

04-1612-CD
NANCY J. MCCrackEN vs. LUCINDA J. HOWELL,

Nancy McCracken vs Lucinda Howell
2004-1612-CD

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

NANCY J. MCCRACKEN,

Plaintiff,

vs.

LUCINDA J. HOWELL, aka L.J.
HOWELL,

Defendant.

Case No.: 04-1612-CD 2004 C.D.

Type of Case: CIVIL

Type of Pleading:

**PRAECIPE FOR
WRIT OF SUMMONS**

Counsel of Record for this Party:

JEFFREY LUNDY
PA I.D. 25823
LUKEHART & LUNDY
219 East Union Street
PO Box 74
Punxsutawney, PA 15767
(814) 938-8110

FILED 2cc & writs
to BShff
1m/3:07
OCT 14 2004 Any pd 85.00

William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. MCCRACKEN,

Case No.: _____-2004 C.D.

Plaintiff,

vs.

LUCINDA J. HOWELL, a.k.a L.J.
HOWELL

Defendant.

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY: Please issue a Writ of Summons in a Civil Action
pursuant to Rule 1007 of the Pennsylvania Rules of Civil Procedure against the above-
named Defendant.



Jeffrey Lundy, Attorney for Plaintiff

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY PENNSYLVANIA
CIVIL ACTION**

SUMMONS

Nancy J. McCracken

Vs.

NO.: 2004-01612-CD

Lucinda Howell, aka L.J. Howell

TO: LUCINDA HOWELL

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 10/14/2004

William A. Shaw
Prothonotary

Issuing Attorney:

Jeffrey Lundy
219 East Union Street
Punxsutawney, PA 15767

In The Court of Common Pleas of Clearfield County, Pennsylvania

McCRACKEN, NANCY J.

VS.

HOWELL, LUCINDA ak/a L.J. HOWELL

Sheriff Docket #

16456

04-1612-CD

SUMMONS

SHERIFF RETURNS

NOW OCTOBER 22, 2004 AT 1:15 PM SERVED THE WITHIN PRAECIPE & SUMMONS ON LUCINDA HOWEL a/k/a L.J. HOWELL, DEFENDANT AT RESIDENCE, 429 HILL ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LUCINDA HOWELL A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE & SUMMONS AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

Return Costs

Cost	Description
27.37	SHERIFF HAWKINS PAID BY: ATTY CK# 120
10.00	SURCHARGE PAID BY: ATTY CK# 121

Sworn to Before Me This

4th Day Of **Nov** 2004
William A. Shaw

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

So Answers,

Chester A. Hawkins
Chester A. Hawkins
Sheriff

FILED *ex*
012:49pm
NOV 04 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Praeipie for
Entry of Appearance

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

FILED

EWK

NOV 12 2004

W/10:2012

William A. Shaw

Prothonotary/Clerk of Courts

W. CC

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

No. 2004-01612-CD

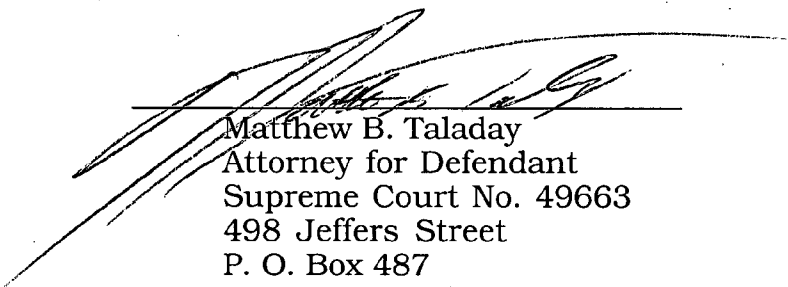
LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance for the Defendant, Lucinda J.
Howell, a/k/a L.J. Howell, in the above captioned matter.

