR ORDER DIRECTING PARTITION

AND NOW, comes David P. King, Attorney of Record for the Plaintiffs
above mentioned, and moves your Honorable Court to enter an Order directing
Partition, and avers and states as follows:

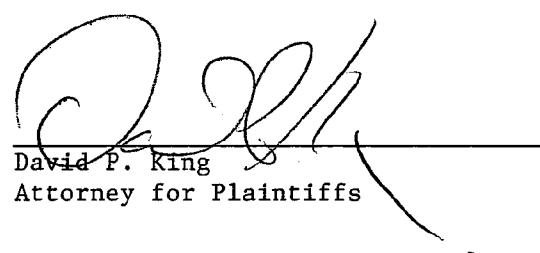
1. A Complaint to Partition realty in this matter was filed on July 13, 2004.
2. All Defendants have been duly served, in accordance with an Affidavit of Service filed of record, copy enclosed.
3. Twenty days have elapsed since service was accomplished.
4. No Objections or Response has been filed by any of said Defendants in this case.

WHEREFORE, Counsel for Plaintiffs moves your Honorable Court to enter the appropriate Order in accordance with the Rules of Civil Procedure.


David P. King
Attorney for Plaintiffs

I verify that the statements made in this Motion for Order Directing Partition 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.

Date: August 17, 2004



David P. King
Attorney for Plaintiffs

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA
ss.
COUNTY OF CLEARFIELD

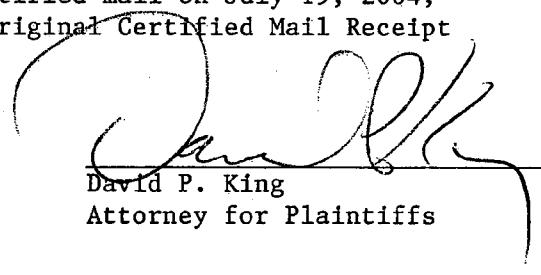
The undersigned, David P. King, Attorney for Plaintiffs in the above matter, hereby states and affirms that service on all of the Defendants was made on the following dates and in the following manner:

MARGARET RICHARDS, by Acceptance of Service, signed by Attorney Robert M. Hanak, dated the 26th day of July, 2004, the original attached hereto;

RONALD C. RICHARDS, by Acceptance of Service, signed by Attorney Robert M. Hanak, dated the 26th day of July, 2004, the original attached hereto;

MARY McCLUSKEY (out of State) by certified mail on July 26, 2004, with a copy of correspondence and original Certified Mail Receipt and Signature Card attached hereto; and

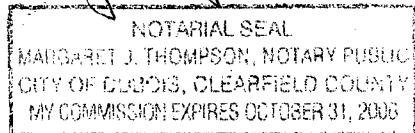
DORSEY WILSON (out of State) by certified mail on July 19, 2004, with a copy of correspondence and original Certified Mail Receipt and Signature Card attached hereto.


David P. King
Attorney for Plaintiffs

Sworn to and subscribed before me

this 17th day of August, 2004.

Margaret J. Thompson

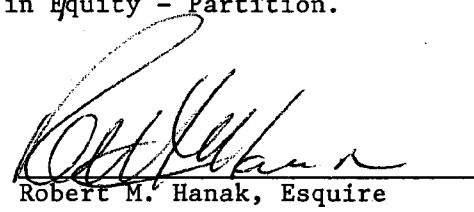


IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

ACCEPTANCE OF SERVICE

Service accepted this 26 day of July, 2004, on behalf of
Margaret Richards, Defendant, of the Complaint in Equity - Partition.



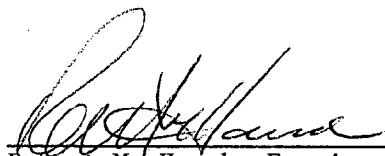
Robert M. Hanak, Esquire

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

ACCEPTANCE OF SERVICE

Service accepted this 26th day of July, 2004, on behalf
of Ronald C. Richards, Defendant, of the Complaint in Equity - Partition.



Robert M. Hanak, Esquire

David P. King, Esq.

Law Offices
DAVID P. KING
P.O. Box 1016
23 Beaver Drive
DuBois, PA 15801

Phone (814) 371-3760
Telecopier (814) 371-4874

July 15, 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

Mrs. Mary McCluskey
16095 Cynthia Drive
Brook Park, OH 44142

Re: "Orchard Club Property"

Dear Mrs. McCluskey:

On behalf of George Glagolich and Jan Lavelly, we have filed a Partition action with the Court of Common Pleas of Clearfield County, Pennsylvania. A certified copy of the Complaint is enclosed.

Basically, Mr. Glagolich and Mrs. Lavelly wish to divest themselves of their fractional interests in the former Orchard Club property. An action in Partition is one way to do this.

