

05-41-CD  
Sentry et al vs. James Bobby et al

vs. JAMES BOBBY, et al.

Sentry Select Inc. et al v James Bobby et al  
2005-041-CD

Brian J. Walker, Esquire  
Hennessy & Walker, Group  
142 West Market Street, Suite 2  
West Chester, PA 19382  
610-431-2727  
Attorney I.D. 71927

FILED *Atty pd.*  
m/1/55/01 85.00  
JAN 10 2005  
ACC *Atty*  
William A. Shaw  
Prothonotary/Clerk of Courts

Sentry Select Insurance Company  
A/S/0 Kevin Ryman Inc.  
P.O. Box 8026  
Stevens Point, WI 54481-0379  
AND Kevin Ryman Inc.  
P.O. Box 366  
Berwick, PA 18603

vs.

James Bobby  
650 North Meridian Road  
Youngstown, OH 44509  
AND Falcon Transport Co.  
650 North Meridian Road  
Youngstown, OH 44509

#### NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering 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 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.*

David S. Meholic, Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641

05-41-CD

: In The Court of Common Pleas  
: Clearfield County, Pennsylvania  
: Civil Action Law  
: No:

#### AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se avisa que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

*Lleva esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.*

David S. Meholic, Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641

Brian J. Walker, Esquire  
Hennessy & Walker Group, P.C.  
142 W. Market Street  
West Chester, PA 19382  
610-431-2727  
Attorney I.D. 71927

Attorney for Plaintiffs

Sentry Select Ins. Co.  
A/S/O Kevin Ryman Inc.  
PO Box 8026  
Stevens Point, WI 54481-0379  
AND Kevin Ryman Inc  
PO Box 366  
Berwick, PA 18603

: In The Court of Common Pleas  
: Clearfield, County, Pennsylvania  
: Civil Action Law  
: No

VS

James Bobby  
650 N Meridian Rd.  
Youngstown, OH 44509  
AND Falcon Transport Co.  
650 N Meridian Rd  
Youngstown, OH 44509

### COMPLAINT

1. Plaintiff Sentry Select Ins. Co is an insurance company licensed and authorized to conduct business in the Commonwealth of Pennsylvania and having as one of its principal places of business the above captioned address.
2. Plaintiff Kevin Ryman, Inc. is a busy entity having as one of its principal places the above captioned address.
3. Defendant James Bobby is an adult individual residing at the above captioned address.
4. Defendant Falcon Transport Co. is a busy entity having as one of its principal places of business the above captioned address.

5. On or about 2/10/03, Plaintiff Sentry Select Ins. insured

Plaintiff Kevin Ryman, Inc. Kevin Ryman Inc. with a commercial auto policy, policy number CTY357400034, said policy covering a 1998 Kenworth and carrying with same collision and rental coverages.

6. On or about 2/10/03, Defendant James Bobby was acting as agent, servant, employee and/or workman and/or for the common purpose of Defendant Falcon Transport Co. while he was operating a tractor trailer

7. On or about 2/10/03, at or near I-80 mile marker 115 in Pennsylvania Defendant Bobby operating the aforesaid tractor trailer did negligently, carelessly and/or recklessly, strike/collide into Plaintiff's 1998 Kenworth causing extensive damages to same.

8. The negligence of the Defendants consisted of:

- a) negligent entrustment;
- b) failing to exercise due care;
- c) being inattentive;
- d) failing to maintain proper lookout;
- e) failing to maintain control of said vehicle so as to be able to stop within the assured clear distances ahead;
- f) failing to yield right of way;
- g) being inattentive;
- h) improper backing on a public roadway;
- g) failing to make proper observation;
- h) failing to give due regard to the right, safety, point and position of plaintiffs property:

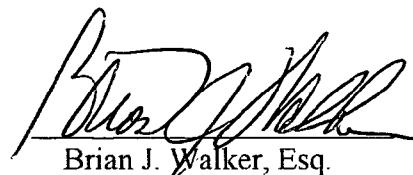
9. The aforesaid collision resulted solely from the negligent acts and/or failure to act on part of Defendants named herein and were due in no manner whatsoever to any act and/or failure to act on part of Plaintiffs.

10. As a result of the aforesaid collision, Plaintiff's vehicle sustained extensive damages to same.

11. Pursuant to the aforesaid policy of insurance, Plaintiff Sentry Select Ins. Co settled the collision and rental claims of Plaintiff Kevin Ryman Inc. in The amount of \$8337.13, (said figure includes Plaintiff's first party deductible) representing fair and reasonable reimbursement for the damages sustained.