Dated: 11/09/04



Matthew B. Taladay
Attorney for Defendant
Supreme Court No. 49663
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

cc: Jeffrey Lundy, Esq.
P.O. Box 74
Punxsutawney, PA 15767

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Praecipe for Rule to
File Complaint

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

October 24, 2005

FILED

OCT 25 2005

m/11:30/cw
William A. Shaw

Prothonotary/Clerk of Courts

no c/c

ISSUED PER TO ATT TALADAY

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

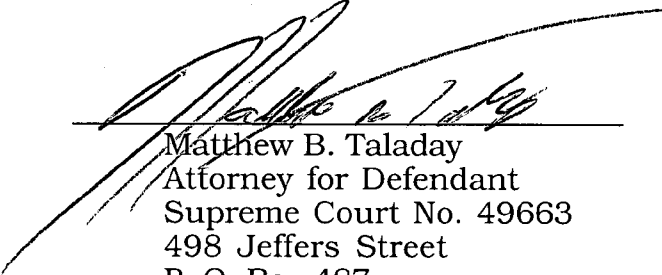
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No. 2004-01612-CD

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please enter a rule upon Plaintiff to file a Complaint within
twenty (20) days of service thereof or suffer the entry of a judgment of
non pros.



Matthew B. Taladay
Attorney for Defendant
Supreme Court No. 49663
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

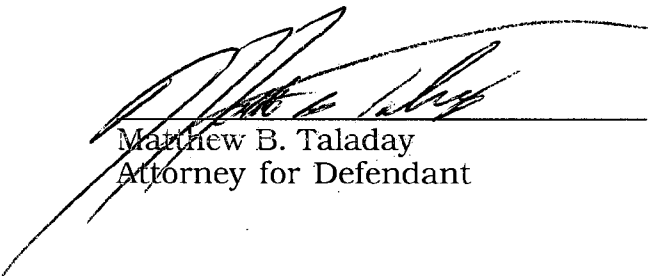
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No. 2004-01612-CD

CERTIFICATE OF SERVICE

I certify that on the 24th day of October, 2005, a true and correct copy of the foregoing Praeipice for Rule to File Complaint was sent via first class mail, postage prepaid, to the following:

Jeffrey Lundy, Esq.
Attorney for Plaintiff
Lukehart and Lundy
P.O. Box 74
Punxsutawney, PA 15767



Matthew B. Taladay
Attorney for Defendant

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

Nancy J. McCracken

Vs.
Lucinda Howell, a/k/a
L.J. Howell

Case No. 2004-01612-CD

RULE TO FILE COMPLAINT

TO: Lucinda J. Howell, a/k/a L.J. Howell

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 25, 2005

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Certificate of
Service

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

October 27, 2005

FILED NO
m/11:01:20
OCT 28 2005 CC

William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

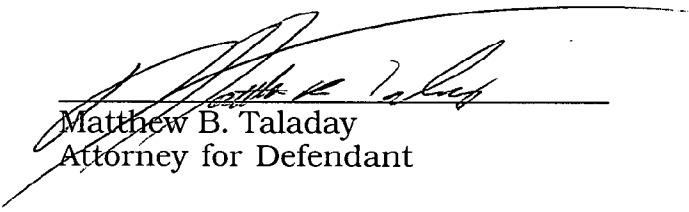
LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

No. 2004-01612-CD

CERTIFICATE OF SERVICE

I certify that on the 27th day of October, 2005, a Court
certified Rule to File Complaint was sent via first class mail, postage
prepaid, to the following:

Jeffrey Lundy, Esq.
Attorney for Plaintiff
Lukehart & Lundy
P.O. Box 74
Punxsutawney, PA 15767


Matthew B. Taladay
Attorney for Defendant

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

Nancy J. McCracken,
Plaintiff

Vs.

Lucinda J. Howell a/k/a L.J.
Howell,
Defendant

: NO. 2004-01612-CD
:
: Type of Pleading: Complaint
:
: Filed on Behalf of: Plaintiffs
:
: Counsel of Record:
:
: LUKEHART, LUNDY & GORDON
: Jeffrey Lundy, Esquire
: Supreme Court I.D. No. 25823
: 219 E Union Street
: Punxsutawney, PA 15767
: (814)938-8110

FILED 2cc
m/11:38 AM
NOV 10 2006
Atty Lundy

William A. Shaw
Prothonotary/Clerk of Courts

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

Nancy J. McCracken,
Plaintiff

Vs.

