

04-1395-CD
ELAINE ADAMS VS. DICK'S PIT SHOP, et al.

Elaine Adams vs Dick's Pit Stop et al
2004-1395-CD

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
CLEARFIELD Co.
JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2004-1395-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

ELAINE ADAMS

NAME OF APPELLANT

618 COAL STREET

Osceola Mills

MAG. DIST. NO. OR NAME OF D.J.

ADDRESS OF APPELLANT

CITY

STATE

16666
ZIP CODE

DATE OF JUDGMENT

8/23/04

IN THE CASE OF (Plaintiff)

ELAINE ADAMS

(Defendant)

CLAIM NO.

CV
LT

0000 239-04

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

Elaine Adams

This block will be signed ONLY when this notation is required under Pa.R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon _____, appellee(s), to file a complaint in this appeal

Name of appellee(s)

(Common Pleas No. _____) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To _____

Name of appellee(s)

appellee(s).

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____

Signature of Prothonotary or Deputy

FILED

SEP 09 2004

012101

William A. Shaw

Prothonotary/Clerk of Courts

cc'd to Plaintiff

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; SS

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on (date of service) _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) _____, on _____, _____ by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, _____, by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____,

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____,

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA

Address: 131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA

Telephone: (814) 345-6789

16847-0444

ELAINE ADAMS
618 COAL ST.
OSCEOLA MILLS, PA 16666

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF:

ADAMS, ELAINE
618 COAL ST.
OSCEOLA MILLS, PA 16666

NAME and ADDRESS

DEFENDANT:

DICK'S PIT SHOP/ DICK YARGER
32 LINGLE ST.
OSCEOLA MILLS, PA 16666

NAME and ADDRESS

Docket No.: CV-0000239-04
Date Filed: 7/07/04



THIS IS TO NOTIFY YOU THAT:

Judgment: FOR PLAINTIFF

Judgment was entered for: (Name) ADAMS, ELAINE

Judgment was entered against: (Name) DICK'S PIT SHOP/ DICK YARGER

in the amount of \$.00 on: (Date of Judgment) 8/23/04

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. _____

Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical
damages arising out of residential
lease \$ _____

Amount of Judgment	\$ <u>.00</u>
Judgment Costs	\$ <u>.00</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>.00</u>

Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

8-23-04 Date M. A. Rudella, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date _____, District Justice

My commission expires first Monday of January, 2006 .

SEAL

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

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

OFFICIAL USE

Postage	\$ 10.37
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 14.42



Sent To

Dick's Pet Supply
32 Conneaut St
O. Russ Pa 16606

PS Form 3800, June 2002

See Reverse for Instructions

Certified Mail Provides:

Form 3800, June 2002 (Reverse)

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement *"Restricted Delivery"*.
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

70004 0550 0000 7176 0457

CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
PA 16847	
Postage	\$ 10.37
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 4.42

CLAYFIELD, PA 16847
0840 AM 04 SEP 2004
Postmark Here
09/09/2004

Sent To: M. Russell
Street, Apt. No.: 200 Ax 210
or PO Box No.:
City, State, Zip/4: Claytown PA 16847

See Reverse for Instructions

USPS Form 3800, June 2002

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

PS Form 3800, June 2002 (Reverse)

Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. Internet access to delivery information is not available on mail addressed to APOs and FPOs.

2004-1395-CD

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Clearfield; ss

AFFIDAVIT: I hereby swear or affirm that I served

a copy of the Notice of Appeal, Common Pleas No. 2004-1395-CD, upon the District Justice designated therein on (date of service) 9/9/04, by personal service by (certified) (registered) mail, sender's receipt attached hereto, and upon the appellee, (name) Dick's Pet Shop, on 9/9/2004 by personal service by (certified) (registered) mail, sender's receipt attached hereto.

and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom the Rule was addressed on _____, _____. by personal service by (certified) (registered) mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS 9th DAY OF September 2004

Elaine Adams

Signature of affiant

Elaine Adams
Signature of official before whom affidavit was made

Title of official

WILLIAM A. SHAW

Prothonotary

My Commission Expires

1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

My commission expires on

FILED

SEP 09 2004

6/12/50/C

William A. Shaw
Prothonotary/Clerk of Courts

no C/C

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
CLEARFIELD CO.
JUDICIAL DISTRICT

46TH

NOTICE OF APPEAL

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2004-1395-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

ELAINE ADAMS

NAME OF APPELLANT
618 COAL STREET

CITY
Osceola Mills.

MAG. DIST. NO. OR NAME OF D.J.

