

2004-1335-CD  
PAUL PIFER, ETAL,

VS  
NATIONAL FUEL GAS COMPANY

**Paul Pifer et al vs National Fuel Gas  
2004-1335-CD**

NELSON LEVINE de LUCA & HORST, LLC  
BY: DANIEL J. de LUCA  
IDENTIFICATION NO.: 74727  
FOUR SENTRY PARKWAY, SUITE 300  
BLUE BELL, PA 19422  
(610) 862-6571

ATTORNEY FOR PLAINTIFFS

PAUL AND MARY PIFER (DECEASED)  
48 WOODLAND LANE  
DUBOIS, PA 15801

CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

And

RANDY AND GAYLE SWINK  
2845 OKLAHOMA-SALEM ROAD  
DUBOIS, PA 15801

CIVIL ACTION NO:

And

04-1335-CJ

SCOTT MOORE  
RR#4, BOX 629  
629 WILLIAM PENN AVENUE  
DUBOIS, PA 15801

And

NANCY KLINE AND DONALD PAYEUR  
241 WILLIAM PENN AVENUE  
DUBOIS, PA 15801

And

JEFFREY AND TINA BARONICK  
84 WOODLAND LANE  
DUBOIS, PA 15801

And

VINCE AND HELEN BONFARDIN  
49 SYLVAN HEIGHTS ROAD  
DUBOIS, PA 15801

And

EDWARD TATE  
RR4, BOX 655  
DUBOIS, PA 15801

FILED *Att'y pd. 85.00*  
*01/10/2004* *awnts 92cc*  
*AUG 27 2004* *to my shff*  
William A. Shaw  
Prothonotary/Clerk of Courts

And

**WILLIAM AND KAREN BRADY  
101 WOODLAND LANE  
DUBOIS, PA 15801**

**Plaintiffs**

v.

**NATIONAL FUEL GAS COMPANY  
1 RELIEF STREET  
OIL CITY, PA 16301**

**Defendant**

**PRAECIPE TO ISSUE WRIT OF SUMMONS**

**TO THE PROTHONOTARY:**

Kindly issue a Writ of Summons commencing an action against the named Defendant in the above-captioned matter.

**NELSON LEVINE de LUCA & HORST, LLC**

BY: 

Daniel J. de Luca  
Attorney for Plaintiffs

Dated: August 27, 2004

**NELSON LEVINE de LUCA & HORST, LLC  
BY: DANIEL J. de LUCA  
IDENTIFICATION NO.: 74727  
FOUR SENTRY PARKWAY, SUITE 300  
BLUE BELL, PA 19422  
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**ATTORNEY FOR PLAINTIFFS**

**PAUL AND MARY PIFER (DECEASED)  
48 WOODLAND LANE  
DUBOIS, PA 15801**

**And**

**RANDY AND GAYLE SWINK  
2845 OKLAHOMA-SALEM ROAD  
DUBOIS, PA 15801**

**And**

**SCOTT MOORE  
RR#4, BOX 629  
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DUBOIS, PA 15801**

**And**

**VINCE AND HELEN BONFARDIN  
49 SYLVAN HEIGHTS ROAD  
DUBOIS, PA 15801**

**And**

**EDWARD TATE  
RR4, BOX 655**

**CLEARFIELD COUNTY COURT  
OF COMMON PLEAS**

**CIVIL ACTION NO:**

**04-1335-CJ**

DUBOIS, PA 15801

And

WILLIAM AND KAREN BRADY  
101 WOODLAND LANE  
DUBOIS, PA 15801

Plaintiffs

v.

NATIONAL FUEL GAS COMPANY  
1 RELIEF STREET  
OIL CITY, PA 16301

Defendant

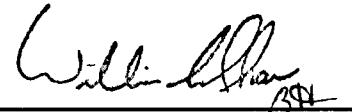
WRIT OF SUMMONS

TO: National Fuel Gas Company  
1 Relief Street  
Oil City, PA 16301

YOU ARE HEREBY NOTIFIED that the above Plaintiffs have commenced an action  
against you in the above litigation.

