

04-1197-CD
RIP MANAGEMENT GROUP, INC., D/B/A RAMADA INN OF DUBUQUE VS SMA RAZA

2004-1197-CD
RIP Management et al vs SMA Raza

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

SMA RAZA, INC.,

Defendant

No. 04-1197-03

Type of Pleading:

COMPLAINT

Filed on behalf of:
PLAINTIFF

Counsel of Record for
This Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
PO Box 487
DuBois, PA 15801

814-371-7768

FILED *(ECK)*
M 7/14/04
AUG 06 2004 100 AMY
Atty pd. 85.00

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

No. _____

SMA RAZA, INC.,

Defendant

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 defense or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed 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
Second & Market Streets
Clearfield, PA 16830

(814) 765-2641 Ext. 1300

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

No. _____

SMA RAZA, INC.,

Defendant

COMPLAINT

AND NOW, comes the Plaintiff, RIP MANAGEMENT GROUP, INC., d/b/a RAMADA INN OF DUBOIS, by and through his attorneys, HANAK, GUIDO AND TALADAY, who files this Complaint, and in support thereof avers the following:

1. Plaintiff is RIP MANAGEMENT GROUP, INC., a Pennsylvania corporation with offices and principle place of business at DuBois Ramada Inn, Sandy Township, Clearfield County, Pennsylvania.
2. At all times relevant hereto, Plaintiff owned and operated a business located in Sandy Township, Clearfield County, Pennsylvania, known as the DuBois Ramada Inn.
3. Defendant is SMA Raza, Inc., believed to be a New Jersey corporation, with offices at 1470 Route 46, Ledgewood, New Jersey.
4. On or about January 22, 2003, the Defendant, by its agent or employee, Wilfredo Correa, was operating a 1987 Peterbuilt truck and

pulling a trailer loaded with cargo regarding to be municipal and/or hazardous waste in the parking lot area of the DuBois Ramada Inn.

5. The Defendant, by its agent, operated the truck in a negligent, careless or reckless manner causing the trailer of the truck to overturn resulting in the spilling and/or discharge of municipal/hazardous waste onto the property of Plaintiff.

6. As a further result of the overturned trailer, access to Plaintiff's business facility was cut off or impaired. The overturned waste trailer and resulting damages are the direct and proximate result of the negligence of Defendant or Defendant's employees or agents as follows:

(a) In failing to properly operate the tractor and trailer rig so as to prevent it from overturning;

(b) In causing the tractor trailer rig to "jackknife" and subsequently raising the trailer bed resulting in the overturning of the trailer and spillage of its contents;

(c) In failing to properly train or instruct its driver so as to prevent jackknifing and overturning trailers loaded with municipal waste;

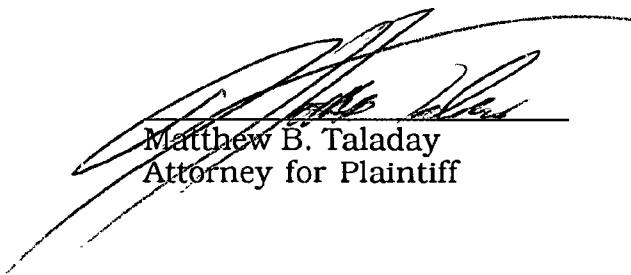
(d) In failing to hire competent and qualified drivers;

(e) In negligently backing its tractor trailer rig in such a manner to cause the trailer to leave the traveled portion of the parking lot and resulting in the jackknifing and overturning of the trailer.

7. As a direct and proximate result of the Defendant's negligence as set forth above, the Plaintiff has suffered damages including but not limited to the following:

- (a) Cost of extensive clean up, waste removal and parking lot maintenance;
- (b) Cost to remedial repair and replace landscaping;
- (c) Lost guest revenue due to inaccessibility of hotel premises;
- (d) Loss of business, goodwill and impairment of business image due to inaccessibility and municipal/hazardous waste on the premises;
- (e) Loss of employee time incidental to dealing with investigation, remediation and clean up.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount which is currently unliquidated but believed to be not in excess of Twenty-five Thousand and 00/100 (\$25,000.00) Dollars.