PA
16446

ADDRESS OF APPELLANT

STATE

ZIP CODE

DATE OF JUDGMENT

IN THE CASE OF (Plaintiff)

8/23/04

ELAINE ADAMS

(Defendant)

CLAIM NO.

CV
LT

6000 239-04

SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT

Elaine Adams

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon

Name of appellee(s)

, appellee(s), to file a complaint in this appeal

(Common Pleas No. _____)

) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To

Name of appellee(s)

, appellee(s).

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: _____

Signature of Prothonotary or Deputy

I hereby certify this to be a true and attested copy of the original statement filed in this case.

SEP 09 2004

Attest.

Elaine Adams
Prothonotary/
Clerk of Courts

COURT FILE

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

Mag. Dist. No.:

46-3-03

DJ Name: Hon.

MICHAEL A. RUDELLA

Address: 131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA

Telephone: (814) 345-6789

16847-0444

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

NAME and ADDRESS

PLAINTIFF:

ADAMS, ELAINE
618 COAL ST.
OSCEOLA MILLS, PA 16666

VS.

DEFENDANT:
NAME and ADDRESS
DICK'S PIT SHOP/ DICK YARGER
32 LINGLE ST.
OSCEOLA MILLS, PA 16666

Docket No.: CV-0000239-04
Date Filed: 7/07/04



MICHAEL A. RUDELLA
131 ROLLING STONE ROAD
P.O. BOX 210
KYLERTOWN, PA 16847-0444

THIS IS TO NOTIFY YOU THAT:

Judgment:

FOR PLAINTIFF

Judgment was entered for: (Name) ADAMS, ELAINE

Judgment was entered against: (Name) DICK'S PIT SHOP/ DICK YARGER

in the amount of \$.00 on: (Date of Judgment) 8/23/04

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice. **FILED** ^{FLW} _{NO CC}
01/14/04 SEP 14 2004

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ William A. Shaw

Portion of Judgment for physical damages arising out of residential lease \$ Prothonotary/Clerk of Courts

Amount of Judgment	\$ <u>.00</u>
Judgment Costs	\$ <u>.00</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>.00</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total \$ _____	

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

8-23-04 Date M A Ruelle, District Justice

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

9/14/04 Date M A Ruelle, District Justice

My commission expires first Monday of January, 2006

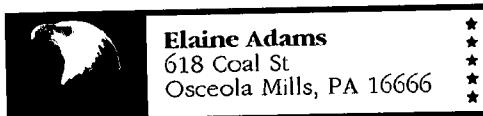
SEAL

9/20/04

Please File for

Elaine Adams

FILED
m/13/04
cc
SEP 21 2004



William A. Shaw
Prothonotary/Clerk of Courts

file # 2004-139-CD
04-1395-CD

SENDER: COMPLETE THIS SECTION

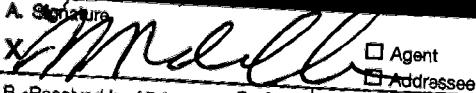
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael
Rosella

COMPLETENESS THIS SECTION ON DELIVERY

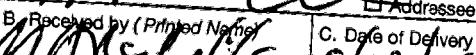
A. Signature


X Michael Rosella

Agent

Addressee

B. Received by (Printed Name)


Michael Rosella

C. Date of Delivery

9/13/04

D. Is delivery address different from item 1?

If YES, enter delivery address below:

Yes

No

3. Service Type

<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from gen)

7004 0550 0000 7176 0457

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- **• Sender: Please print your name, address, and ZIP+4 in this box. •**

ELAINE Adams
618 COAL ST.
OSCEOLA Mills PA
16666

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:

Dick's
Per
S. G.

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Richard Hargrave Agent
 Addressee

B. Received by (Printed Name)

Richard Hargrave

C. Date of Delivery

9-10-04

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

38 Single St.

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

(Transfer from service)

7004 0550 0000 7176 0440

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ADAMS : District Justice Appeal
Plaintiff/ Appellant : Case NO. 2004-1395-CD
VS. : Type of Pleading:
: COMPLAINT
: Filed on Behalf of
: PLAINTIFF
: Plaintiff's address:
: 618 Coal Street
: Osceola Mills, Pa. 16666

RICHARD YARGER,SR. t/db/a DICK'S PIT
STOP; RICHARD YARGER, JR.; AND DICK'S
PIT STOP,
Defendant/Appellee :
: 09:25 AM 4017 plff
: SEP 22 2004