BY THE PROTHONOTARY

DATED: August 27, 2004



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

MARY and PAUL PIFER (Deceased);	) Civil Division
RANDY and GAYLE SWINK; SCOTT	)
MOORE; NANCY KLINE and DONALD	) No. 2004 - 01335 - CD
PAYEUR; JEFFREY and TINA	)
BARONICK; VINCE and HELEN	) APPEARANCE
BONFARDIN; EWARD TATE; and	)
WILLIAM AND KAREN BRADY,	) Filed on behalf of Defendant, ) National Fuel Gas Company
Plaintiffs	)
	)
vs.	) Counsel of record: ) Mark E. Mioduszewski ) PA ID #30301
NATIONAL FUEL GAS COMPANY,	)
Defendant	) KNOX MC LAUGHLIN GORNALL & ) SENNETT, P.C. ) 120 West Tenth Street ) Erie, PA 16501-1461 ) (814) 459-2800

EGK  
FILED NO  
m/2/42004  
SEP 01 2004

William A. Shaw  
Prothonotary Clerk of Courts

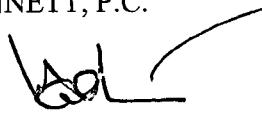
MARY and PAUL PIFER (Deceased); ) IN THE COURT OF COMMON PLEAS OF  
RANDY and GAYLE SWINK; SCOTT ) CLEARFIELD COUNTY, PENNSYLVANIA  
MOORE; NANCY KLINE and DONALD )  
PAYEUR; JEFFREY and TINA ) Civil Action - Law  
BARONICK; VINCE and HELEN )  
BONFARDIN; EWARD TATE; and ) No. 2004 - 01335 - CD  
WILLIAM AND KAREN BRADY, )  
)  
Plaintiffs )  
)  
vs. )  
)  
NATIONAL FUEL GAS COMPANY, )  
)  
Defendant )

**APPEARANCE**

We appear on behalf of the defendant, National Fuel Gas Company, in the  
above-captioned matter.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &  
SENNETT, P.C.

By 

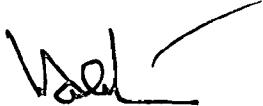
Mark E. Mioduszewski  
120 West Tenth Street  
Erie, PA 16501-1461  
(814) 459-2800

Attorneys for Defendant  
National Fuel Gas Company

MARY and PAUL PIFER (Deceased); ) IN THE COURT OF COMMON PLEAS OF  
RANDY and GAYLE SWINK; SCOTT ) CLEARFIELD COUNTY, PENNSYLVANIA  
MOORE; NANCY KLINE and DONALD )  
PAYEUR; JEFFREY and TINA ) Civil Action - Law  
BARONICK; VINCE and HELEN )  
BONFARDIN; EWARD TATE; and ) No. 2004 - 01335 - CD  
WILLIAM AND KAREN BRADY, )  
 )  
Plaintiffs )  
 )  
vs. )  
 )  
NATIONAL FUEL GAS COMPANY, )  
 )  
Defendant )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 30 day of August, 2004, a copy of the within document was served on all counsel of record and unrepresented parties in accordance with the applicable rules of court.



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Mark E. Mioduszewski

1000

**DEPUTY SHERIFF'S EDUCATION & TRAINING ACCT.**

COURT No. 04-1335-CJ

DATE Aug. 30 200 4

RECEIVED OF Lifer \$ 10.00

Vs. Yates

COMPLAINT ✓ PAID 11836

SUMMONS       

EXECUTION       

APR 30 1986

PETITIONS       

OTHER       

M. Hawkins

CHESTER A. HAWKINS, SHERIFF  
CLEARFIELD COUNTY, PENNSYLVANIA

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

PIFER, PAUL & MARY (DECEASED) al

Sheriff Docket # 16205

VS.

04-1335-CD

NATIONAL FUEL GAS COMPANY

PRAECIPE & WRIT OF SUMMONS

**SHERIFF RETURNS**

NOW AUGUST 30, 2004, GENE PRICE, SHERIFF OF VENANGO COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN PRAECIPE & WRIT OF SUMMONS ON NATIONAL FUEL GAS COMPANY, DEFENDANT.

NOW SEPTEMBER 1, 2004 SERVED THE WITHIN PRAECIPE & WRIT OF SUMMONS ON NATIONAL FUEL GAS COMPANY, DEFENDANT BY DEPUTIZING THE SHERIFF OF VENANGO COUNTY. THE RETURN OF SHERIFF PRICE IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED SUELYN K. BELL, AGENT/CUSTOMER REP.

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**Return Costs**

Cost	Description
27.74	SHERIFF HAWKINS PAID BY: ATTY CK# 11835
10.00	SURCHARGE PAID BY: ATTY CK# 11836
30.20	VENANGO CO. SHFF. PAID BY: ATTY

---

Sworn to Before Me This

*20<sup>th</sup>* Day Of *Sept.* 2004

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Wednesday Jan 2006  
Clearfield Co. Clerks Office

So Answers,

*Chester Hawkins*  
*by Marilyn Harry*  
Chester A. Hawkins  
Sheriff

*0125184*  
SEP 20 2004

William A. Shaw  
Prothonotary Clerk of Courts

**AFFIDAVIT OF SERVICE**  
**VENANGO COUNTY SHERIFF'S OFFICE**

Paul Pifer, et al

Plaintiff

Docket No. 04-1335-CD

Vs.