NO. 2004-01612-CD

Lucinda J. Howell, a/k/a L.J.
Howell
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 the Complaint and Notice are served, by entering a 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 without you and a judgment may be entered against you by the Court without further notice for any money claim in the complaint or for any other claim or relief requested by the Plaintiff.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF
YOU DONOT HAVE LAWYER OR CANNOT AFFORD ONE, GO TO OR
TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU
CAN OBTAIN LEGAL HELP.**

Clearfield County Prothonotary
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

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

Nancy J. McCracken,
Plaintiff

Vs.

Lucinda J. Howell, a/k/a L.J.
Howell
Defendant

NO. 2004-01612-CD

COMPLAINT

AND NOW comes the Plaintiff, Nancy J. McCracken, by and through her attorney, Jeffrey Lundy, Esquire, Lukehart, Lundy & Gordon, and present the following Complaint:

1. The Plaintiff is Nancy J. McCracken, adult individual who resides at, 48 Friendly Acres Road, Grampian, Clearfield County, Pennsylvania, 16838.
2. The Defendant is Lucinda J. Howell, a/k/a L.J. Howell, an adult individual, who resides at 429 Hill Street, Curwensville, County, Pennsylvania 16833.
3. On November 26, 2002, Nancy J. McCracken was a back seat passenger in a 1992 Buick Regal, traveling west bound on SR 879, Clearfield County, Clearfield, Pennsylvania.

4. Lucinda J. Howell, a/k/a L.J. Howell, was driving a 1995 Subaru Legacy Wagon, traveling east bound on SR 879, Clearfield County, Pennsylvania.

5. At approximately 8:30 p.m. on the aforementioned date, Defendant lost control of her vehicle, crossed the center lane striking the front left corner of Plaintiff's vehicle.

6. When Defendant's vehicle violently struck and collided with Plaintiff's vehicle, it caused great damage to Plaintiff's vehicle causing same to come to rest facing the southwest direction.

7. The negligence and carelessness of the Defendant Lucinda J. Howell, which caused the aforementioned accident included:

A. Traveling at a speed unsafe for conditions in violation of Vehicle Code section 3009;

B. Failing to maintain the vehicle in the proper lane;

C. Crossing the center line and striking Plaintiff in their proper lane of travel;

D. Failure to maintain a proper outlook for vehicles;

E. Failure to maintain a vehicle with proper and complete control of same to stay within the proper lane of travel and thereby avoid colliding with the vehicle Plaintiff was traveling in.

8. As a result of the aforementioned negligence and carelessness of the Defendant aforesaid, the Plaintiff, Nancy J. McCracken, has suffered certain physical damages and injuries as a result of being violently thrown about the interior of the vehicle, which injuries were proximately caused by the Defendant's negligence and described as follows:

A. Immediate pain to the chest/ribs and neck.

B. Abrasions, chest wall contusion, right 7th and 9th rib fractures, elevated enzymes and elevated liver enzymes.

C. Leg and right hip pain as well as pain to the lumbar spine.

D. Ongoing and permanent visual field disturbances in the left eye including blurring and decreased visions, black wreath-like obstructions, a cloudiness with the appearance of a hole, retinal ischemia and a descriptive small cotton wool spot with a paracentral scotoma, a descriptive star like vision with a black center and traumatic maculopathy.

9. As a result of the aforementioned injuries the Plaintiff, Nancy J. McCracken, has undergone medical examinations and treatment for her back, legs and hip as well as treatment with an ophthalmologist for persistent blurred and decreased vision in her left eye which affect both peripheral and central vision.

10. As a result of the aforementioned injuries, the Plaintiff has suffered and will continue to suffer pain, humiliation, embarrassment, disruption of daily habits and pursuits and loss of enjoyment of life in the future.