FILED *E6K*
09:25 AM 4017 plff
SEP 22 2004

William A. Shaw
Prothonotary/Clerk of Courts

COMPLAINT - NOTICE TO DEFEND

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

ELAINE ADAMS :

Plaintiff/ Appellant

:
District Justice Appeal
CASE NO. 2004-1395CD

V.S. :

RICHARD YARGER, SR. t/db/a DICK'S
PIT STOP; RICHARD YARGER,JR.;AND
DICK'S PIT STOP

Type of Pleading:
COMPLAINT

Defendant/Appellee

N OTICE

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

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

Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield Pennsylvania 16830 814 765-2641, extension 1300

COMPLAINT

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

<u>Elaine Adams</u>	:	District Justice Appeal
Plaintiff/Appellant	:	CASE NO. 2004-1395-CD
vs.	:	
<u>Richard Yarger, SR. t/d/b/a Dick's Pit Stop;</u>	:	Type of Pleading:
<u>Richard Yarger, JR.; and Dick's Pit Stop,</u>	:	
Defendant/ Appellee	:	COMPLAINT

COMPLAINT

Now, comes the Plaintiff, **Elaine Adams** who hereby avers as follows:

1. Elaine Adams is a adult individual whose address is 618 Coal Street, Osceola Mills, Pa. 16666
2. Defendant is Richard (Dick) Yarger Sr., Richard (Dick) Yarger Jr. doing Business as Dick' Pit Stop,32 Lingle Street. Osceola Mills Pa. 16666
All at the above address.
3. On Tuesday June 1, 2004 approximately 3:30 P.M. Dick's Pit Stop inspected Ford Lincoln L.S.2000 mileage 53,051
4. On Sunday June 14, 2004 Elaine and daughter drove to Harrisburg, Pa approximate 130 miles, 13 days after inspection.
5. Arrived at oldest daughter's house in Mechanicsburg , Pa. to pick up daughter for vacation. Continue to travel to Pa. Turnpike another 20 miles.
6. Hear a noise in the rear driver side wheel, returned back to daughter's house back another 20 miles keeping the car under control while driving on a major highway.

7. Parked car to determine the problem. Car was unfit for travel.
8. June 16, Tuesday night. App. 6:00 P.M. tow truck arrived by Sundance Auto Sales. towed car to State College Ford Garage., St College , Pa
 - a. Total of 469 miles driven after inspection
9. June 17, A.M. State College Ford Garage Service Dept. called Elaine Adams to tell about damage to the vehicle. Cost to repair was \$550.00 plus tax. (note: mileage 35,520)
 - a. the same wheel that was pulled for the inspection
 - b. 3 lug nuts loose and coming off
 - c. 2 wheel studs broken
 - d. the locked wheel lug lost
 - e. wheel and bolt holes damage

COUNT I NEGLIGENCE

10. The break-down of vehicle was solely and proximately the result of the negligence of Defendant, which is as follows:
 - a. Not properly tightening the wheel lug nuts during the Pa. car inspection.
 - b. In violating applicable laws of the Pennsylvania Vehicle Code regarding the inspection sticker mileage was not the true mileage on the sticker as recorded.
 - c. Trooper Green verified the correct mileage for civil case for defendant's insurance company stated reason for not paying was the total of miles driven after inspection, The garage had the wrong mileage on the receipt and sticker calling it a clerical error.
 - d. In creating a hazardous situation by allowing to endanger the lives of three family members in this vehicle traveling a number of miles at a rate of the speed limit
 - d. Endangering the lives of all the other people on the highway should a accident occur.
 - e. As a business owner taking the full responsibility of his work or the work of his employees.
 - f. During the Pa. Inspection routine, if the wheel was properly tightened with the key to lock all the lugs on the wheel, the wheel lug lock would never been lost.

(A copy of the letter from the mechanic who examined the vehicle is attached hereto as Exhibit "A")

STATE COLLEGE FORD LINCOLN MERCURY INC.



3140 W. College Avenue
State College, PA 16801
(814) 238-5041 — Office • (814) 237-1978 — FAX

LINCOLN
 MERCURY

To whom it may concern:

This letter is in relation to the repairs on the 2000 Lincoln LS owned by Elaine Adams. The vehicle was towed to State College Ford relating to a noise from the rear of the car. We checked the vehicle and found the left rear wheel loose and 3 studs snapped off. Upon checking the vehicle we found no signs of the studs being broken before the car was driven, the damage to the wheel was a result of the car being driven with the nuts loose and then they broke off from the stress on the studs from the nuts not being tight. The remaining studs did not show any signs of over tightening or cross threading nor did the nuts. If the nuts were tightened but not torqued properly they may take some miles for the nuts to come loose and the damage to occur. In our opinion we feel the damage to the studs and wheel resulted from the lug nuts not being properly tightened.