National Fuel Gas Company

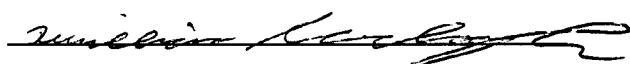
Defendant

Before me the undersigned authority, personally appeared **William Carbaugh, Deputy Sheriff**, who being duly sworn according to law, deposes and says that on the **1<sup>st</sup>** day of **September 2004** at **1415 HRS** he served the within **Writ of Summons** upon **National Fuel Gas Company** by handing one true and certified copy of the said documents to **Suelyn K Bell, Agent in Charge/Customer Rep** located at **1 Relief St, Oil City, PA 16301** place of **Employment**, and by making known to **her** the contents thereof. The certified copy of the said **Writ of Summons** was received from **Clearfield County Sheriff's Office**.

Venango County Costs: \$ 30.20

Paid: \$ 175.00

01SEP04

  
William Carbaugh, Deputy Sheriff

  
Gene Price  
Gene Price, Sheriff of Venango County

Sworn to and subscribed before  
me this 2<sup>nd</sup> day of  
September, 2004  
Pegey L. Muller  
Prothonotary of Venango County

**PROTHONOTARY**

MY COMMISSION EXPIRES  
THE FIRST MONDAY OF JAN. 2008.

*201*  
**NELSON LEVINE de LUCA & HORST, LLC  
BY: DANIEL J. de LUCA  
IDENTIFICATION NO.: 74727  
FOUR Sentry PARKWAY, SUITE 300  
BLUE BELL, PA 19422  
(610) 862-6571**

**ATTORNEY FOR PLAINTIFFS**

**PAUL AND MARY PIFER (DECEASED)  
48 WOODLAND LANE  
DUBOIS, PA 15801**

**CLEARFIELD COUNTY  
COURT OF COMMON PLEAS**

**And**

**RANDY AND GAYLE SWINK  
2845 OKLAHOMA-SALEM ROAD  
DUBOIS, PA 15801**

**CIVIL ACTION NO:**

*04-1335 CD*

**And**

**SCOTT MOORE  
RR#4, BOX 629  
629 WILLIAM PENN AVENUE  
DUBOIS, PA 15801**

*RECEIVED  
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
PA 15801*

**AUG 27 2004**

**And**

**NANCY KLINE AND DONALD PAYEUR  
241 WILLIAM PENN AVENUE  
DUBOIS, PA 15801**

*RECEIVED  
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
PA 15801*

**And**

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**And**

**VINCE AND HELEN BONFARDIN  
49 SYLVAN HEIGHTS ROAD  
DUBOIS, PA 15801**

**And**

**EDWARD TATE  
RR4, BOX 655  
DUBOIS, PA 15801**

And

**WILLIAM AND KAREN BRADY  
101 WOODLAND LANE  
DUBOIS, PA 15801**

**Plaintiffs**

**v.**

**NATIONAL FUEL GAS COMPANY  
1 RELIEF STREET  
OIL CITY, PA 16301**

**Defendant**

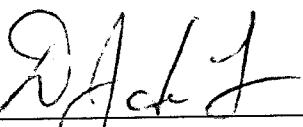
**PRAECIPE TO ISSUE WRIT OF SUMMONS**

**TO THE PROTHONOTARY:**

Kindly issue a Writ of Summons commencing an action against the named Defendant in the above-captioned matter.

**NELSON LEVINE de LUCA & HORST, LLC**

**BY:**

  
\_\_\_\_\_  
Daniel J. de Luca  
Attorney for Plaintiffs

Dated: August 27, 2004

**NELSON LEVINE de LUCA & HORST, LLC  
BY: DANIEL J. de LUCA  
IDENTIFICATION NO.: 74727  
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**ATTORNEY FOR PLAINTIFFS**

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48 WOODLAND LANE  
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**And**