Basically, in the normal course of events of a Partition action, if none of the other owners wish to buy out the shares of Mr. Glagolich and Mrs. Lavelly, then the property will be put on the open market for sale.

While my clients have no problem selling to the other owners in interest at an appropriate price, we are not sure how long it would take to negotiate the same without some sort of Court proceeding moving the parties along.

In any event, I am sending a copy of this letter to Attorney Robert Hanak in the event that you wish to retain him to represent you in this matter. You may want to speak to him about this for legal advice and guidance. That of course is your choice.

We do hope, however, that all parties can cooperate without this going through the full Partition process. That would only be very costly to all of the parties involved.

Very truly yours,

David P. King

DPK:pp
Enclosure
cc: Robert M. Hanak, Esquire

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

For delivery information, visit our website at www.usps.com

OFFICIAL USE

BROOK PARK OH 44142

7002	3150	0005	3231	5476
Postage \$ 6.00				
Certified Fee \$2.30				
Return Receipt Fee (Endorsement Required) \$1.75				
Restricted Delivery Fee (Endorsement Required) \$3.50				
Total Postage & Fees \$ 8.15				

Sent To
Mrs. Mary Mccluskey
Street, Apt. No.: 16095 Cynthia Drive
or PO Box No.
City, State, ZIP-4: Brook Park, OH 44142

PS Form 3800, June 2002
 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY							
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> Date of Delivery</p> <p>C. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p>							
<p>1. Article Addressed to:</p> <p>Mrs. Mary Mccluskey 16095 Cynthia Drive Brook Park, OH 44142</p>		<p>D. Service Type</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><input checked="" type="checkbox"/> Certified Mail</td> <td style="width: 50%;"><input type="checkbox"/> Express Mail</td> </tr> <tr> <td><input type="checkbox"/> Registered</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td><input type="checkbox"/> C.O.D.</td> </tr> </table>		<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail	<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail								
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise								
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.								
<p>2. Article Number <i>(Transfer from service label)</i></p>		<p>3. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>							

7002 3150 0005 3231 5476

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

Law Offices
DAVID P. KING
P.O. Box 1016
23 Beaver Drive
DuBois, PA 15801

David P. King, Esq.

July 15, 2004

RECEIVED
Phone (814) 371-3760
Telecopier (814) 371-4874

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

Mr. Dorsey Wilson
525 South Cornell Avenue
Villa Park, IL 60181

Re: "Orchard Club Property"

Dear Mr. Wilson:

On behalf of George Glagolich and Jan Lavelly, we have filed a Partition action with the Court of Common Pleas of Clearfield County, Pennsylvania. A certified copy of the Complaint is enclosed.

Basically, Mr. Glagolich and Mrs. Lavelly wish to divest themselves of their fractional interests in the former Orchard Club property. An action in Partition is one way to do this.

Basically, in the normal course of events of a Partition action, if none of the other owners wish to buy out the shares of Mr. Glagolich and Mrs. Lavelly, then the property will be put on the open market for sale.

While my clients have no problem selling to the other owners in interest at an appropriate price, we are not sure how long it would take to negotiate the same without some sort of Court proceeding moving the parties along.

In any event, I am sending a copy of this letter to Attorney Robert Hanak in the event that you wish to retain him to represent you in this matter. You may want to speak to him about this for legal advice and guidance. That of course is your choice.

We do hope, however, that all parties can cooperate without this going through the full Partition process. That would only be very costly to all of the parties involved.

Very truly yours,

David P. King

DPK:pp
Enclosure
cc: Robert M. Hanak, Esquire

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

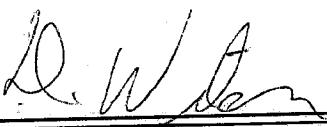
ROCKNAYA
15824
JUL 1
03 Postmark
Here
15824
0824

Postage	\$ 0.60
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 3.50
Total Postage & Fees	\$ 8.15

7003 2260 0000 1515 2831

Sent To Mr. Dorsey Wilson
Street, Apt. No., or P.O. Box No. 525 South Cornell Avenue
City, State, ZIP+4 Villa Park, IL 60181

PS Form 3800, June 2002
See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 		<p>A. Signature: </p> <p><input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Mr. Dorsey Wilson</p> <p>C. Date of Delivery 7/9/09</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p></p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
<p>1. Article Addressed to: Mr. Dorsey Wilson 525 South Cornell Avenue Villa Park, IL 60181</p> <p>2. Article Number (Transfer from service label)</p>		<p>7003 2260 0000 1515 2831</p>	

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

FILED

SEP 03 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

GEORGE A. GLAGOLICH and JANICE L. :
LAVELY, :
Plaintiffs :
vs. : NO. 04-1057-C.D.
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

ORDER DIRECTING PARTITION

AND NOW, this 7 day of September, 2004, in consideration of the Motion of Plaintiffs' Counsel, it is the Order of this Court, and hereby directed that a Partition of the subject matter real estate be made.