Brian Renninger
Service Manager
State College Ford

STATE COLLEGE

FORD • LINCOLN • MERCURY
3140 W. COLLEGE AVE.
STATE COLLEGE, PA 16801



LINCOLN
Mercury

BRIAN RENNINGER
Service Manager
(814) 238-5041
Fax (814) 238-9671



11. . As a direct and proximate result of Defendant's negligence as described herein Plaintiff has sustained damages as follows:

- a. damage to the wheel, lug nuts, bolts , valve and labor \$586.48
- b. new locking lug nut set \$ 48.60 + tax \$ 51.52
- c. Towing expense \$290.00
- d. loss of three days work \$300.00
- e. Civil Court cost \$68.50
- f. telephone calls, gas, miscellaneous expense \$25.00
- g. a false mileage car inspection \$42.40

COUNT II- BREACH OF CONTRACT

Paragraphs 1 through 11 of Plaintiff's Complaint are incorporated by reference as though the same were set forth at length herein.

- 12. Plaintiff entered into an oral contract with the Defendant under which Defendant was to inspect Plaintiff's 2000 Lincoln L.S.
- 13. Defendant convened and promised to complete said inspection and release Plaintiff's vehicle back to her in a safe and prudent manner.
- 14. Defendant breached that contract by failing to properly tighten the lug nuts of her left rear wheel, which in turn caused the nuts to break off from the stress on the studs.
- 15. As a result of Defendant's breach of the oral contract between the parties, Plaintiff has sustained actual damages in the amount of \$970.40.
- 16. Additionally, as a result of said breach by Defendant, Plaintiff has sustained incidental damages in the amount of \$393.50.

WHEREFORE, Plaintiff respectfully requests this Court to enter judgment in her favor and against the Defendant in the amount of \$ 1,363.90 plus interest, Court costs and such other reasonable costs as the Court may allow.

Plaintiff



COMPLAINT - VERIFICATION

VERIFICATION

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to Unsworn Falsification to Authorities.

Theresa Adams

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY,
PENNSYLVANIA

Elaine Adams

Plaintiff/ Appellant

District Justice Appeal

VS.

CASE NO: 2004-1395-CD

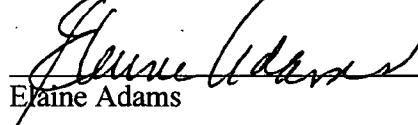
RICHARD YARGER,SR.t/d b/a DICK'S PIT
STOP; RICHARD YARGER, JR.; AND DICK'S
PIT STOP,

Defendant

CERTIFICATE OF SERVICE

I, ELAINE ADAMS, Plaintiff above named, do hereby certify that on
22 day of September, 2004, I caused a certified copy of the
Complaint to be mailed, first class- postage prepaid, United States mail :

Richard Yarger, Sr. t/d b/a Dick's Pit Stop;
Richard Yarger, Jr. and Dick's Pit Stop
32 Lingle Street
Osceola Mills, Pa. 16666


Elaine Adams

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE ADAMS

Plaintiff/Appellant

v.

RICHARD YARGER, SR. t/db/a DICK'S
PIT STOP; RICHARD YARGER, JR.; AND
DICK'S PIT STOP,

Defendant/Appellee

District Justice Appeal
Case No. 2004-1395-CD

Type of Pleading:

PRAECIPE FOR APPEARANCE

Filed on behalf of:
DEFENDANTS

Counsel of Record for this party:
ROBERT W. GALBRAITH, ESQUIRE
Pa. I.D. #86473

ZIMMER KUNZ
Professional Limited Liability Company
Firm #920
3300 U. S. Steel Tower
Pittsburgh, PA 15219

(412) 281-8000

FILED *EGL*

OCT 15 2004
m/w/11/04
William A Shaw
Prothonotary/Clerk of Courts
M. C.

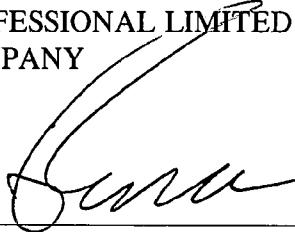
PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Please enter our firm's appearance on behalf of the Defendant/Appellee,
RICHARD YARGER, SR. t/db/a DICK'S PIT STOP; RICHARD YARGER, JR.; AND
DICK'S PIT STOP, in the above-captioned matter.

