

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

\*

Plaintiff

\* 04-1317-CD

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.

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

Defendants

\*

\*

\* TYPE OF PLEADING:  
\* Praeclipe 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

FILED

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,

\*  
\* 04-

Plaintiff

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\*  
\*

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.

\*  
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Defendants

\*  
\*

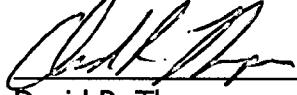
***PRAECIPE TO WRIT OF SUMMONS***

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

FILED  
Clerk  
AUG 24 2004  
William A. Shaw  
Prothonotary/Clerk of Courts  
13 accounts  
to Atty Thompson  
Atty Pd \$5.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

\*

04- 1317-CD

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.

\*

\*

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\*

Defendants

\*

\*

***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,

\* 04-1317

Plaintiff

\*

\*

\*

\*

TYPE OF CASE:  
Civil Action - law

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

\*

\*

\*

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

AUG 27 2004  
11:00 AM  
William A. Shaw  
Prothonotary  
7 Cent to Attm

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA  
CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*
	*
Plaintiff	04-1317
	*
	*
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	*
	*
	*

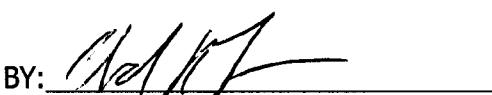
**CERTIFICATE OF SERVICE**

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

\*

\* No. 04-1317-CD

\*

\*

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

\*

\*

\* TYPE OF PLEADING:  
\* Affidavit of Service

\*

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\* FILED ON BEHALF OF:  
\* Plaintiff

\*

\*

\*

\* COUNSEL OF RECORD FOR THIS  
\* PARTY:

\*

\* David R. Thompson, Esquire  
\* P.O. Box 587  
\* Philipsburg, PA 16866  
\* (814) 342-4100  
\* I.D. No. 73053

FILED  
Ebk

SEP 17 2004

0/1151

William A.

Prothonotary/Clerk

2 cleno to Army

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

CIVIL ACTION - LAW

LYNN A. ROTHROCK,	*	
	*	No. 04-1317-CD
Plaintiff	*	
	*	
vs.	*	
	*	TYPE OF PLEADING:
ALAN W. LEE, BERNARD R. LOCKARD, and	*	Affidavit of Service
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	*	

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:

Barney L P Lockard  
216 Pitts Landing 46386-11  
100 Bus 33510  
Louisville KY 40227-33510

**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 NoLOUISVILLE  
SEP 01 2004

## 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:

Barney L P Lockard  
216 Pitts Landing 46386-11  
100 Bus 33510  
Louisville KY 40227-33510

**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 NoLOUISVILLE  
SEP 01 2004

## 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:

Barney L P Lockard  
216 Pitts Landing 46386-11  
100 Bus 33510  
Louisville KY 40227-33510

**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:

1. 1000 4754  
 2. PH L Tax Unit 46635011  
 3. 1000 4754  
 4. Louisville KY 40232-5340

2. Article Number (Copy from mailing label)

7003 1010 0002 3612 4792

PS Form 3811, July 1999

Domestic Return Receipt

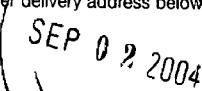
102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

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

C. Signature

X LOUISVILLE  
 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**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:

1. 1000 4754  
 2. PH L Tax Unit 46635011  
 3. 1000 4754  
 4. Louisville KY 40232-5340

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 M. W. Stratton  
 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

2. Article Number

7003 1010 0002 3612 4761

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

\*

\*

Plaintiff

\* No. 04-1317-CD

\*

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.,

\*

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Defendants

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TYPE OF CASE:

Civil Division

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TYPE OF PLEADING:

Praecipe to Discontinue Action

Against Named Defendants

\*

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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

1/11/2005 1CC AMY  
FEB 03 2005  
copy to CIA

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA  
CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*
	*
Plaintiff	* No. 04-1317-CD
	*
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	*
	*

**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 mark 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

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No. 04-1317-CD

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TYPE OF CASE:  
Civil Action - Law

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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

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

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11130/01  
FEB 03 2005  
Atty

William A. Shaw  
Prothonotary/Clerk of Courts

11130/01  
FEB 03 2005  
Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

\*

\* No. 04-1317-CD

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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

\*

\*

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

Pizza Hut, Inc.  
1484 Dallas Parkway  
Dallas TX 75234

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

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

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

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,	*
	*
	04-
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.	*
	*
	*
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	*
Defendants	*
	*
	*

***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

\* 04-1317-C

\*

\*

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.