It is further determined by this Court that the names of all of the co-owners, and the nature and extent of their interest is as follows:

GEORGE A. GLAGOLICH, an undivided one fourth interest;
JANICE L. LAVELY, an undivided one eighth interest;
MARGARET RICHARDS, an undivided one eighth interest;
RONALD C. RICHARDS, an undivided one eighth interest;
MARY McCLUSKEY, an undivided one eighth interest; and
DORSEY WILSON, an undivided one fourth interest.

The nature of the undivided interests as set forth above among said parties in interest, and their respective fractional interests are as tenants in common.

In accordance with the Rules of Procedure, it is the further Order of this Court that the parties, or their Attorneys shall appear for a Preliminary Conference to consider:

- (1) Whether the parties can agree upon a plan of partition or sale;
- (2) The simplification of the issues;

CA
FILED
020009 500 attorney
SEP 09 2004

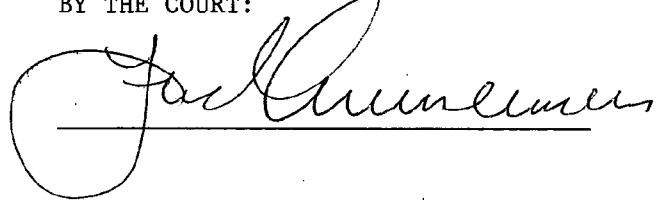
William A. Shaw
Prothonotary

(3) Whether any issues or matters relating to carrying out the Order of Partition shall be referred to a Master; and

(4) Such other matters as may aid in the disposition of the action.

Such Conference to be held on the 29 day of September, 2004, at 9:30'clock A.M. in the Clearfield County Courthouse, Clearfield, Pennsylvania. The parties or their Attorneys shall report to the Court Administrator's office for proper direction as to the room assigned for said Conference.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Judge John J. Brincker". The signature is fluid and cursive, with "Judge" written above the name "John J. Brincker".

(A)

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

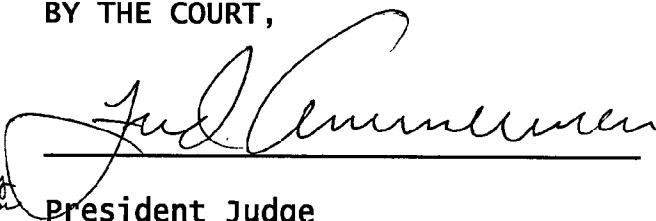
GEORGE A. GLAGOLICH and	:	
JANICE L. LAVELY	:	
 -vs-		No. 04-1057-CD
MARGARET RICHARDS, RONALD	:	
C. RICHARDS, MARY MCCLUSKEY	:	
and DORSEY WILSON	:	

O R D E R

NOW, this 22nd day of October, 2004, the Court noting that the preliminary conference in the above captioned partition action having been previously completed, it is the ORDER of this Court that, pursuant to Rule of Civil Procedure 1558(b), that Cynthia Stewart, Esquire, be and is hereby appointed as Master in Partition. The Master shall proceed in accordance with Rule 1559, et seq.

The Master is also authorized to request deposit of advance fees and costs in such reasonable manner as the Master deems to be necessary.

BY THE COURT,



President Judge

FILED
01103 SA 200 City Neck
200 West King
100 Mary Mccluskey
OCT 25 2004 Dorsey Wilson
William A. Shaw
Prothonotary

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

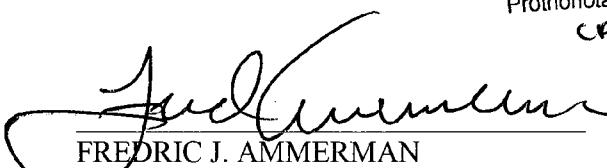
GEORGE A. GLAGOLICH and :
JANICE L. LAVELY, : No. 04-1057-CD
Plaintiffs :
vs. :
: MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :
:

ORDER

NOW, this 12th day of August 2005, the Court having been advised that the Plaintiffs and the Defendants are in agreement that no action be taken in this matter at this time as set forth in the attached correspondence, and that this matter has been previously pending upon the agreement of the parties, it is the ORDER of this Court that action in this matter be and is hereby suspended until such time as any of the parties petition this Court for a status conference.

