

04-1317-CD
LYNN A. ROTHROCK VS ALAN W. LFF, et al

CIVIL DIVISION - LAW

Defendants

David R. Thompson, Esquire
P.O. Box 587
308 Walton Street, St. 4
Philipsburg PA 16866
(814) 342-4100
ID No. 73053

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04-

PRAECIPE TO WRIT OF SUMMONS

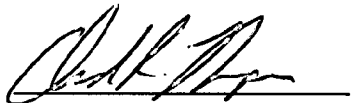
TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE:

8-24-04



David R. Thompson, Esquire
Attorney for Plaintiff

13CC9 cont

to Atty Thompson

AUG 24 2004

William A. Shaw

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04- 1317-CD

WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: _____
[Deputy]

SEAL OF THE COURT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served a true and correct copy of the **PRAECIPE FOR WRIT OF SUMMONS AND WRIT OF SUMMONS**, in the above captioned matter on the following by depositing the same in the U.S. First Class Mail, Certified, Return-Receipt Requested, postage prepaid, addressed as follows:

TRI-L PIZZA HUTS, INC.
1441 Gardiner Lane
Louisville KY 40213

Alan W. Lee
c/o PHI Tax Unit #635011
PO Box 35370
Louisville KY 40232-5370

Bernard R. Lockard
c/o PHI Tax Unit #635011
PO Box 35370
Louisville KY 40232-5370

Larry C. Lockard
c/o PHI Tax Unit #635011
PO Box 35370
Louisville KY 50232-5370

Pizza Hut, Inc.
1481 Dallas Parkway
Dallas TX 75234

Tri-L Company and Tri-L
Pizza Huts, Inc.
PHI Tax Unit #635011
PO Box 35370
Louisville KY 50232-5370

DATE: August 26, 2004

BY: 
David R. Thompson, Esquire

FILED

AUG 27 2004

William A. Shaw
Prothonotary

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

CIVIL ACTION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD, and
LARRY C. LOCKARD, individually, and as CO-
PARTNERS, t/a TRI-L COMPANY, TRI-L PIZZA
HUTS, INC., ARC RESTAURANTS, LLC, AND
PIZZA HUT, INC.,

Defendants

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No. 04-1317-CD

TYPE OF PLEADING:
Affidavit of Service

AFFIDAVIT OF SERVICE

I, DAVID R. THOMPSON, Esquire, hereby certify that I have caused to be served a certified copy of the **PRAECIPE TO ISSUE WRIT OF SUMMONS**, in the above captioned matter. I served the same by depositing in the U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed as follows:

Bernard R. Lockard
c/o PHI Tax Unit # 635011
P.O. Box 35370
Louisville, KY 40232-5370

Larry C. Lockard
c/o PHI Tax Unit # 635011
P.O. Box 35370
Louisville, KY 40232-5370

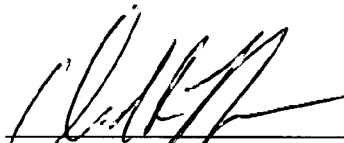
Tri-L Pizza Huts, Inc.
1441 Gardiner Lane
Louisville, KY 40213

Adam W. Lee
c/o PHI Tax Unit # 635011
P.O. Box 35370
Louisville, KY 40232-5370

Tri-L Company and Tri-L Pizza
Huts, Inc.
PHI Tax Unit # 635011
P.O. Box 35370
Louisville, KY 40232-5370

Pizza Hut, Inc.
1484 Dallas Parkway
Dallas, TX 75234

DATED: September 1, 2004


David R. Thompson, Esquire
Attorney for Plaintiff

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:

Bornier, L.R. Lockard
c/o P.O. Box 35510
Louisville KY 40233-5510

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent
☐ AddresseeD. Is delivery address different from item 1?
If YES, enter delivery address below:☐ Yes
☒ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 1010 0002 3612 4785

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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:

Lockard
c/o P.O. Box 35510
Louisville KY 40233-5510

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent
☐ AddresseeD. Is delivery address different from item 1?
If YES, enter delivery address below:☐ Yes
☒ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 1010 0002 3612 4778

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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:

Lockard
c/o P.O. Box 35510
Louisville KY 40233

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent
☐ AddresseeD. Is delivery address different from item 1?
If YES, enter delivery address below:☐ Yes
☒ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 1010 0002 3612 4808

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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:

PHL Tax Unit 463504
 KY 40232-5310

2. Article Number (Copy from service label)

7003 1010 0002 3612 4792

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

- ☐ Agent
☐ Addressee
☐ Yes
☐ No

D. Is delivery address different from item 1?
If YES, enter delivery address below:

SEP 02 2004

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

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:

Employment Unit
 KY 40232-5310

7003 1010 0002 3612 4754

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

- ☐ Agent
☐ Addressee
☐ Yes
☐ No

D. Is delivery address different from item 1?
If YES, enter delivery address below:

SEP 02 2004

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

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:

PHL Tax Unit
 Dallas TX 75234

2. Article Number (Copy from service label)

7003 1010 0002 3612 4761

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

- ☐ Agent
☐ Addressee
☐ Yes
☐ No

D. Is delivery address different from item 1?
If YES, enter delivery address below:

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD, AND
LARRY C. LOCKARD, individually, and as CO-
PARTNERS, t/a/ TRI-L COMPANY, TRI-L
PIZZA HUTS, INC., ARC RESTAURANTS, LLC,
AND PIZZA HUT, INC.,

Defendants

No. 04-1317-CD

TYPE OF CASE:
Civil Division

TYPE OF PLEADING:
Praecipe to Discontinue Action
Against Named Defendants

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD
FOR THIS PARTY:
David R. Thompson, Esquire
Attorney at Law
Supreme Court I.D. 73053
308 Walton Street, Suite 4
P.O. Box 587
Philipsburg PA 16866
(814) 342-4100

William A. Shaw
Prothonotary/Clerk of Courts

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FEB 03 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD, AND
LARRY C. LOCKARD, individually, and as CO-
PARTNERS, t/a/ TRI-L COMPANY, TRI-L
PIZZA HUTS, INC., ARC RESTAURANTS, LLC,
AND PIZZA HUT, INC.,

Defendants

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No. 04-1317-CD

**PRAECIPE TO DISCONTINUE ACTION AGAINST DEFENDANTS
ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY, ARC RESTAURANTS, LLC, AND PIZZA HUT, INC.**

TO THE PROTHONOTARY:

Kindly marked the above-referenced matter as discontinued against Defendants,
Alan W. Lee, Bernard R. Lockard, Larry C. Lockard, individually, ARC Restaurants, and Pizza
Hut, Inc.

Respectfully submitted,



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD, AND
LARRY C. LOCKARD, individually, and as CO-
PARTNERS, t/a/ TRI-L COMPANY, TRI-L
PIZZA HUTS, INC., ARC RESTAURANTS, LLC,
AND PIZZA HUT, INC.,

Defendants

No. 04-1317-CD

TYPE OF CASE:
Civil Action - Law

TYPE OF PLEADING:
Certificate of Service

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esquire
Attorney at Law
Supreme Court 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

EC
ICC
Att'y
FEB 03 2005

William A. Shaw
Prothonotary/Clerk of Courts

~~Amended Certificate of Service~~
~~and~~
~~on~~

~~FEB 03 2005~~

~~Att'y~~

~~ts~~

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD, AND
LARRY C. LOCKARD, individually, and as CO-
PARTNERS, t/a/ TRI-L COMPANY, TRI-L
PIZZA HUTS, INC., ARC RESTAURANTS, LLC,
AND PIZZA HUT, INC.,

Defendants

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No. 04-1317-CD

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **PRAECIPE TO DISCONTINUE ACTION AGAINST DEFENDANTS, ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD, INDIVIDUALLY, ARC RESTAURANTS, LLC, AND PIZZA HUT, INC.**, in the above captioned matter by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

Bernard R. Lockard
c/o PHI Tax Unit #635011
PO Box 35370
Louisville KY 40232-5370

Larry C. Lockard
c/o PHI Tax Unit #635001
PO Box 35370
Louisville KY 40232-5370

Adam W. Lee
c/o PHI Tax Unit #635011
PO Box 35370
Louisville KY 40232-5370

Pizza Hut, Inc.
1484 Dallas Parkway
Dallas TX 75234

Jan Ahrens, Esquire
LEGAL MANAGEMENT SERVICES, LLC
55 Hammarlund Way
Middletown RI 02842

DATE: January 27, 2005

BY:


David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

VS.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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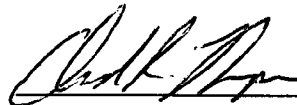
PRAECIPE TO WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 8-24-04



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04-1317-CD

WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: William L. Allen

[Deputy]

SEAL OF THE COURT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

VS.

**ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.**

Defendants

[illegible]

04-1317-02

TYPE OF CASE:
Civil Action - Law

TYPE OF PLEADING:
Praecipe to Issue Writ of
Summons

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR THIS PARTY:

David R. Thompson, Esquire
P.O. Box 587
308 Walton Street, St. 4
Philipsburg PA 16866
(814) 342-4100
ID No. 73053

I hereby declare this to be a true and correct copy of the original statement of the above named person.

AUG 24 2004

Attest:

Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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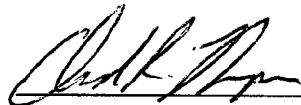
PRAECIPE TO WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 8-24-04



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04-1317-CD

WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: William A. [Signature]
[Deputy]

SEAL OF THE COURT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

VS.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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PRAECIPE TO WRIT OF SUMMONS

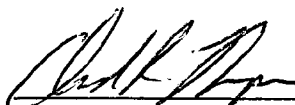
TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE:

8-24-04



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04-1317-CS

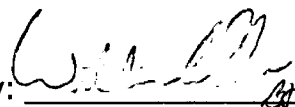
WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: 
[Deputy]

SEAL OF THE COURT

In The Court of Common Pleas of Clearfield County, Pennsylvania

ROTHROCK, LYNN A.