11. The Plaintiff is entitled to bring this action and there are no limitations pursuant to the Pennsylvania Financial Responsibility Act.

12. Plaintiff seeks to recover any and all items of medical and treatment expenses for which Plaintiff may be obligated to pursue under any applicable provisions of the Pennsylvania Financial Responsibility Act.

13. This action exceeds the Arbitration limits for Clearfield County.

WHEREFORE, Plaintiff, Nancy J. McCracken, demands judgment against the Defendant in the amount in excess of \$25,000.00.

Respectfully submitted,

LUKEHART, LUNDY & GORDON



Jeffrey Lundy, Esquire
Attorney for Plaintiff

VERIFICATION

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

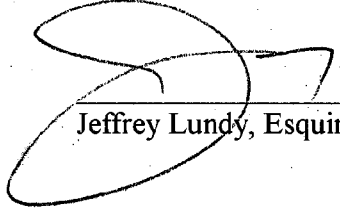
Nancy J. McCracken

Nancy J. McCracken, Plaintiff

CERTIFICATE OF SERVICE

I, Jeffrey Lundy, hereby certify that on the 9th day of November, 2005, a true and correct copy of the foregoing Complaint was forwarded via first-class mail, postage prepaid, to the following:

Matthew B. Taladay
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



Jeffrey Lundy, Esquire

FILED

NOV 10 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Notice of
Service

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

Date: December 1, 2005

FILED ^{no cc}
m) 10:47 AM
DEC 02 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. McCracken,
Plaintiff

-vs-

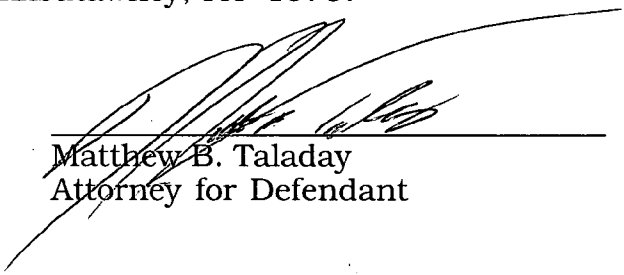
LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

No. 2004-01612-CD

NOTICE OF SERVICE

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being counsel of record for Defendant, do hereby certify that I propounded on Plaintiff, via United States mail, first class, postage pre-paid, this 1st day of December, 2006, Defendant's FIRST SET OF DISCOVERY MATERIALS to the below indicated person, at said address, being counsel of record for the Plaintiff:

Jeffrey Lundy, Esq.
Attorney for Plaintiff
Lukehart & Lundy
P.O. Box 74
Punxsutawney, PA 15767



Matthew B. Taladay
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Certificate of
Service

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

Date: January 17, 2006

FILED *no cc*
01104461
JAN 18 2006
WTS
William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. McCracken,
Plaintiff

-vs-

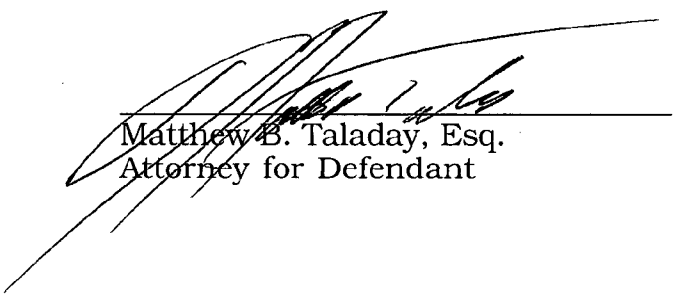
No. 2004-01612-CD

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

CERTIFICATE OF SERVICE

I certify that on the 17th day of January, 2006, an
original Notice of Deposition, copy of which is attached hereto, was
sent via first class mail, postage prepaid, to the following:

Jeffrey Lundy, Esq.
Attorney for Plaintiff
Lukehart & Lundy
P.O. Box 74
Punxsutawney, PA 15767



Matthew B. Taladay, Esq.
Attorney for Defendant

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

No. 2004-01612-CD

NOTICE OF DEPOSITION

TO: NANCY J. McCRACKEN
c/o Jeffrey Lundy, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Thursday, January 26, 2006 at 10:00 a.m.** at the law office of Hanak, Guido and Taladay, 498 Jeffers Street, DuBois, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.