Matthew B. Taladay
Attorney for Plaintiff

VERIFICATION

I, M. J. TARAR, President of RIP Management Group, Inc., verify that the statements in the foregoing Complaint are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

RIP MANAGEMENT GROUP, INC., by:



M. J. Tarar, President

FILED

AUG 06 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

SMA RAZA, INC.,

Defendant

No. 04-1197-CD

Type of Pleading:
Affidavit of Service

Filed on Behalf of:
Plaintiff

Counsel of Record for
This Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

814-371-7768

③
FILED NO
M 10 43 87
AUG 27 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

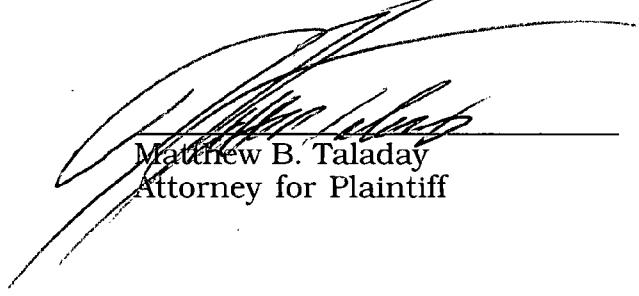
No. 04-1197-CD

SMA RAZA, INC.,

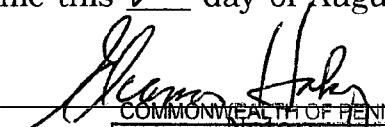
Defendant

AFFIDAVIT OF SERVICE

I hereby certify that on August 14, 2004, I served by
Certified Mail No. 7099 3220 0011 0187 8402, Return Receipt
Requested, a Court certified copy of Complaint upon SMA Raza, Inc.,
1470 Route 46, Ledgewood, NJ 07852. Return Receipt Card is
attached hereto as Exhibit "A".


Matthew B. Taladay
Attorney for Plaintiff

Sworn to and subscribed before
me this 26th day of August, 2004.



COMMONWEALTH OF PENNSYLVANIA
Notary Seal
Eleanor Haky, Notary Public
City Of DuBois, Clearfield County
My Commission Expires Mar. 24, 2008
Member, Pennsylvania Association Of Notaries

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

SMA RAZA INC
1470 ROUTE 46
LEDGEWOOD NJ 07852

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 AddresseeB. Received by *(Printed Name)*C. Date of Delivery
8-7-01D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

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.

4. Restricted Delivery? *(Extra Fee)* Yes

2. Article Number

(Transfer from service label)

7099 3220 0011 0187 8402

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

Exhibit "A"

FILED

AUG 27 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,
Plaintiff
vs.
SMA RAZA, INC.,
Defendant

No. 04-1197-CD
Type of Pleading:
Certificate of Service
Filed on behalf of:
PLAINTIFF
Counsel of Record for
This Party:
Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
814-371-7768

EGK
FILED NO CC
m/19/15/04
SEP 27 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

No. 04-1197-CD

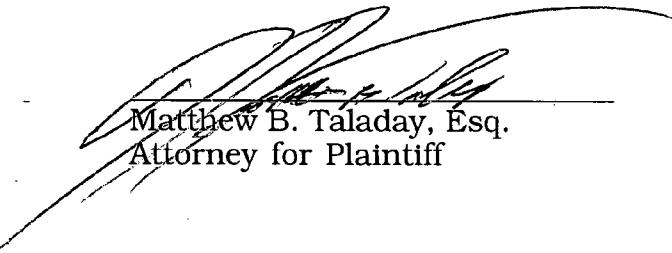
SMA RAZA, INC.,

Defendant

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2004, I mailed a Default Notice, copy of which is attached hereto, by first class mail, postage prepaid, to the following:

SMA Raza, Inc.
1470 Route 46
Ledgewood, NJ 07852


Matthew B. Taladay, Esq.
Attorney for Plaintiff

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

RIP MANAGEMENT GROUP, :
INC., d/b/a RAMADA INN OF :
DUBOIS, :
Plaintiff :
vs. : 04-1197-CD
SMA RAZA, INC., :
Defendant :
:

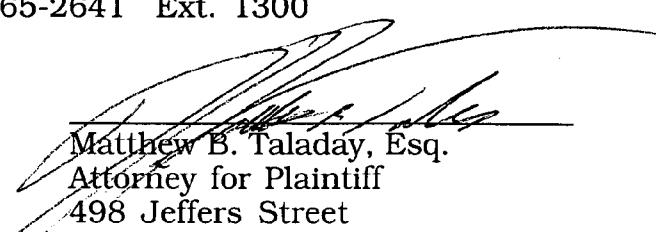
IMPORTANT NOTICE

TO: SMA RAZA, INC.
1470 Route 46
Ledgewood, NJ 07852

DATE: September 24, 2004

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO
TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT
WITHIN TEN (10) DAYS OF THE DATE OF THIS NOTICE, JUDGMENT
MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU
MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU
SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO
NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR
TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU
CAN GET LEGAL HELP:

Court Administrator
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641 Ext. 1300


Matthew B. Taladay, Esq.
Attorney for Plaintiff
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

CIVIL DIVISION
04-1197-CD
No. 04119-CD

Plaintiff,

vs.

SMA RAZA, INC.,

PRAECIPE FOR APPEARANCE

Defendant.

Filed on Behalf of Defendant,
SMA RAZA, INC.

Counsel of Record for this Party:

GERALD J. HUTTON
PA I.D. No. 23098

BASHLINE & HUTTON
Suite 3500 FreeMarkets Center
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 434-0201

JURY TRIAL DEMANDED

EOK
FILED NOCC
M/T:48 BX
OCT 14 2004
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

CIVIL DIVISION

04-1197-CD
No. 04119-CD

Plaintiff,

vs.

SMA RAZA, INC.,

Defendant.

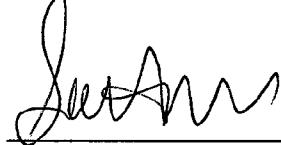
PRAECIPE FOR APPEARANCE

To: William A. Shaw, Prothonotary
Clearfield County, Pennsylvania

You are hereby directed to enter my Appearance on behalf of S.M.A. RAZA TRUCKING, INC.,
the Defendant in the afore-captioned case.

JURY TRIAL DEMANDED.

BASHLINE & HUTTON



GERALD J. HUTTON, ESQUIRE
Attorney for Defendant
S.M.A. RAZA TRUCKING, INC.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing PRAECIPE FOR APPEARANCE was served via U.S. First Class Mail, postage pre-paid, on this 11th day of October, 2004, upon the following counsel of record:

Hanak, Guido and Taladay
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(Attorney for Plaintiff)



Gerald J. Hutton
Attorney for Liberty Mutual Insurance Company

FILED

OCT 14 2004

Vernon A. Shaw
Prothonotary Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

CIVIL DIVISION
1197
No. 04119-CD

Plaintiff,

ISSUE NO.:

vs.

ANSWER AND NEW MATTER

SMA RAZA, INC.,

Defendant.

Filed on Behalf of Defendant:
S.M.A. RAZA, INC.

Counsel of Record for this Party:

GERALD J. HUTTON
PA I.D. No. 23098

BASHLINE & HUTTON
Suit 3500 FreeMarkets Center
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 434.0201

Firm I.D. No.: 150

JURY TRIAL DEMANDED

FILED
11/3/2004
OCT 28 2004
E614
NO CC

William A. Saylor
Prothonotary, Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

CIVIL DIVISION
No. 04119-CD

Plaintiff,

ISSUE NO.:

vs.

SMA RAZA, INC.,

Defendant.

ANSWER AND NEW MATTER

AND NOW, comes the Defendant, SMA RAZA, INC., by its attorneys, BASHLINE & HUTTON and GERALD J. HUTTON, ESQUIRE, and states that it has a full, just, complete and legal defense to the averments contained in the Plaintiff's Complaint and in support thereof, avers as follows:

1. The averments contained in Paragraph 3 of the Plaintiffs' Complaint identifying Defendant, SMA RAZA, INC. as a New Jersey corporation with offices located at 1470 Rt. 46, Ledgewood, NJ and Paragraph 4 identifying Wilfredo Correa as the operator of a 1987 Peterbilt truck are admitted, although Defendant, SMA RAZA INC., makes no admission as to any allegation or inference of negligence, carelessness, recklessness or liability directed against it contained in the Plaintiff's Complaint.