VS.

LEE, ALAN W. al

PRAECIPE & SUMMONS

Sheriff Docket #

16181

04-1317-CD

SHERIFF RETURNS

NOW SEPTEMBER 24, 2004 RETURN THE WITHIN WRIT OF SUMMONS "NOT SERVED, TIME EXPIRED" AS TO ALAN W. LEE, BERNARD R. LOCKARD and BARRY C. LOCKARD Ind & as CO-PARTNERS t/a TRI-L COMPANY, TRI-L PIZZA HUTS, INC. and ARC RESTAURANTS, LLC, DEFENDANTS. NEVER RECEIVED ADVANCE CHECKS FROM ATTORNEY.

Return Costs

Cost	Description
34.74	SHERIFF HAWKINS PAID BY: ATTY CK# 9445
50.00	SURCHARGE PAID BY: atty.

Sworn to Before Me This

_____ Day Of _____ 2004

So Answers,


Chester A. Hawkins
Sheriff

FILED
013:31/201
MAR 24 2005 (CW)

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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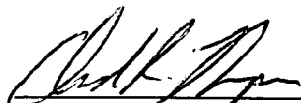
PRAECIPE TO WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 8-24-04



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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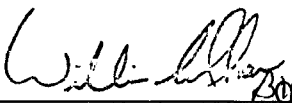
WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: 
[Deputy]

SEAL OF THE COURT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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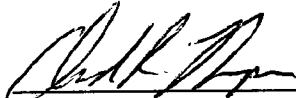
PRAECIPE TO WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 8-24-04


David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04- 1317-CD

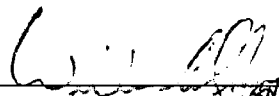
WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: 
[Deputy]

SEAL OF THE COURT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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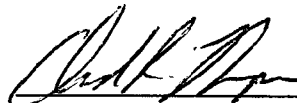
PRAECIPE TO WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 8-24-04



David R. Thompson, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

ALAN W. LEE, BERNARD R. LOCKARD,
AND LARRY C. LOCKARD, individually
and as CO-PARTNERS, t/a TRI-L
COMPANY, TRI-L PIZZA HUTS, INC.,
ARC RESTAURANTS, LLC, AND PIZZA
HUT, INC.

Defendants

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04-1317-CD

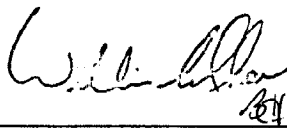
WRIT OF SUMMONS

**TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

You are hereby notified that **LYNN A. ROTHROCK**, has commenced an action
against you.

DATE: August 24, 2004

Prothonotary

By: 
[Deputy]

SEAL OF THE COURT

FILED

MAR 24 2005

William A. Shaw
Prothonotary/Clerk of Courts

Kelley Jasons McGuire & Spinelli, LLP

By: Michael L. Turner, Esquire
mtturner@kjms.com

Identification Number: 35953
Centre Square West, Suite 1500
1500 Market Street
Philadelphia, PA 19102

Attorney for Defendant,
Tri-L Pizza Huts, Inc.

LYNN A. ROTHROCK

v.

TRI-L, PIZZA HUTS, INC.

COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

NO. 04-1317-CD

PRAECIPE FOR RULE TO FILE COMPLAINT

To the Prothonotary:

Kindly issue a Rule upon plaintiff to file a Complaint within twenty (20) days
thereafter.

Respectfully submitted,

KELLEY JASONS MCGUIRE & SPINELLI, LLP

By: Michael L. Turner
Michael L. Turner
Centre Square West, Suite 1500
1500 Market Street
Philadelphia, PA 19102
215-854-0658
Counsel for Defendants

NO
cc
m16:58/64
OCT 21 2005 Rule to
Any
Prothonotary Clerk of Courts
CK

CERTIFICATE OF SERVICE

I, Michael L. Turner, Esq., hereby certify that on October 19, 2005 a copy of Defendant's Praecipe For Rule To File Complaint was served upon all parties to this action, via U.S. Mail, First Class, postage prepaid, addressed as follows:

David R. Thompson, Esquire
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866
(814) 342--4100
Counsel for Plaintiff

KELLEY JASONS MCGUIRE & SPINELLI, LLP

BY: Michael L. Turner
Michael L. Turner, Esquire
Attorney for Defendants

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

Lynn A. Rothrock

Vs.

Case No. 2004-01317-CD

Alan W. Lee

Bernard R. Lockard

Larry C. Lockard

Tri-L Company

Tri-L Pizza Huts, Inc.

Arc Restaurants, LLC

Pizza Hut, Inc.