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Defendants

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***WRIT OF SUMMONS***

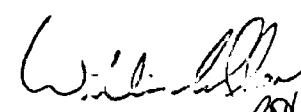
TO: **ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,  
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS  
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

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

\*  
\* 04-1317-0  
\*

**TYPE OF CASE:**  
Civil Action - Law

## TYPE OF PLEADING: Praeclipe 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 certify this to be a true  
and accurate copy of the original  
Statement of Income for 2018.

AUG 24 2004

Ates:

### Geographic

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*
	*
	04-
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	*
	*

***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  
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***WRIT OF SUMMONS***

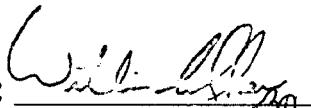
TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,  
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS  
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.

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

\*

04-1317-C

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TYPE OF CASE:

Civil Action - Law

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TYPE OF PLEADING:

Praeclipe to Issue Writ of  
Summons

\*

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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

True and correct copy  
as of 8/24/2004  
by [unclear]

AUG 24 2004

Attst:

Commonwealth  
Court of Appeals

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

\*  
\* 04-

Plaintiff

\*

\*

VS.

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\*

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.

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Defendants

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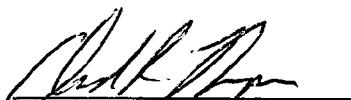
***PRAECIPE TO WRIT OF SUMMONS***

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

04-1317-CJ

\*

\*

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.

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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: W.L.M.

[Deputy]

SEAL OF THE COURT

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

**RUTHROCK, 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**

<b>Cost</b>	<b>Description</b>
34.74	<b>SHERIFF HAWKINS PAID BY: ATTY CK# 9445</b>
50.00	<b>SURCHARGE PAID BY: <i>atty</i></b>

---

**Sworn to Before Me This**

**\_\_\_\_ Day Of 2004**

**So Answers,**

*Chester A. Hawkins  
My Marilyn Ham  
Chester A. Hawkins  
Sheriff*

**FILED**  
*013:3161*  
**MAR 24 2005** *(C)*

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

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hereby certifies this to be a true  
copy of the record of this Court  
as of the 24th day of August, 2004.

AUG 24 2004

Attest:

Clearfield County  
Court of Common Pleas  
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

\*

04-

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.

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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,

\*  
\* 04-1317-C  
\*

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.

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Defendants

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***WRIT OF SUMMONS***

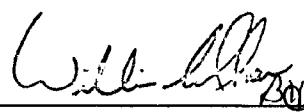
TO: ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,  
INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS  
INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.

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

\*  
\* 04-1317-05  
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\* TYPE OF CASE:  
\* Civil Action - Law

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\* TYPE OF PLEADING:  
\* Praeclipe 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 certify this to be a true  
and accurate copy of the original  
document in this case  
SARAH M. COOPER

AUG 24 2004

Attala

Clearfield County  
Common Pleas Court

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*
	*
	04-
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	*
	*

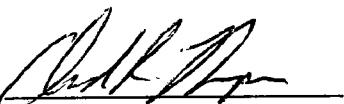
***PRAECIPE TO WRIT OF SUMMONS***

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,

\*  
\* 04-1317-CD  
\*

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.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*
	*
Plaintiff	04-
	*
	*
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	*
	*

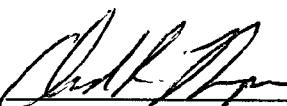
***PRAECIPE TO WRIT OF SUMMONS***

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

04-1317-CJ

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

\*

\*

***WRIT OF SUMMONS***

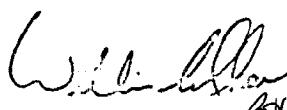
TO: **ALAN W. LEE, BERNARD R. LOCKARD AND LARRY C. LOCKARD,**  
**INDIVIDUALLY AND AS CO-PARTNERS, T/A TRI-L COMPANY; TRI-L PIZZA HUTS**  
**INC.; ARC RESTAURANTS, LLC; AND PIZZA HUT, INC.**