ZIMMER KUNZ
PROFESSIONAL LIMITED LIABILITY
COMPANY

By

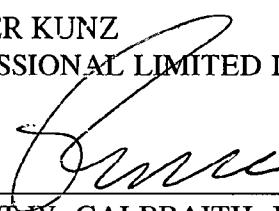

ROBERT W. GALBRAITH, ESQUIRE
Counsel for Defendants

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within PRAECIPE FOR APPEARANCE was forwarded to the person below named by United States Mail on the 13th day of October, 2004.

Elaine Adams
618 Coal Street
Osceola Mills, PA 16666

ZIMMER KUNZ
PROFESSIONAL LIMITED LIABILITY COMPANY

By: 
ROBERT W. GALBRAITH, ESQUIRE
Counsel for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE ADAMS

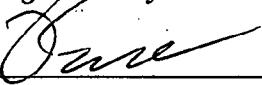
Plaintiff/Appellant

v.

RICHARD YARGER, SR. t/db/a DICK'S
PIT STOP, RICHARD YARGER, JR.; AND
DICK'S PIT STOP,
Defendant/Appellee

TO: All Parties

*You are hereby notified to file a written
Response to the enclosed NEW MATTER
within twenty (20) days from service hereof
or a judgment may be entered against you.*



Attorney for Defendants

JURY TRIAL DEMANDED

District Justice Appeal
Case No. 2004-1395-CD

Type of Pleading:

ANSWER AND NEW MATTER

Filed on behalf of:
DEFENDANTS

Counsel of Record for this party:
ROBERT W. GALBRAITH, ESQUIRE
Pa. I.D. #86473

ZIMMER KUNZ
Professional Limited Liability Company
Firm #920
3300 U. S. Steel Tower
Pittsburgh, PA 15219

RECEIVED NO
OCT 13 2004
OCT 25 2004

ANSWER AND NEW MATTER

AND NOW, come the Defendants, RICHARD YARGER, SR. t/db/a DICK'S PIT STOP; RICHARD YARGER, JR.; AND DICK'S PIT STOP, by and through their attorneys, ZIMMER KUNZ PROFESSIONAL LIMITED LIABILITY COMPANY and ROBERT W. GALBRAITH, ESQUIRE, and file the within Answer and New Matter, and in support thereof sets forth the following:

1. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 1 of Plaintiff's complaint.
2. The averments contained within paragraph 2 of Plaintiff's complaint are admitted.
3. The averments contained within paragraph 3 of Plaintiff's complaint are admitted.
4. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 4 of Plaintiff's complaint.
5. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 5 of Plaintiff's complaint.
6. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 6 of Plaintiff's complaint.
7. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 7 of Plaintiff's complaint.
8. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 8 of Plaintiff's complaint.
9. After reasonable investigation, this defendant is without information to affirm or deny the averments contained within paragraph 9 of Plaintiff's complaint.

Wherefore, the Defendants demand judgment against all other parties.

COUNT I – NEGLIGENCE

Elaine Adams v. Richard Yarger, Sr. t/db/a Dick's Pit Stop; Richard Yarger, Jr.; and Dick's Pit Stop

10. The averments contained within Paragraph 10 of Plaintiff's Complaint are denied generally pursuant to Pa.R.C.P. 1029(e).

11. The averments contained within Paragraph 11 of Plaintiffs' Complaint are denied generally pursuant to Pa. R.C.P. 1029(e).

COUNT II – BREACH OF CONTRACT

12. The averments contained within Paragraph 12 of Plaintiff's Complaint state legal conclusions to which no response is required. To the extent that a response may be judicially necessary, the averments contained within Paragraph 12 of Plaintiff's Complaint are denied.

13. The averments contained within Paragraph 13 of f Plaintiffs' Complaint are admitted.

14. The averments contained within Paragraph 14 of Plaintiffs' Complaint are denied. To the contrary, the defendant and its agents at all times acted within a reasonable manner and as a reasonable automobile inspector would and did not breach any agreement.

15. The averments contained within Paragraph 15 of Plaintiffs' Complaint are denied. To the contrary, plaintiff's damages, if any, were not caused this defendant's breach of contract.

16. The averments contained within Paragraph 16 of Plaintiffs' Complaint are denied. To the contrary, plaintiff's damages, if any, were not caused this defendant's breach of contract.

Wherefore, the Defendants demand judgment against the plaintiff.

NEW MATTER

17. Plaintiff's damages, finally, were caused as a result of another party.
18. The plaintiff is barred from a recovery as a result of her failure to mitigate damages.
19. Plaintiff's claims are barred as a result of lack of consideration.