RULE TO FILE COMPLAINT

TO: Lynn A. Rothrock

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

William A. Shaw, Prothonotary

Dated: October 21, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

VS.

TRI-L PIZZA HUT, INC.,

Defendant

[illegible]

No. 04-1317-CD

TYPE OF CASE:
Civil Matter

TYPE OF PLEADING:
Complaint

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

0/11:39 am
FEB 01 2008
3cc Atty Thompson

William A. Shaw
Prothonotary

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

CIVIL ACTION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

TRI-L PIZZA HUT, INC.,

Defendant

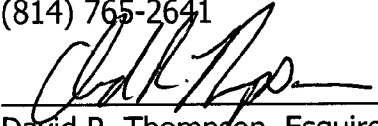
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* No. 04-1317-CD
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NOTICE

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 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) 765-2641



David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*	
	*	No. 04-1317-CD
Plaintiff	*	
	*	
vs.	*	
	*	
TRI-L PIZZA HUT, INC.,	*	
	*	
Defendant	*	

COMPLAINT

AND NOW comes the Plaintiff, **LYNN A. ROTHROCK**, by and through her attorney, David R. Thompson, Esquire, and files the following Complaint against the Defendant, and in support thereof avers the following:

1. Plaintiff, **LYNN A. ROTHROCK**, is an adult individual who presently resides at P.O. Box 47, New Millport, Clearfield County, Pennsylvania, 16861.

2. Defendant, **TRI-L PIZZA HUTS, INC.**, a Pennsylvania Business Corporation and an operating subsidiary of **PIZZA HUT OF AMERICA, INC.**, with a current business address of C/O CT CORPORATION SYSTEMS, 1635 Market Street, Philadelphia, Pennsylvania, 19103. By way of further pleading, **TRI-L PIZZA HUTS, INC.**, has an additional business address of 1441 Gradiner Lane, Louisville, Kentucky, 40213. By way of further pleading, by stipulation of the parties, the Defendants in the caption were amended to name Defendant **TRI-L PIZZA HUTS**,

INC. as the responsible party in possession and control of the premises where the events occurred.

3. The events hereinafter complained occurred on August 31, 2002, at approximately 11:30 p.m. at the Pizza Hut located at 550 West Front Street, Clearfield, Lawrence Township, Clearfield County, Pennsylvania.

4. At or about the same time, Plaintiff and some friends were going to the Pizza Hut to eat. Plaintiff was walking around the front of the building when she stepped on a portion of the parking lot pavement that was cracked and gave way, causing her to twist her ankle and fall in the parking lot of the Defendant.

5. Plaintiff fell forward, twisting her ankle and injuring her knee and elbow.

6. The incident was immediately reported to the manager on duty in Pizza Hut at that time.

7. Plaintiff was then transported to the Emergency Room at Clearfield Hospital as she was unable to walk.

8. The Defendant had actual knowledge or should have had actual knowledge of this dangerous condition in its parking lot, which was in a state of disrepair and was unsafe for pedestrian traffic.

9. The Defendant owed a duty to Plaintiff to assure safety of its premises, which said duty was breached by Defendant.

10. The injuries and damages sustained by Lynn A. Rothrock were caused solely by and were a direct result of the negligence of the Defendant, as aforesaid

generally and in the following particulars:.

- a) in causing, allowing and permitting the surface of parking lot to deteriorate to such a degree that it was unsafe for pedestrian traffic ;
- b) in causing, allowing and permitting an obviously damaged surface to remain unrepaired and open for pedestrians, even though Defendant knew or should have known of the hazardous and dangerous condition which existed;
- c) in causing, allowing and permitting a dangerous and hazardous condition to exist;
- d) in causing, allowing and permitting said damaged surface to exist on their property or leased property in negligent and careless disregard for the employees, agents, patrons, or any individual who would be entering the premises;
- e) in failing to adequately maintain said premises such that the surface was left to break apart, causing a hazardous condition;
- f) in failing to take the necessary steps and precautions to see that the premises were maintained in a safe and secure manner such to guarantee its employees, agents and patrons a smooth, unbroken and non-hazardous parking lot surface;
- g) in failing to remove the hazardous and dangerous condition which existed at the premises when Defendant knew or should have known that negligent maintenance caused the problem and that the same existed;
- h) in failing to inspect said premises in an attempt to discover said hazardous and dangerous condition which existed on its parking area;
- I) in failing to adequately keep and maintain said premises in a safe condition free and clear of broken asphalt which occurred as a direct result of negligence of the Defendant to properly inspect the surface;

- j) in failing to adequately warn Plaintiff and/or any other individuals who would use the premises of the dangerous and hazardous condition which existed due to lack of repair and maintenance, causing a dangerous and hazardous condition for individuals attempting to enter or exist the establishment;
- k) in failing the take necessary or adequate steps or precautions to insure that the asphalt surface on the premises could exists in a reasonable manner as to provide a dangerous condition of the real estate by permitting the asphalt to reach that condition, causing it to break up and causing a hazardous and dangerous condition for anyone who attempted to enter or leave the establishment;

11. Solely as a direct and proximate result of the negligence and carelessness of the Defendant named herein, the Plaintiff, Lynn A. Rothrock, sustained the following serious and severe injuries, some or all of which may be permanent in nature:

- a) Chip fracture to right ankle.
- b) Loss of complete ability to ambulate for a substantial period of time.
- c) Severe shock, strain and sprain of the nerves, muscles, tissues, ligaments and vessels of the musculoskeletal system.
- d) bruises, contusions, swelling, cuts and abrasions to her ankle, knee and elbow.