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  
[mturner@kjms.com](mailto: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

**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  
mls:sgb  
OCT 21 2005 | Rule to  
Atty  
William A. S. Lew  
Prothonotary Clerk of Courts  
6k

**CERTIFICATE OF SERVICE**

I, Michael L. Turner, Esq., hereby certify that on October 19, 2005 a copy of Defendant's Praeclipe 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

\* No. 04-1317-CD

\*

\*

VS.

\*

\*

TRI-L PIZZA HUT, INC.,

\* TYPE OF CASE:

\* Civil Matter

\*

\*

Defendant

\*

\*

\* TYPE OF PLEADING:

\* Complaint

\*

\*

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\*

\*

\* 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

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

CIVIL ACTION - LAW

LYNN A. ROTHROCK,

\*  
\* No. 04-1317-CD

Plaintiff

\*

VS.

\*

TRI-L PIZZA HUT, 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 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,	*
	*
Plaintiff	No. 04-1317-CD
	*
	*
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 unrepairs 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 to take necessary or adequate steps or precautions to insure that the asphalt surface on the premises could exist 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;

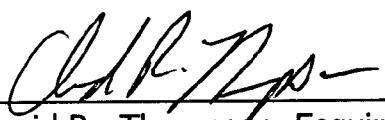
- b) She has been and will be deprived of her health, strength and vitality;
- c) She has lost substantial earning and earning capacity and may continue to lose said earning or earning capacity into the future;
- d) She has incurred and may in the future incur medical expenses and doctors' expense which 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  
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  
01/30/2006  
FEB 08 2006  
ATTY Thompson  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

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

## CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

**Plaintiff**

No. 04-1317

VS.

TRI-L PIZZA HUT, INC.,

**Defendant**

**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  
David R. Thompson, Esquire

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

No  
m/3/01 BY  
MAR 03 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

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

LYNN A. ROTHROCK	)	
	)	
v.	)	
	)	COURT OF COMMON PLEAS
TRI-L, PIZZA HUTS, INC.	)	OF CLEARFIELD COUNTY
	)	
	)	NO. 04-1317-CD

**DEFENDANT'S ANSWER TO COMPLAINT, AND**  
**DEFENDANT'S NEW MATTER**

Defendant Tri-L Pizza Huts, Inc. for its Answer and New Matter to Plaintiff's Complaint states:

1. Denied. After reasonable investigation, defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in this paragraph. Therefore, these allegations are denied and strict proof thereof is demanded.
2. The allegations in the first and third sentences are admitted. The allegations in the second sentence are denied.
3. 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.
4. 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.
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,

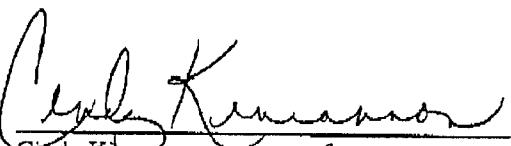
KELLEY JASONS MCGUIRE & SPINELLI, LLP

By: Michael L. Turner

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

VERIFICATION

Comes the undersigned, Cindy Kincannon, Liability Claims Leader, and affirms that these answers are true to the best of my knowledge and belief.

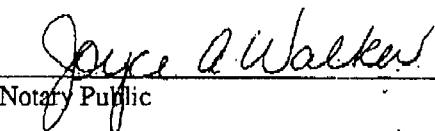


Cindy Kincannon  
Cindy Kincannon, as agent for  
Pizza Hut of America, Inc.

COMMONWEALTH OF KENTUCKY )  
 ) ss:  
COUNTY OF JEFFERSON )

SUBSCRIBED AND SWORN TO before me by Cindy Kincannon, this 23rd  
day of February, 2006.

My Commission Expires April 5, 2007.



Joyce A. Walker  
Notary Public

Rothrock v. Pizza Hut of America, Inc.