2. Defendant SMA RAZA, INC. is advised by counsel and therefore believes and avers that it may deny in general the remaining averments contained in Plaintiffs' Complaint and accordingly, the averments contained in Paragraphs 1, 2, 4, 5, 6 and 7 of the Complaint, which have not been admitted in the preceding paragraph of this answer, are denied in general in accordance with amended Rule 1029 of the Pennsylvania Rules of Civil Procedure and strict proof thereof is

demanded at trial. To the extent that further response is required, the allegations of negligence, carelessness, recklessness and liability contained in Plaintiff's Complaint, directed to this Defendant, including those allegations appearing in Paragraph 6 and its subparts of the Complaint are denied in general and strict proof thereof is demanded at trial.

3. Defendant is advised by counsel and therefore believes and avers that it need not set forth any further or more specific response to the allegations contained in Plaintiff's Complaint as all averments, other than those that have been expressly admitted, are deemed denied and placed at issue by virtue of this Answer in the nature of a general denial and in accordance with amended Rule 1029 of the Pennsylvania Rules of Civil Procedure.

WHEREFORE, Defendant SMA RAZA, INC. demands that judgment be entered in its favor with costs in its behalf sustained.

NEW MATTER

4. Plaintiffs' claims may be barred or diminished by the doctrine of comparative negligence.

5. Plaintiffs' claims may be barred by the doctrine of assumption of the risk.

6. Plaintiffs' Complaint fails to state a cause of action upon which relief can be granted.

7. Some or all of the damages alleged by the Plaintiff may be unrelated to the incident in question and were caused by events/occurrences which took place either prior to or subsequent to the underlying incident.

8. Defendant claims an offset, credit or reduction from any verdict or award for those sums paid by it or on its behalf for the removal of the trailer and material from the accident site. .

9. If Plaintiff can demonstrate that it did suffer some harm, loss or damage, such harm, loss or damages may the result of the intervening and/or superseding actions of parties other than this Defendant over whom this Defendant had no control.

10. The damages of which the Plaintiff complains were not caused by and did not result from any negligence, fault, want of care, or unlawful conduct on the part of this Defendant.

11. In the event, at time of trial, Plaintiffs establish that they has suffered any injuries or damages as a result of the incident described in their original Complaint, such injuries and damages are due to Plaintiff's own negligence as follows:

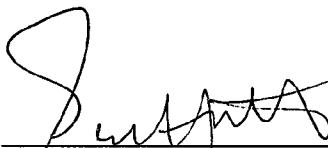
- (a) In failing to properly maintain the property;
- (b) In failing to provide a safe travel way for invitees;
- (c) In failing to observe dangerous, unsafe and/or defective conditions on its property, travel way, or parking lot, then and there in existence that may have caused and/or contributed to the incident; and
- (d) In failing to warn invitees of the unsafe, dangerous and/or defective condition on its property, travel way or parking lot.

12. If, at time of trial, it is established that Plaintiffs suffered any damages as a result of the incident described in their Complaint, and that such damages were due to a defective condition of the parking lot/travel way/property, such defective condition was not the fault of nor was it due to the actions of this Defendant.

WHEREFORE, Defendant SMA RAZA, INC. demands that judgment be entered in its favor with costs in its behalf sustained.

JURY TRIAL DEMANDED

BASHLINE & HUTTON

BY: 

GERALD J. HUTTON, ESQUIRE
Attorneys for Defendant
SMA RAZA, INC.

RAMADA INN v. SMA RAZA
04119-CD

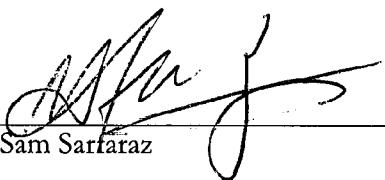
VERIFICATION

I, Mr. Sam Sarfaraz, state that I am the authorized representative of S.M.A. Raza Trucking, Inc., a Defendant herein. I aver that the statements of fact contained in the attached ANSWER AND NEW MATTER are true and correct to the best of my knowledge, information and belief, and are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

Dated:

Oct 20, 2004

Mr. Sam Sarfaraz



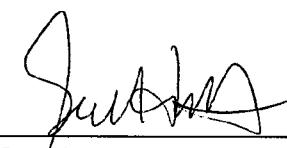
CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing ANSWER AND NEW MATTER was served via U.S. First Class Mail, postage pre-paid, on this 26th day of October, 2004, upon the following counsel of record:

Matthew B. Taladay, Esquire
HANAK, GUIDO AND TALADAY
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

(Attorney for Plaintiff)

BASHLINE AND HUTTON

BY: 

GERALD J. HUTTON, ESQUIRE
Attorney for Defendant,
S.M.A. RAZA, INC.