12. As a direct and proximate result of the aforesaid injuries caused by the Defendant named herein, the Plaintiff Lynn A. Rothrock has been damaged as follows:

- a) She has suffered and will suffer into the future, severe pain and suffering, inconvenience, embarrassment, mental anguish, loss and enjoyment of life's pleasures;

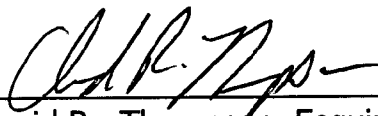
- b) She has been and will be deprived of her health, strength and vitality;
- c) She has lost substantial earning and earning capacity and may continue to lose said earning or earning capacity into the future;
- d) She has incurred and may in the future incur medical expenses and doctors' expense which is recoverable; and
- e) She has suffered scarring and disfigurement.

13. As a result of the aforesaid injuries caused by the Defendant named herein, the Plaintiff, Lynn A. Rothrock, was caused to employ others to take care of her minor child and routine chores around her home and entitled to recovery for said bills she incurred.

WHEREFORE, the Plaintiff, Lynn A. Rothrock, demands judgment in her favor and against Defendant named herein in an amount in excess of the jurisdictional limits of arbitration in Clearfield County, Pennsylvania.

A JURY TRIAL IS DEMANDED.

Respectfully submitted,

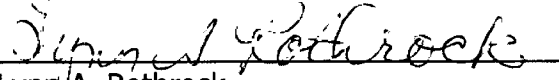


David R. Thompson, Esquire
Attorney for Plaintiff

VERIFICATION

I certify 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: 1-31-06


Lynn A. Rothrock

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

TRI-L PIZZA HUT, INC.,

Defendant

No. 04-1317-CD

TYPE OF CASE:
Civil Division - Law

TYPE OF PLEADING:
Certificate of Service

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esquire
Attorney at Law
Supreme Court 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED 1cc
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FEB 08 2006
William A. Shaw
Prothonotary/Clerk of Courts
UN
Amy Thompson

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

TRI-L PIZZA HUT, INC.,

Defendant

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No. 04-1317

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **COMPLAINT**, in the above captioned matter by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

Michael L. Turner, Esquire
KELLEY JASONS MCGUIRE & SPINELLI LLP
Centre Square West, Suite 1500
1500 Market Street
Philadelphia PA 19102

DATE: February 3, 2006

BY:


David R. Thompson, Esquire

m/3:01/24
 MAR 03 2006
 William A. Shaw
 Prothonotary/Clerk of Courts
 No CC
 UM

5. The allegations in this paragraph are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

6. The allegations in this paragraph are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

7. The allegations in this paragraph are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

8. The allegations in this paragraph are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

9. This paragraph sets forth a legal conclusion for which no answer is required. Should an answer be required, the allegations in this paragraph are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

10. The allegations in this paragraph, including subparts (a)-(k) thereof, are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

11. The allegations in this paragraph, including subparts (a)-(d) thereof, are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

12. The allegations in this paragraph, including subparts (a)-(e) thereof, are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

13. The allegations in this paragraph are denied without the necessity of further response pursuant to PA RCP 1029(e). Strict proof is demanded at time of trial.

WHEREFORE, defendant Tri-L Pizza Huts, Inc. demands judgment in its favor and against plaintiff together with costs of suit and reasonable attorney's fees if allowed by law.

NEW MATTER

1. If plaintiff sustained the injuries and damages as alleged in the Complaint, then same must be barred and/or reduced by the provisions of the Pennsylvania Comparative Negligence Act, 42 Pa.C.S.A. § 7100.

2. Plaintiff's Complaint fails to state a claim upon which relief may be granted.

3. If plaintiff sustained the injuries and damages as alleged in the Complaint, then same were not proximately caused by any action or failure to act on behalf of defendant or any of its employees acting within the course and scope of their employment and within furtherance of answering defendant's business.

4. Plaintiff has a duty to mitigate her damages. To the extent plaintiff has failed to do so, her damages, if any, should be reduced accordingly.

5. If plaintiff sustained the injuries and damages as alleged in her Complaint, then same were caused by other entities over which defendant has or had no control.