Matthew B. Taladay, Esq.
Attorney for Defendant

cc: Cameron Court Reporters

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCracken,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Certificate Prerequisite
to Service of Subpoena

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

Date: February 28, 2006

FILED ^{NO}_{cc}
m10:18
MAR 01 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. McCracken,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

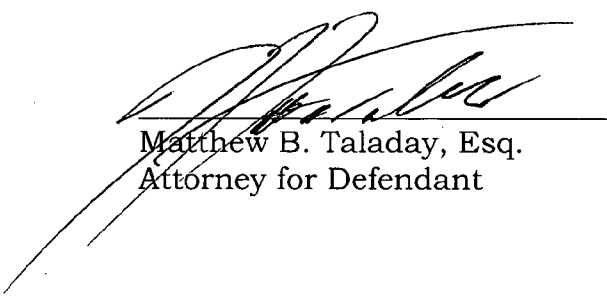
No. 2004-01612-CD

CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA
PURSUANT TO RULE 4009.22

As a prerequisite to service of subpoena for the production of documents and things pursuant to Rule 4009.22, Defendant certifies that:

1. A notice of intent to serve subpoena with a copy of subpoena attached thereto was mailed or delivered to each party at least twenty (20) days prior to the date on which the subpoena is sought to be served;
2. A copy of the notice, including the proposed subpoena, is attached to this certificate;
3. No objection to the subpoena has been received; and
4. The subpoena which will be served is identical to the one attached to the notice of intent to serve the subpoena.

Dated: February 28, 2006



Matthew B. Taladay, Esq.
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Notice of Intent to
Serve Subpoena

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

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

(814) 371-7768

Date: February 6, 2006

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

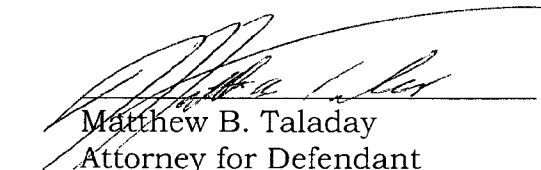
No. 2004-01612-CD

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

**NOTICE OF INTENT TO SERVE SUBPOENA
TO PRODUCE DOCUMENTS AND THINGS
FOR DISCOVERY PURSUANT TO RULE 4009.21**

Defendant, Lucinda J. Howell, a/k/a L.J. Howell,
intends to serve a subpoena identical to the one attached to this
notice. You have twenty (20) days from the date listed below to file
of record and serve upon the undersigned objections to the
subpoena. If no objections are made, the subpoena may be served.

Date: 02/06/06



Matthew B. Taladay
Attorney for Defendant
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Nancy J. McCracken
Plaintiff(s)

Vs.

Lucinda Howell
Defendant(s)

*

*

*

No. 2004-01612-CD

SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY PURSUANT TO
RULE 4009.22

TO: Dr. Thomas S. Smith, 529 Sunflower Drive, DuBois, PA 15801
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

All records, reports, office notes, consultation reports, test results, and charges for services rendered regarding Nancy McCracken from January 1, 1995 to present.