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

SMA RAZA, INC.,

Defendant

No. 04-1197-CD

Type of Pleading:

Reply to
New Matter

Filed on behalf of:
PLAINTIFF

Counsel of Record for
This Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

814-371-7768

FILED *EGK*
NOV 11 2004
M 11:33 AM NOCC

NOV 03 2004

William A. Shry
Prothonotary

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS, :
Plaintiff :
vs. : No. 04-1197-CD
SMA RAZA, INC., :
Defendant :
:

REPLY TO NEW MATTER

AND NOW, comes the Plaintiff, RIP Management Group, Inc., by its attorneys, Hanak, Guido and Taladay, and hereby replies to Defendant's New Matter as follows:

4. - 8. The allegations set forth in paragraphs 4 through 8 of Defendant's New Matter constitute a conclusion of law to which no response is required.

9. Denied. The damages claimed by Plaintiff are solely and proximately the result of negligence of Defendant as set forth in the Complaint.

10. Denied. The damages claimed by Plaintiff are solely and proximately the result of negligence of Defendant as set forth in the Complaint.

11. Denied. Plaintiff specifically denies all allegations of negligence as set forth in paragraph 11 of Defendant's New Matter pursuant to Pa.R.C.P. Rule 1029(e).

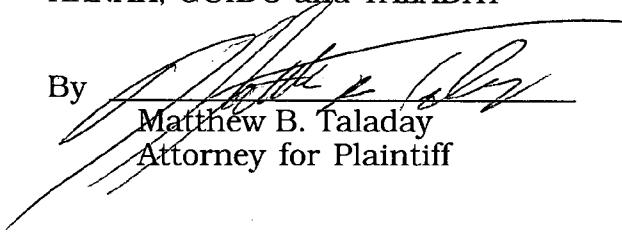
12. Denied. The damages sustained by Plaintiff are solely and proximately the result of the negligence of the Defendant as set forth in the Complaint.

WHEREFORE, Defendant demands judgment in its favor.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By


Matthew B. Taladay
Attorney for Plaintiff

VERIFICATION

I, M. J. TARAR, President of RIP Management Group, Inc., verify that the statements in the foregoing Reply to New Matter are true and correct to the best of my knowledge, information and belief.

This statement and verification is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

RIP MANAGEMENT GROUP, INC., by:


M. J. Tarar, President

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

No. 04-1197-CD

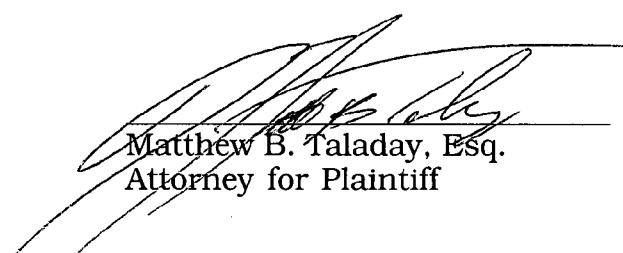
SMA RAZA, INC.,

Defendant

CERTIFICATE OF SERVICE

I hereby certify that on 2nd of November, 2004, I
forwarded a true and correct copy of the foregoing Reply to New
Matter by first class mail, postage prepaid, to the following:

Gerald J. Hutton, Esq.
Attorney for Defendant
Bashiine & Hutton
Suite 3500
Freemarkets Center
210 Sixth Avenue
Pittsburgh, PA 15222


Matthew B. Taladay, Esq.
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff,

vs.

SMA RAZA, INC.,

Defendant.

CIVIL DIVISION

No. ~~04119-CD~~
04-1197-CD

ISSUE NO.:

NOTICE OF SERVICE OF
DEFENDANT'S FIRST SET OF
INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS
DIRECTED TO THE PLAINTIFF

Filed on Behalf of Defendant:
SMA RAZA, INC.

Counsel of Record for this Party:

GERALD J. HUTTON
PA I.D. No. 23098

BASHLINE & HUTTON
Suit 3500 FreeMarkets Center
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 434.0201

Firm I.D. No.: 150

JURY TRIAL DEMANDED

EGW
FILED ^{No} _{cc}
M/14/04
DEC 03 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

CIVIL DIVISION
No. 04119-CD

Plaintiff,

vs.