6. At all times material hereto, defendant acted with due and proper care under the circumstances.

7. Defendant hereby gives notice that it intends to rely on other and further defenses that become apparent or become available through the discovery process and hereby reserves the right to assert its defense at a later time.

WHEREFORE, defendant Tri-L Pizza Huts, Inc. demands that plaintiff's Complaint be denied and dismissed and that judgment be entered in favor of defendant, together with costs and attorney fees.

Respectfully submitted,

KELLEY JASONS MCGUIRE & SPINELLI, LLP

By: 

Michael L. Turner
Centre Square West, Suite 1500
1500 Market Street
Philadelphia, PA 19102
215-854-0658
Counsel for Defendant

CERTIFICATE OF SERVICE

I, Michael L. Turner, Esq., hereby certifies that on March 1st, 2006 a copy of the Defendant's Answer to Plaintiff's Complaint was served upon counsel for plaintiff, via U.S. Mail, First Class, postage prepaid, addressed as follows:

David R. Thompson, Esquire
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866
(814) 342-4100
Counsel for Plaintiff

KELLEY JASONS MCGUIRE & SPINELLI, LLP

BY: Michael L. Turner
Michael L. Turner, Esquire
Attorney for Defendants

NOCC
m130127
MAR 03 2006
William A. Shaw
Prothonotary/Clerk of Courts

Kelley Jasons McGuire & Spinelli, LLP
By: Michael L. Turner, Esquire
mturner@kjms.com
Identification Number: 35953
Centre Square West, Suite 1500
1500 Market Street
Philadelphia, PA 19102

Attorney for Defendant,
Tri-L Pizza Huts, Inc.

LYNN A. ROTHROCK)

v.)

TRI-L, PIZZA HUTS, INC.)

COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

NO. 04-1317-CD

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter our appearance on behalf of Defendant, Tri-L Pizza Huts, Inc.
in the above-captioned matter.

KELLEY JASONS MCGUIRE & SPINELLI, L.L.P.

BY: Michael L. Turner
Michael L. Turner, Esquire
Attorney for Defendant

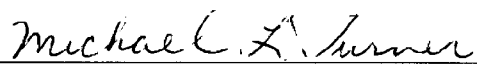
DATED: March 1, 2006

CERTIFICATE OF SERVICE

I, Michael L. Turner, Esq., hereby certifies that on March 1, 2006, a copy of the Defendant's Entry of Appearance was served upon the following, via U.S. Mail, First Class, postage prepaid, addressed as follows:

David R. Thompson, Esquire
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866
(814) 342-4100
Counsel for Plaintiff

KELLEY JASONS MCGUIRE & SPINELLI, LLP



Michael L. Turner, Esquire
Attorney for Defendants

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

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

TRI-L, PIZZA HUTS, INC.,

Defendant

No. 04-1317-CD

TYPE OF CASE:
Civil Action - Law

TYPE OF PLEADING
Reply to New Matter

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

David R. Thompson, Esquire
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

04/11/11 3:41 PM
FILED
CLERK OF COURT

4 cc Ally Thompson

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

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*	
	*	No. 04-1317-CD
Plaintiff	*	
vs.	*	
	*	
TRI-L, PIZZA HUTS, INC.,	*	
Defendant	*	

REPLY TO NEW MATTER

AND NOW, comes the Plaintiff, LYNN A. ROTHROCK, by and through her attorney DAVID R. THOMPSON, ESQUIRE, and files the following Reply to Defendant's New Matter:

Paragraphs 1 through 13 of Plaintiff's Complaint are incorporated by referenced as though the same were set forth at length herein.

NEW MATTER

1. Paragraph 1 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied and strict proof is demanded at the time of trial.

2. Paragraph 2 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied and strict proof is demanded at the time of trial.

3. Paragraph 3 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied and strict proof is demanded at the time of trial.

4. Paragraph 4 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied and strict proof is demanded at the time

of trial.

5. Paragraph 5 is specifically denied.

6. Paragraph 6 is specifically denied.

7. Paragraph 7 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied and strict proof is demanded at the time of trial.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to enter judgement in her favor and against Defendant in accordance with the Complaint herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D.R. Thompson", with a stylized flourish at the end.

David R. Thompson, Esquire
Attorney for Plaintiff

Date: 3-21-06

VERIFICATION

I certify that the facts set forth in the foregoing ***REPLY TO NEW MATTER*** 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: 3/22/06

Lynn A. Rothrock
Lynn A. Rothrock

CIVIL DIVISION - LAW

Defendant

[illegible]

David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

1 CENT TO ADOL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

TRI-L, PIZZA HUTS, INC.,

Defendant

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No. 04-1317-CD

CERTIFICATE OF SERVICE

TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **REPLY TO NEW MATTER** in the above captioned matter by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

TRI-L, Pizza Hut, Inc.
c/o Michael L. Turner
KELLEY JASONS MCGUIRE & SPINELLI, L.L.P.
Centre Square West, Suite 1500
1500 Market Street
Philadelphia, PA 19102

DATE: April 3, 2006

BY:



David R. Thompson, Esquire

LYNN A. ROTHROCK,
Plaintiff
vs.