Wherefore, the Defendants demand judgment against all other parties.

Respectfully submitted,

ZIMMER KUNZ
Professional Limited Liability Company

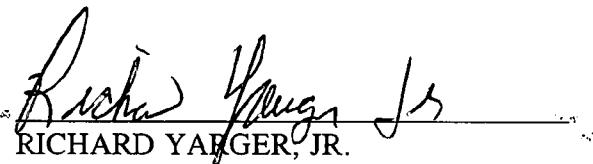
By 
ROBERT W. GALBRAITH, ESQUIRE
Counsel for Defendants

VERIFICATION

I, RICHARD YARGER, JR, have read the foregoing **ANSWER AND NEW MATTER**. The statements contained therein are true and correct to the best of my personal knowledge, information and belief.

These statements and verification are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

Date: 10-15-04



Richard Yarger, Jr.
RICHARD YARGER, JR.

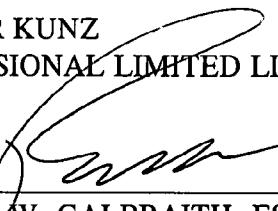
DICKS PIT STOP
32 LINGLE ST.
OSCEOLA MILLS, PA 16666

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within ANSWER AND
NEW MATTER was forwarded to counsel below named by United States Mail on the
22nd day of October, 2004.

Elaine Adams
618 Coal Street
Osceloa Mills, PA 16666

ZIMMER KUNZ
PROFESSIONAL LIMITED LIABILITY COMPANY

By: 
ROBERT W. GALBRAITH, ESQUIRE
Counsel for Defendants

Elaine Adams
Plaintiff/ Appellant

District Justice Appeal
Case No. 2004-1395-CD

v.

Richard Yarger Sr. t/db/a Dick's
Pit Stop: Richard Yarger Jr.; and Dick's
Pit Stop,
Defendant / Appellee

REPLY TO NEW MATTER

In response to the letter received by Zimmer Kunz (Professional Limited Liability Co. for a appearance.

No Professional Liability Co at this time should be involved.
The above matter is between Dick Yarger's Pit Stop
Dick Yarger Sr. and Dick Yarger Jr.

Enclosed is a copy of the Yarger's 1st. Insurance Co. denying all claims for damages as of July 1, 2004
As of then, this matter should be taken up with the above address.

Mr. Yarger did not inform the Plaintiff of another Insurance/Liability Company to submit any claims.

Elaine Adams
80 135/2004

26K
FILED NO
OCT 11 2004 CC
OCT 26 2004

William A. Shaw
Prothonotary Clerk of Courts



THE
CINCINNATI INSURANCE COMPANIES
THE CINCINNATI INSURANCE COMPANY THE CINCINNATI INDEMNITY COMPANY
THE CINCINNATI CASUALTY COMPANY THE CINCINNATI LIFE INSURANCE COMPANY



PO Box 187
New Bethlehem, PA 16242
Phone (814) 275-7815

July 1, 2004

Elaine Adams
618 Coal Street
Osceola Mills, PA 16666

Claim # 103193
Insured: Dick's Gulf Station
Claimant: Elaine Adams
DOI: 6/13/04

Dear Ms Adams:

You have made a claim for damages against our insured in the amount of \$876.48 for towing and repair cost to your 2000 Lincoln LS.

You advised that on 6/13/04 you hear a loud noise in the left rear of your auto while traveling outside of Mechanicsburg PA. Your vehicle subsequently needed to be towed and repairs were completed at State College Ford on 6/15/04 to repair two broken studs and three loose lugnuts on the left rear wheel. You are claiming that our insured failed to properly reinstall the left rear tire on 6/1/04 after completing an auto inspection on this auto.

Our insured advised me that the left rear wheel was properly installed on 6/1/04 following your vehicle inspection and that it is their mandated procedure to check the wheel 2 separate times prior to returning the auto to the owner. The problem with your left rear wheel did not occur until 6/13/04 or 12 days after the inspection of your vehicle and 467 miles of driving. Therefore, base on this information we must respectfully deny your claim for damages.

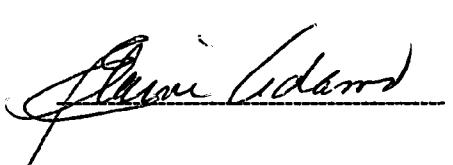
Sincerely,

Ralph Niccolai, AIC
Claims Representative



VERIFICATION

I verify that the statements made in this "REPLY TO NEW
MATTER" are true and correct. I understand that false statements herein are
made subject to the penalties of 18 Pa. C.S. Section 4904 relating to
Unsworn Falsification to Authorities.