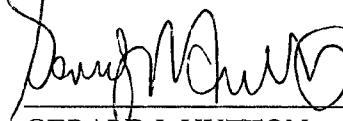
SMA RAZA, INC.,

Defendant.

**NOTICE OF SERVICE OF DEFENDANT'S FIRST SET
OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS DIRECTED TO THE PLAINTIFF**

I hereby certify that Defendant's *First Set of Interrogatories and Request for Production of Documents Directed to the Plaintiff* has been served upon Plaintiff's counsel, Mattew B. Taladay, Esquire, on this 1st day of December, 2004

BASHLINE & HUTTON



GERALD J. HUTTON
Attorney for Defendant,
SMA Raza, Inc.

FILED

DEC 03 2004

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

No. 04-1197-CD

vs.

SMA RAZA, INC.,

Defendant

Type of Pleading:

Notice of Service

Filed on behalf of:
PLAINTIFF

Counsel of Record for
This Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801

814-371-7768

6th FILED NO
FEB 08 2005 cc
103107

William A. Shaw
Prothonotary/Clerk of Courts

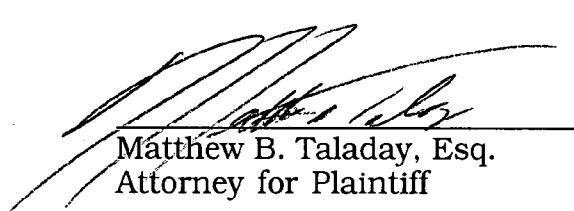
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
CIVIL ACTION-LAW

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS, :
Plaintiff :
vs. : No. 04-1197-CD :
SMA RAZA, INC., :
Defendant :
:

NOTICE OF SERVICE

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being
counsel of record for Plaintiff, do hereby certify that I propounded on
Defendant, via United States mail, first class, postage pre-paid, this
7th day of February, 2005, Plaintiff's FIRST SET OF DISCOVERY
RESPONSES to the below indicated person, at said address, being
counsel of record for the Plaintiff:

Gerald J. Hutton, Esq.
Bashline & Hutton
Suite 3500
Freemarkets Center
210 Sixth Avenue
Pittsburgh, PA 15222


Matthew B. Taladay, Esq.
Attorney for Plaintiff

FILED

FEB 08 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,
INC., d/b/a RAMADA INN OF
DUBOIS,

Plaintiff

vs.

SMA RAZA, INC.,

Defendant

: No. 04-1197 C.D.

: Type of Case: Civil Action

: Type of Pleading: Praecep
for Discontinuance

: Filed on Behalf of:
Plaintiff

: Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

FILED No cc. 1 Cert of
M/11:35 cm disc issued to
AUG 31 2006 Atty Taladay

William A. Shaw
Prothonotary/Clerk of Courts

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

RIP MANAGEMENT GROUP,	:
INC., d/b/a RAMADA INN OF	:
DUBOIS,	:
Plaintiff	:
:	
-vs-	No. 04-1197-CD
:	
SMA RAZA, INC.,	:
Defendant	:

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY:

Kindly mark the above referenced matter settled, discontinued and terminated.

Matthew B. Taladay
Matthew B. Taladay, Esq.
Attorney for Plaintiff

FILED

AUG 31 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

August 29, 2006

498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
mbtaladay@verizon.net

William A. Shaw
Prothonotary
P.O. Box 549
Clearfield, PA 16830

Re: RIP Management Group, Inc. vs. SMA Raza, Inc.
No. 2004-1197-CD

Dear Mr. Shaw:

Enclosed for filing is a Praecept for Discontinuance. Please forward the original Certificate of Discontinuance to my attention. If there are any problems with this request, please let me know.

Sincerely,

Matthew B. Taladay

Matthew B. Taladay

MBT:kam

Encs.

cc: MJ Tarar
Gerald J. Hutton, Esq.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

**RIP Management Group, Inc.
Ramada Inn of DuBois**

Vs. No. 2004-01197-CD
SMA Raza, Inc.

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on August 31, 2006, marked:

Settled, discontinued and terminated.

Record costs in the sum of \$85.00 have been paid in full by Matthew B. Taladay Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 31st day of August A.D. 2006.



William A. Shaw, Prothonotary