**RANDY AND GAYLE SWINK  
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DUBOIS, PA 15801**

**And**

**VINCE AND HELEN BONFARDIN  
49 SYLVAN HEIGHTS ROAD  
DUBOIS, PA 15801**

**And**

**EDWARD TATE  
RR4, BOX 655**

**CLEARFIELD COUNTY COURT  
OF COMMON PLEAS**

**CIVIL ACTION NO:**

**04-1335 CD**

**DUBOIS, PA 15801**

**And**

**WILLIAM AND KAREN BRADY  
101 WOODLAND LANE  
DUBOIS, PA 15801**

**Plaintiffs**

**v.**

**NATIONAL FUEL GAS COMPANY  
1 RELIEF STREET  
OIL CITY, PA 16301**

**Defendant**

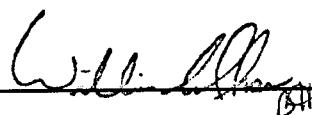
**WRIT OF SUMMONS**

**TO: National Fuel Gas Company  
1 Relief Street  
Oil City, PA 16301**

**YOU ARE HEREBY NOTIFIED** that the above Plaintiffs have commenced an action  
against you in the above litigation.

**BY THE PROTHONOTARY**

**DATED: August 27, 2004**



NELSON LEVINE de LUCA & HORST, LLC  
BY: DANIEL J. de LUCA  
IDENTIFICATION NO.: 74727  
FOUR SENTRY PARKWAY, SUITE 300  
BLUE BELL, PA 19422  
(610) 862-6571

ATTORNEYS FOR PLAINTIFFS

PAUL AND MARY PIFER (DECEASED), ET  
AL.

Plaintiffs

v.

NATIONAL FUEL GAS COMPANY  
Defendant

CLEARFIELD COUNTY COURT  
OF COMMON PLEAS

CIVIL ACTION NO: 04-01335-CD

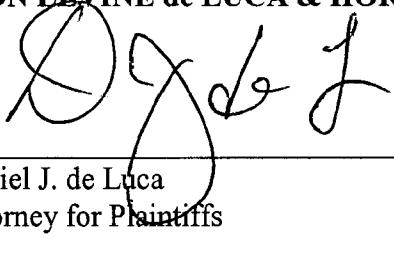
**PRAECIPE TO SETTLE, DISCONTINUE AND END**

TO THE PROTHONOTARY:

Kindly mark the above-referenced matter as Settle, Discontinue and Ended.

NELSON LEVINE de LUCA & HORST, LLC

BY:

  
Daniel J. de Luca  
Attorney for Plaintiffs

Dated: January 7, 2005

64 0 10:48 AM to attorney  
JAN 10 2005  
cc: [unclear]  
[unclear]  
[unclear]

William L. Shaw  
Prothonotary

**NELSON LEVINE de LUCA & HORST, LLC**  
**BY: DANIEL J. de LUCA**  
**IDENTIFICATION NO.: 74727**  
**FOUR SENTRY PARKWAY, SUITE 300**  
**BLUE BELL, PA 19422**  
**(610) 862-6571**

**ATTORNEYS FOR PLAINTIFFS**

**PAUL AND MARY PIFER (DECEASED), ET AL.**

**Plaintiffs**

**v.**

**NATIONAL FUEL GAS COMPANY**  
**Defendant**

**CLEARFIELD COUNTY COURT  
OF COMMON PLEAS**

**CIVIL ACTION NO: 04-01335-CD**

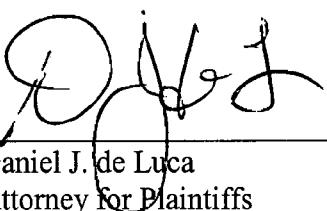
**CERTIFICATE OF SERVICE**

I, Daniel J. de Luca, Esquire, hereby certify that a true and correct copy of the Praeclipe to Settle, Discontinue and End was served on January 7, 2005, upon counsel listed below by United States Mail, postage prepaid.

Mark E. Mioduszewski, Esquire  
Knox McLaughlin Gornall & Sennett, P.C.  
120 West 10<sup>th</sup> Street  
Erie, PA 16501-1461

**NELSON LEVINE de LUCA & HORST, LLC**

**BY:**

  
Daniel J. de Luca  
Attorney for Plaintiffs

Dated: January 7, 2005

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

**CIVIL DIVISION**

**Paul Pifer  
Mary Pifer  
Randy Swink  
Gayle Swink  
Scott Moore  
Nancy Kline  
Donald Payeur  
Jeffrey Baronick  
Tina Baronick  
Vince Bonfardin  
Helen Bonfardin  
Edward Tate  
William Brady  
Karen Brady**

**Vs.** **No. 2004-01335-CD**  
**National Fuel Gas Company**

**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 January 10, 2005, marked:

Discontinued, Settled and Ended.

Record costs in the sum of \$152.94 have been paid in full by Attorney Daniel J. de Luca.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 10th day of January A.D. 2005.

---

William A. Shaw, Prothonotary