**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

No CC  
m130161  
MAR 03 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

Kelley Jasons McGuire & Spinelli, LLP

By: Michael L. Turner, Esquire  
[mturner@kjms.com](mailto: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. ) COURT OF COMMON PLEAS  
TRI-L, PIZZA HUTS, INC. ) 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 JASON'S MCGUIRE & SPINELLI, LLP

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

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

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff \* No. 04-1317-CD

vs.

TRI-L, PIZZA HUTS, INC.,

Defendant \*

\* 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

11/11/2004  
FJD  
JW  
4cc Amy Thompson

Clearfield County Court  
4cc Amy Thompson

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

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,	*	
	Plaintiff	*
vs.	*	No. 04-1317-CD
	*	
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,



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

Plaintiff

vs.

TRI-L, PIZZA HUTS, INC.,

Defendant

\* No. 04-1317-CD

\* TYPE OF PLEADING:  
\* Certificate of Service

\* 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

FILED

APR 12 2006  
04/12/06  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 Cents to Mail

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LYNN A. ROTHROCK,

\*  
\* No. 04-1317-CD

Plaintiff

vs.

TRI-L, PIZZA HUTS, INC.,

Defendant

\*

\*

\*

\*

\*

\*

\*

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

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

LYNN A. ROTHROCK, Plaintiff : No. 04-1317-CD  
vs. : Type of Case: Civil  
: Type of Pleading: Praecipe  
for Entry of Appearance  
: Filed on behalf of: Defendant  
TRI-L PIZZA HUT, INC., Defendant : Counsel of Record for this Party:  
Defendant : 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. CL.  
012:00 am  
OCT 03 2006 (SP)

William A. Shaw  
Prothonotary/Clerk of Courts

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

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

**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  
-LBS  
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 :  
: No. 04-1317-CD  
-vs- :  
: :  
TRI-L PIZZA HUT, INC., :  
Defendant :  
:

CERTIFICATE OF SERVICE

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

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

GATES & SEAMAN  
  
By: \_\_\_\_\_  
Laurence 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 : No. 04-1317-CD  
Plaintiff : Type of Case: Civil  
Plaintiff : Type of Pleading: NOTICE OF  
Plaintiff : SERVICE OF TAKING DEPOSITION  
vs. :  
: Filed on behalf of: Defendant  
TRI-L PIZZA HUT, INC., Defendant : Counsel of Record for this Party:  
Defendant : 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  
02:45pm  
OCT 27 2008  
NoCC.  


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 26<sup>th</sup> 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**

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

LYNN A. ROTHROCK, Plaintiff : No. 04-1317-CD  
vs. : Type of Case: Civil  
: Type of Pleading: NOTICE OF  
: SERVICE OF TAKING DEPOSITION  
: Filed on behalf of: Defendant  
TRI-L PIZZA HUT, INC., 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

111-111 No CC.  
0/300 cm  
MAR 02 2001  
WSR

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

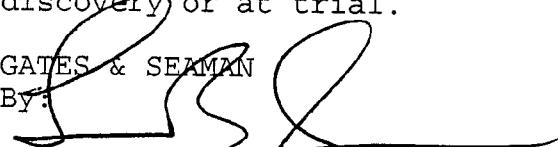
LYNN A. ROTHROCK, Plaintiff :  
: No. 04-1317-CD  
-vs- :  
: TRI-L PIZZA HUT, INC., :  
: Defendant :  
:

**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, : No. 04-1317-CD  
vs. :  
TRI-L PIZZA HUT, INC. :  
TRI-L COMPANY :  
Defendant. :  
: 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 acc & acert  
0/3/2004 of disc issued  
NOV 20 2004 to Atty  
Thompson  
WAS

William A. Shaw  
Prothonotary/Clerk of Courts

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

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

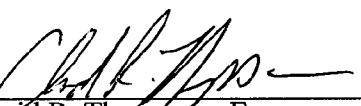
**PRAECIPE TO SETTLE, DISCONTINUE AND END**

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  
JL

**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**

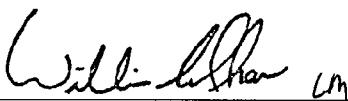
Commonwealth of PA  
County of Clearfield

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