10/25/2004

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

2004 1395-CD

DATE PRESENTED

12/29/04

CASE NUMBER

TYPE TRIAL REQUESTED

ESTIMATED TRIAL TIME

Date Complaint () Jury () Non-Jury
Filed: () Arbitration

days/hours

Elaine Adams
PLAINTIFF(S)

Dick Yarger fit step
DEFENDANT(S)

Check block if a Minor
is a Party to the Case

Dick Yarger Jr.
ADDITIONAL DEFENDANT(S)

Dick Yarger Jr.

FILED 

JAN 03 2005

William A. Shaw
Prothonotary/Clerk of Courts
no c/cmt.

JURY DEMAND FILED BY:

DATE JURY DEMAND FILED:

copy to c/a

\$1363.90 + interest

AMOUNT AT ISSUE CONSOLIDATION DATE CONSOLIDATION ORDERED

More than
& () yes () no

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:

Elaine Adams 342-0496
FOR THE PLAINTIFF TELEPHONE NUMBER
814-339-7491

Dick Yarger fit step 339-6991
FOR THE DEFENDANT TELEPHONE NUMBER

Dick Yarger Jr. 339-6991
FOR ADDITIONAL DEFENDANT TELEPHONE NUMBER
Dick Yarger Jr.

04-1395-CD
1cc
01/01/5481 E Adams
JAN 27 2003 6*

V. A. Shaw
Prothonotary Clerk of Courts

FULL AND FINAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that I, ELAINE ADAMS, being of full legal age and of sound mind, for and in consideration of the sum of One Thousand Three Hundred Dollars (\$1,300.00), lawful money of the United States of America to me in hand paid by and/or on behalf of RICHARD YARGER, SR. t/db/a DICK'S PIT STOP; RICHARD YARGER, JR.; AND DICK'S PIT STOP and THE CINCINNATI INSURANCE COMPANY, the receipt whereof is hereby acknowledged, do hereby release and forever discharge, and by these presents do for myself, my heirs, successors and assigns, release and forever discharge RICHARD YARGER, SR. t/db/a DICK'S PIT STOP; RICHARD YARGER, JR.; AND DICK'S PIT STOP and THE CINCINNATI INSURANCE COMPANY, their heirs, successors, assigns and all other persons, firms and corporations from any and all liability, claims, causes of action, damages, costs, expenses or demands of any kind whatsoever in law or in equity, AND, SPECIFICALLY, FROM ANY CLAIMS OR JOINDERS FOR SOLE LIABILITY, NEGLIGENCE, CONTRIBUTION, INDEMNITY OR OTHERWISE, which against the said RICHARD YARGER, SR. t/db/a DICK'S PIT STOP; RICHARD YARGER, JR.; AND DICK'S PIT STOP and THE CINCINNATI INSURANCE COMPANY I ever had, now have or which I may have in the future, or which my heirs, executors, successors or assigns hereinafter can or may have by reason of any bodily or personal injury, damages to property and the consequences thereof, known or unknown, foreseen or unforeseen, arising or which may arise as a result of or in any way connected with the matter more closely related to the case filed in Clearfield County at Case No. 2004-1395-CD

It is further understood and agreed that the acceptance of this sum is in full accord and satisfaction of a disputed claim and the payment of this sum is not to be construed as an admission of liability and liability is hereby expressly denied and that Plaintiff is responsible for her own court costs.

It is further understood and agreed that this is a complete release agreement and that there is no written or oral understanding or agreement directly or indirectly connected with this release and settlement that is not incorporated herein.

Also, in consideration of the forgoing payment, I hereby agree to indemnify and hold forever harmless the said RICHARD YARGER, SR. t/db/a DICK'S PIT STOP; RICHARD YARGER, JR.; AND DICK'S PIT STOP and THE CINCINNATI INSURANCE COMPANY, of and from any and all further payments of any kind to any other person or entity, by reason of the injuries and damages more fully set forth in the above referenced lawsuit.

I hereby declare that I fully understand the terms of this settlement, that the amount stated herein is the sole consideration for this release and that I have voluntarily accepted the said sum for the purpose of making a full and final compromise and settlement of my said claim.

This agreement shall be construed that wherever applicable, the use of the singular number shall include the plural number and the masculine gender shall be construed to include the feminine or neuter gender.

It is further understood and agreed that this settlement shall include settlement and discontinuance of the lawsuit filed in Clearfield County at Case No. 2004-1395-CD.