(Address) Matthew B. Taladay, Esq.
Hanak, Guido and Taladay
PO Box 487
DuBois, PA 15801

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

NAME: Matthew B. Taladay, Esq.
ADDRESS: 498 Jeffers St. PO Box 487
DuBois PA 15801
TELEPHONE: (814) 371-7768
SUPREME COURT ID # 49663
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw (lm)
Prothonotary/Clerk, Civil Division

DATE: Thursday, February 02, 2006
Seal of the Court

Deputy

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2010
Clearfield Co., Clearfield, PA

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Answer and New
Matter

Filed on Behalf of:

Defendant

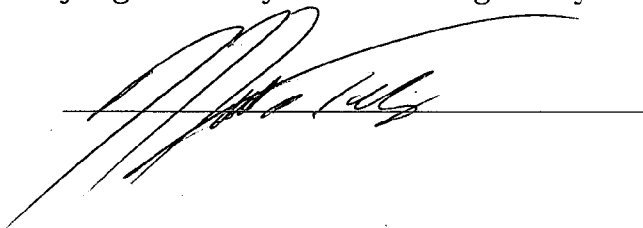
Counsel of Record for This
Party:

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

(814) 371-7768

Dated: March 28, 2006

You are hereby notified to plead
to the within pleading within twenty
(20) days of service thereof or default
judgment may be entered against you.



FILED

MAR 29 2006

W/11:00/2006

William A. Shaw
Prothonotary/Clerk of Courts

No C/C

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

NANCY J. McCracken,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

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:

No. 2004-01612-CD

ANSWER

AND NOW, comes the Defendant, Lucinda J. Howell, a/k/a
L.J. Howell, and hereby responds to Plaintiff's Complaint as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied as stated. It is admitted that at approximately 8:30 p.m. on November 26, 2002 Lucinda J. Howell did lose control of her vehicle and crossed the center lane. However, the Defendant's vehicle was struck by the vehicle in which Plaintiff was driving.
6. Denied as stated.
7. Defendant, Lucinda J. Howell, admits responsibility and liability for the subject collision. The remaining allegations of paragraph 7 of Plaintiff's Complaint are denied in accordance with Pa.R.C.P. Rule 1029(e).
8. - 10. After reasonable investigation, the Defendant is without information sufficient to form a belief as to the averments of

Plaintiff's Complaint, paragraphs 8 - 10 and all subparts thereof, therefore the same are denied and strict proof is demanded at the time of trial.

11. - 13. After reasonable investigation, the Defendant is without information sufficient to form a belief as to the averments of paragraphs 11 - 13 of Plaintiff's Complaint, therefore, the same are denied and strict proof is demanded at the time of trial.

WHEREFORE, Defendant demands judgment in her favor.

NEW MATTER

14. Plaintiff's claims are barred or limited by application of the Pennsylvania Motor Vehicle Financial Responsibility Law.

WHEREFORE, Defendant seeks judgment in her favor.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By

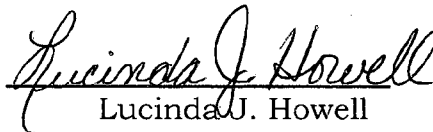

Matthew B. Taladay, Esq.
Attorney for Defendant

VERIFICATION

I, **Lucinda J. Howell**, do hereby verify that I have read the foregoing Answer & New Matter. The statements therein are correct to the best of my personal knowledge or information and belief.

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

Date: 3-23-04


Lucinda J. Howell

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

NANCY J. McCracken,
Plaintiff

-vs-

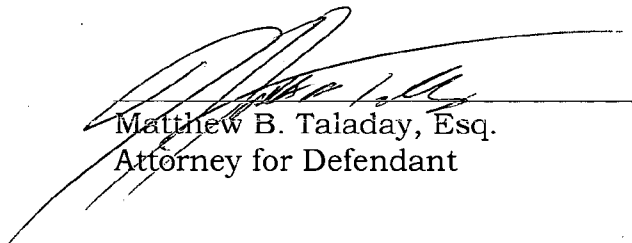
LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

No. 2004-01612-CD

CERTIFICATE OF SERVICE

I certify that on the 28th day of March, 2006, a true and correct copy of the foregoing ANSWER and NEW MATTER was sent via first class mail, postage prepaid, to the following:

Jeffrey Lundy, Esq.
Attorney for Plaintiff
Lukehart & Lundy
P.O. Box 74
Punxsutawney, PA 15767