FILED

BY THE COURT:


FREDRIC J. AMMERMAN
PRESIDENT JUDGE

AUG 12 2005
9/3/05
William A. Shaw
Prothonotary/Clerk of Courts
CRAN

C/A
C. Stewart
D. King
R. Harris

HANAK, GUIDO and TALADAY
Attorneys at Law

Robert M. Hanak
Anthony S. Guido
Matthew B. Taladay

Nicole Hanak Bankovich
S. Casey Bowers

Telephone: (814) 371-7768
Fax: (814) 371-1974

498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

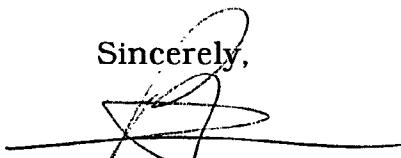
June 29, 2005

Cynthia Stewart, Esq.
Clearfield County Courthouse
%Court Administrator's Office
230 East Market St., Suite 228
Clearfield, PA 16830

**Re: George A. Glagolich and Janice L. Lavely
vs. Margaret Richards, et al
No. 04-1057-CD (Partition)**

Dear Cynthia:

Thank you for your letter of June 28th. I am sure Dave King will respond by his own letter, however, I believe it is our intention that we continue this matter to pursue a private sale of the land. There are negotiations under way at this time. Pending Dave's concurrence, and Mike Yeager's concurrence, I would request that you pend this matter for at least four months.

Sincerely,

Robert M. Hanak

RMH/eh

**cc: David P. King, Esq.
Michael P. Yeager, Esq.**

CA

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

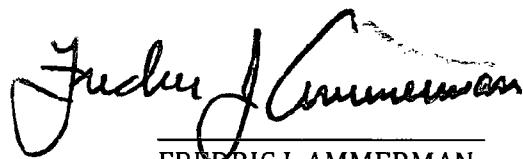
GEORGE A. GLAGOLICH and JANICE L. LAVELY, * NO. 2004-1057-CD
Plaintiffs *
vs. *
MARGARET RICHARDS, RONALD C. RICHARDS, *
MARY MCCLUSKEY and DORSEY WILSON, *
Defendants *
*
*
*
*

ORDER

NOW, this 29th day of April, 2013, following a review of the docket, due to the case's extended period of time in pending status; it is the ORDER of this Court that a **status conference** be and is hereby scheduled for the **27th day of June, 2013 at 1:30 p.m.** in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

If this case has been concluded, the moving party is directed to file the appropriate Praeclipe with the Prothonotary of Clearfield County to finalize that status of the case.

BY THE COURT,



FREDERIC J. AMMERMAN
President Judge

FILED ^{1cc}
01 3:34 pm ^{1cc}
S APR 30 2013 ^{1cc} Atty's: King
William A. Shaw ^{1cc} Hank
Prothonotary/Clerk of Courts ^{1cc} m. mcCluskey
^{1cc} attt ^{1cc} D. Wilson

FILED

APR 30 2013

William A. Shaw
Prothonotary/Clerk of Courts

deft
m. mcCluskey
16095 Cynthia Drive
Brook Park OH 44142

deft
D. Wilson
525 South Cornell Ave.
Villa Park IL 60181

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

GEORGE A. GLAGOLICH and
JANICE L. LAVELY,
Plaintiffs
vs.
MARGARET RICHARDS, RONALD C.
RICHARDS, MARY McCLUSKEY and
DORSEY WILSON,
Defendants

NO. 2004-1057-CD
Type of Case: Partition
Type of Pleading: Praecept to
Discontinue
Filed on behalf of: Plaintiffs
Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760
Supreme Court No. 22980

S FILED NOCC
O/210LM
Z MAY 07 2013 CW

William A. Shaw
Prothonotary/Clerk of Courts

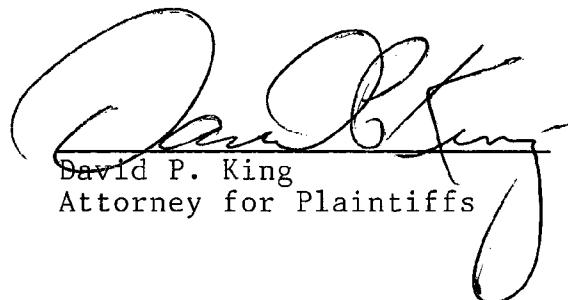
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

GEORGE A. GLAGOLICH and :
JANICE L. LAVELY, :
Plaintiffs :
vs. : NO. 2004-1057-CD
MARGARET RICHARDS, RONALD C. :
RICHARDS, MARY McCLUSKEY and :
DORSEY WILSON, :
Defendants :

PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Please mark the above captioned case Discontinued by the
Plaintiffs.



David P. King
Attorney for Plaintiffs

FILED

MAY 07 2013

William A. Shaw
Prothonotary/Clerk of Courts