**I HAVE READ THE ABOVE, UNDERSTAND THE SAME, AND AGREE
TO BE LEGALLY BOUND BY ALL THE TERMS OF THIS RELEASE AGREEMENT.**

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

27th day of January, 2005.

WITNESS:

Shirley O'Dell

Elaine Adams (SEAL)
ELAINE ADAMS

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF Clearfield) SS:
)

On this 27th day of January, 2005, before me personally
appeared, ELAINE ADAMS, to me known, and known to me to be the same person described
in and who executed the above instrument and she acknowledged to me that she executed the
same.

Will A. Shaw
Notary Public

My commission expires:

WILLIAM A. SHAW
Notary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

RETURN TO:
ZIMMER KUNZ
Professional Limited Liability Company
3300 U. S. Steel Tower
Pittsburgh, PA 15219-2702
(412) 281-8000

ZIMMER KUNZ
PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

HARRY J. ZIMMER
RAYMOND H. CONAWAY (PA & WV)
GEORGE N. STEWART (PA & WV)
JONI M. MANGINO (PA & WV)
JOSEPH W. SELEP (PA & WV)
RAYMOND J. CONLON
EDWARD K. DIXON
ALEXANDER P. BICKET (PA & WV)
JOHN W. ZOTTER (PA & OH)
JEFFREY A. RAMALEY (PA & OH)
DARA A. DeCOURCY (PA & WV)
DANIEL E. KRAUTH

GEORGE R. FARNETH II
ANTHONY C. CARONE (PA & WV)
MEGHAN F. WISE (PA & OH)
JOHN K. BRYAN
CHRISTOPHER T. YOSKOSKY
JEFFREY S. TARKER
MACEL E. RHODES (WV ONLY)
JOHN M. BIONDI
JOSEPH F. BUTCHER
ROBERT W. GALBRAITH
RICHARD J. BOSCO
SHARON Z. HALL (PA & WV)

AARON R. CRAMER (PA & IL)
CHRISTIAN W. WRABLEY
MATTHEW G. BRENEMAN (PA & WV)
KIMBERLY J. WILLIAMS
OF COUNSEL
JOHN E. KUNZ
ANDREW J. BANYAS, III
THOMAS A. LAZAROFF

3300 U.S. STEEL TOWER
PITTSBURGH, PA 15219-2702
(412) 281-8000
FAX (412) 281-1765
MORGANTOWN OFFICE:
(304) 292-8531
FAX (304) 292-7529
BUTLER OFFICE:
(724) 285-6677
FAX (724) 431-2490
GREENSBURG OFFICE:
(724) 836-5400
FAX (724) 836-5149
BEAVER OFFICE:
(724) 774-6000
FAX (724) 774-4400

Direct Dial: (412) 434-5424
E-Mail Address: galbraith@zklaw.com

January 21, 2005

Elaine Adams
618 Coal Street
Osceola Mills, PA 1666

Re: Elaine Adams Dick's Gulf Station, t/a Richard Yarger

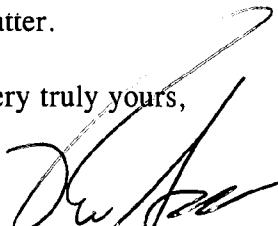
Dear Ms. Adams:

Please let this letter confirm that we have agreed to settle the above captioned matter for one thousand three hundred (\$1,300.00) dollars. You have agreed to accept this sum as full and final settlement of your claims, including claims for court costs.

I enclose herein for your execution a Full and Final release which I would ask that you execute and return to me along with a time stamped copy of a Praecept to Settle and Discontinue that you must file with the Prothonotary.

Thank you for your attention to this matter.

Very truly yours,


ROBERT W. GALBRAITH

RWG/mar
Enclosure

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(Civil Division)

Elaine Adams
Plaintiff

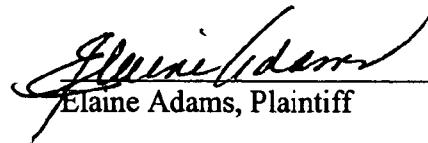
Vs.

No. 04-1395-CD

Richard Yarger, Sr., t/d/b/a
Dick's Pit Stop;
Richard Yarger, Jr.; and
Dick's Pit Stop

PRAECIPE TO DISCONTINUE

This matter having been resolved by the parties, please discontinue this case.


Elaine Adams, Plaintiff

2/14/2005
Date

FILED *no cc*

1/13/05 *NO* Cert. of Disc.

FEB 15 2005 to PHF (prev. disc. 1/6/05)

William A. Shaw
Prothonotary/Clerk of Courts