TRI-L PIZZA HUT, INC.,
Defendant

No. 04-1317-CD

Type of Case: Civil

Type of Pleading: Praecipe
for Entry of Appearance

Filed on behalf of: Defendant

Counsel of Record for this Party:
Laurance B. Seaman, Esquire

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys at law
Two North Front Street
P. O. Box 846
Clearfield, Pennsylvania 16830
(814) 765-1766

FILED No. 11.
0/12:00 am
OCT 03 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

LYNN A. ROTHROCK,
Plaintiff

-vs-

TRI-L PIZZA HUT, INC.,
Defendant

:
:
: No. 04-1317-CD
:
:
:

PRAECIPE

TO WILLIAM A. SHAW, PROTHONOTARY:

Kindly enter my appearance on behalf of Defendant,
TRI-L PIZZA HUT, INC., in the above-captioned proceeding.

GATES & SEAMAN

BY: 

Laurance B. Seaman, Esquire

Date: October 3, 2006

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

LYNN A. ROTHROCK,
Plaintiff

-vs-

TRI-L PIZZA HUT, INC.,
Defendant

:
:
: No. 04-1317-CD
:
:
:

CERTIFICATE OF SERVICE

I hereby certify that I mailed by regular U. S. mail,
postage prepaid, on the 3rd day of October, 2006, a true and
correct copy of the Praecipe for Entry of Appearance to:

David R. Thompson, Esquire
P. O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

GATES & SEAMAN

By: 

Laurance B. Seaman, Esquire
Attorney for Defendant,
Tri-L Pizza Hut, Inc.

FILED

OCT 03 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

LYNN A. ROTHROCK,
Plaintiff

vs.

TRI-L PIZZA HUT, INC.,
Defendant

No. 04-1317-CD

Type of Case: Civil

Type of Pleading: NOTICE OF
SERVICE OF TAKING DEPOSITION

Filed on behalf of: Defendant

Counsel of Record for this Party:
Laurance B. Seaman, Esquire

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys at law
Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

FILED
0/2:45um NoCC.
OCT 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

LYNN A. ROTHROCK, :
Plaintiff :
 : No. 04-1317-CD
-vs- :
 :
TRI-L PIZZA HUT, INC., :
Defendant :


AFFIDAVIT OF SERVICE

I, Laurance B. Seaman, Esquire, Attorney for
Defendant, TRI-L PIZZA HUT, INC., certify that a true and
correct copy of a Notice of Taking Deposition, a photocopy of
which is attached hereto as Exhibit "A", was forwarded by
regular first-class mail, postage prepaid, on the 26th day of
October, 2006, to:

TO: David R. Thompson Esquire
THOMPSON LAW OFFICE
P. O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

ASAP COURT REPORTING
208 W. Sample Street
P. O. Box 345
Ebensburg, PA 15931

GATES & SEAMAN

By: 
Laurance B. Seaman, Esquire
Attorney for Defendant,
Tri-L Pizza Hut, Inc.

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

LYNN A. ROTHROCK, Plaintiff :
 : No. 04-1317-CD
-vs- :
 :
TRI-L PIZZA HUT, INC., :
Defendant :

NOTICE OF TAKING DEPOSITION

TO: **LYNN A. ROTHROCK, Plaintiff**
c/o David R. Thompson Esquire
THOMPSON LAW OFFICE
P. O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

NOTICE is given herewith that the deposition of **LYNN A. ROTHROCK** will be taken on oral examination at the Law Offices of Laurance B. Seaman, Esquire, GATES & SEAMAN, Two North Front Street, Clearfield PA 16830, on Wednesday, November 8, 2006, commencing at 1:00 o'clock p.m. at which time you are invited to attend and participate. The deposition shall continue from day to day until completed, and will be taken before a notary public or some other officer authorized by law to administer oaths.

The Plaintiff is requested to produce at the scheduled deposition all documents within the scope of Pa.R.C.P. No. 4003.1, which are related directly or indirectly to any of the claims or defenses in this action, which are in the possession, custody or control of, or available to, the plaintiff or her agents, representatives and attorneys. The term "documents" includes, but is not limited to, notes, memoranda, correspondence, reports, photographs, video and audio tapes, films, articles or other publications, questionnaires, computer printouts and file information, surveys, or drawings, or any other writings or transcriptions of any kind whatsoever in both draft and final form.

The scope of said deposition will include inquiry into all facts concerning all matters relevant to the issues raised in the case and is for use in discovery or at trial.

GATES & SEAMAN

By: 

Laurance B. Seaman, Esquire
Attorney for Defendant,
TRI-L PIZZA HUT, INC.

Date: October 26, 2006

FILED

OCT 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

LYNN A. ROTHROCK,
Plaintiff

vs.