Matthew B. Taladay, Esq.
Attorney for Defendant

ORIGINAL

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

Nancy J. McCracken,	:	NO. 2004-01612-CD
Plaintiff	:	
	:	Type of Pleading: Answer To New Matter
	:	
Vs.	:	Filed on Behalf of: Plaintiffs
	:	
Lucinda J. Howell a/k/a L.J. Howell,	:	Counsel of Record:
Defendant	:	
	:	LUKEHART, LUNDY & GORDON
	:	Jeffrey Lundy, Esquire
	:	Supreme Court I.D. No. 25823
	:	219 E Union Street
	:	Punxsutawney, PA 15767
	:	(814)938-8110

FILED ^{2cc}
m 11:31/AM
APR 07 2006
Amly Lundy
William A. Shaw
Prothonotary/Clerk of Courts

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

Nancy J. McCracken,
Plaintiff

Vs.

Lucinda J. Howell, a/k/a L.J. Howell
Defendant

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: NO. 2004-01612-CD
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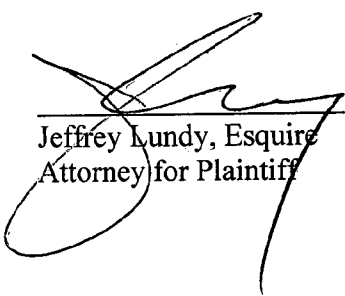
ANSWER TO NEW MATTER

AND NOW comes the Plaintiff, Nancy J. McCracken, by and through her attorney, Jeffrey Lundy, Esquire, Lukehart, Lundy & Gordon, and present the following Answer to New Matter:

14. Paragraph 14 of New Matter is a conclusion of law to which no responsive pleading is required.

Respectfully submitted,

LUKEHART, LUNDY & GORDON

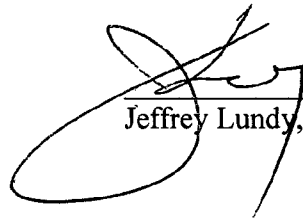


Jeffrey Lundy, Esquire
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, Jeffrey Lundy, hereby certify that on the 6th day of April, 2006, a true and correct copy of the foregoing Answer to New Matter was forwarded via first-class mail, postage prepaid, to the following:

Matthew B. Taladay
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801



Jeffrey Lundy, Esquire

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

NANCY J. McCRACKEN,
Plaintiff

-vs-

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

Type of Case: Civil Action

No. 2004-01612-CD

Type of Pleading:

Praecipe for
Discontinuance

Filed on Behalf of:

Defendant

Counsel of Record for This
Party:

Jeffrey Lundy, Esq.
Supreme Court No. 25823
Lukehart & Lundy
211 East Union Street
P.O. Box 74
Punxsutawney, PA 15767

(814) 938-8110

Dated: April 24, 2007

FILED Cert of disc
m/11:35 am issued to
APR 25 2007 Atty Taladay
(Envelope provided)
William A. Shaw
Prothonotary/Clerk of Courts

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

NANCY J. McCRACKEN,
Plaintiff

-vs-

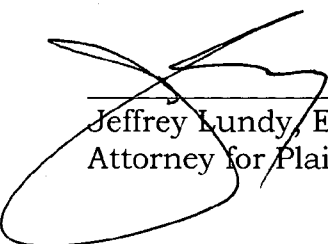
No. 2004-01612-CD

LUCINDA J. HOWELL, a/k/a
L.J. HOWELL,
Defendant

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY:

Kindly mark the above referenced case settled and
discontinued.



Jeffrey Lundy, Esq.
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Nancy J. McCracken

Vs.

No. 2004-01612-CD

Lucinda Howell a/k/a
L. J. Howell

CERTIFICATE OF DISCONTINUATION

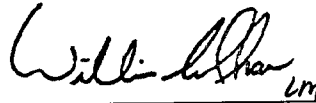
Commonwealth of PA
County of Clearfield

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 April 25, 2007, marked:

Settled and discontinued

Record costs in the sum of \$85.00 have been paid in full by Jeffrey Lundy Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of April A.D. 2007.



William A. Shaw, Prothonotary