TRI-L PIZZA HUT, INC.,
Defendant

No. 04-1317-CD

Type of Case: Civil

Type of Pleading: NOTICE OF
SERVICE OF TAKING DEPOSITION

Filed on behalf of: Defendant

Counsel of Record for this Party:
Laurance B. Seaman, Esquire

Supreme Court No.: 19620

GATES & SEAMAN
Attorneys at law
Two North Front Street
P. O. Box 846
Clearfield, PA 16830
(814) 765-1766

William A. Shaw
Prothonotary/Clerk of Courts

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

LYNN A. ROTHROCK, :
Plaintiff :
 : No. 04-1317-CD
-vs- :
 :
TRI-L PIZZA HUT, INC., :
Defendant :

AFFIDAVIT OF SERVICE

I, Laurance B. Seaman, Esquire, Attorney for
Defendant, TRI-L PIZZA HUT, INC., certify that a true and
correct copy of a Notice of Taking Deposition, a photocopy of
which is attached hereto as Exhibit "A", was forwarded by
regular first-class mail, postage prepaid, on the 2nd day of
MARCH, 2007, to:

TO: David R. Thompson Esquire
THOMPSON LAW OFFICE
P. O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

ASAP COURT REPORTING
208 W. Sample Street
P. O. Box 345
Ebensburg, PA 15931

GATES & SEAMAN

By: 

Laurance B. Seaman, Esquire
Attorney for Defendant,
Tri-L Pizza Hut, Inc.

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

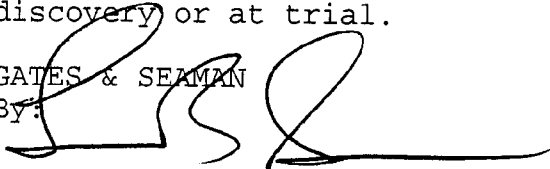
LYNN A. ROTHROCK, Plaintiff :
 : No. 04-1317-CD
-vs- :
 :
TRI-L PIZZA HUT, INC., :
Defendant :

NOTICE OF TAKING DEPOSITION

TO: **LYNN A. ROTHROCK, Plaintiff**
c/o David R. Thompson Esquire
THOMPSON LAW OFFICE
P. O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

NOTICE is given herewith that the deposition of **NATHANIEL A. DENNIS, JR.**, will be taken on oral examination at the Law Offices of Laurance B. Seaman, Esquire, GATES & SEAMAN, Two North Front Street, Clearfield PA 16830, on Tuesday, March 20, 2007, commencing at 1:30 o'clock p.m. at which time you are invited to attend and participate. The deposition shall continue from day to day until completed, and will be taken before a notary public or some other officer authorized by law to administer oaths.

The scope of said deposition will include inquiry into all facts concerning all matters relevant to the issues raised in the case and is for use in discovery or at trial.

GATES & SEAMAN
By: 

Laurance B. Seaman, Esquire
Attorney for Defendant,
TRI-L PIZZA HUT, INC.

Date: March 2, 2007

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

LYNN A. ROTHROCK

Plaintiff,

vs.

TRI-L PIZZA HUT, INC.
TRI-L COMPANY
Defendant.

No. 04-1317-CD

**PRAECIPE TO SETTLE,
DISCONTINUE AND END**

Filed on behalf of Plaintiff

Counsel of Record for this Party:

David R. Thompson
P.O. Box 587
308 Walton Street, Ste. 4
Philipsburg, PA 16866
(814) 342-4100
ID No. 73053

FILED
9/3:50am
NOV 20 2007

2cc & 2cert
of disc issued
to Atty
Thompson

William A. Shaw
Prothonotary/Clerk of Courts

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

LYNN A. ROTHROCK

Plaintiff,

vs.

TRI-L PIZZA HUT, INC.

Defendant.

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No. 04-1317-CD

PRAECIPE TO SETTLE, DISCONTINUE AND END

TO THE PROTHONOTARY:

Kindly mark this matter settled and discontinued with prejudice.

THOMPSON LAW OFFICE

BY:



David R. Thompson, Esq.
Attorney for Plaintiff

Date: 11-13-07

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CC-11

Lynn A. Rothrock

Vs.

No. 2004-01317-CD

Alan W. Lee
Bernard R. Lockard
Larry C. Lockard
Tri-L Company
Tri-L Pizza Huts, Inc.
Arc Restaurants, LLC
Pizza Hut, Inc.

CERTIFICATE OF DISCONTINUATION

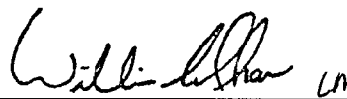
Commonwealth of PA
County of Clearfield

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 November 20, 2007, marked:

Settled and discontinued with prejudice as to Tri-L Pizza Hut Inc and Tri-L Company

Record costs in the sum of \$85.00 have been paid in full by David R. Thompson Esq..

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



William A. Shaw, Prothonotary