12. Pursuant to the aforesaid policy of insurance, Plaintiff Sentry Select Ins. Co. is subrogated to Plaintiff Kevin Ryman Inc. for this loss.

**WHEREFORE**, Plaintiffs demand judgment against Defendants jointly and severally in the amount of \$8337.13 together plus costs, interest and such other relief this Court finds equitable and just.



Brian J. Walker, Esq.

SENT-1000

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CHESTER

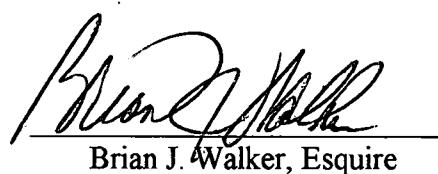
: ss

The undersigned verifies that the facts contained herein are true and correct.

The undersigned understands that false statements herein are made subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

If applicable, this affidavit is made on behalf of the Plaintiff(s); that the said Plaintiff(s) is/are unable and unavailable to make this verification on its/his/her own behalf within the time allotted for filing of this pleading, and the facts set forth in the foregoing pleading are true and correct to the best of counsel's knowledge, information and belief.

This verification is made pursuant to Pa. R.C.P. 1024 and is based on interviews, conferences, reports, records and other investigative material in the file



Brian J. Walker  
Brian J. Walker, Esquire

Dated: 1/4/05

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

SENTRY SELECT INS. CO.

Case No. 05-41-CD

KEVIN RYMAN, INC.

Plaintiffs  
v.

JAMES BOBBY

**ANSWER AND NEW MATTER  
JURY DEMAND ENDORSED HEREON**

FALCON TRANSPORT CO.

Filed on behalf of Defendants  
James Bobby and Falcon Transport Co.

Defendants

Counsel of Record for this Party:

Scott C. Essad, Esq.  
Pa. I.D. No. 88749  
Henderson, Covington, Messenger,  
Newman & Thomas, Co., L.P.A.  
213 East Main Street  
Carnegie, Pennsylvania 15106  
Telephone: (412) 279-7025  
and  
34 Federal Plaza West, Suite 600  
Youngstown, Ohio 44503  
Telephone: (330) 744-1148

YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN  
RESPONSE TO THE ENCLOSED ANSWER AND NEW  
MATTER WITHIN 20 DAYS FROM SERVICE  
HEREOF OR A JUDGMENT MAY BE ENTERED  
AGAINST YOU.

Scott C. Essad  
Scott C. Essad  
Pa. I.D. No. 88749

FILED <sup>64</sup>  
m/12/30/04 3cc  
FEB 07 2005 Atty Essad

William A. Shaw  
Prothonotary/Clerk of Courts

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

SENTRY SELECT INS. CO., et al. ) Case No. 05-41-CD  
Plaintiffs )  
v. ) **ANSWER AND NEW MATTER**  
JAMES BOBBY, et al. ) **JURY DEMAND ENDORSED HEREON**  
Defendants )

Defendants James Bobby and Falcon Transport Co., by and through the undersigned counsel, file this Answer and New Matter and state, jointly, as follows:

**ANSWER**

1. Bobby and Falcon admit as to the allegations made in Paragraph 1 of Plaintiffs' Complaint.
2. Bobby and Falcon admit as to the allegations made in Paragraph 2 of Plaintiffs' Complaint.
3. Bobby and Falcon admit as to the allegations made in Paragraph 3 of Plaintiffs' Complaint.
4. Bobby and Falcon admit as to the allegations made in Paragraph 4 of Plaintiffs' Complaint.
5. As to the allegations set forth in Paragraph 5 of Plaintiffs' Complaint, after reasonable investigation these answering Defendants' are without knowledge or information sufficient to former belief as to the truth of the averments contained

therein, wherefore such averments are denied, and strict proof is demanded thereof.

6. Bobby and Falcon admit as to the allegations made in Paragraph 6 of Plaintiffs' Complaint.
7. Bobby and Falcon admit in part and deny in part the allegations made in Paragraph 7 of Plaintiffs' Complaint. It is admitted that Bobby was operating a tractor trailer truck, but it is denied that he was reckless, careless, or negligent in any way.
8. Paragraph 8, including subparagraphs (a) through (h), contain allegations of negligence and causation which are conclusions of law to which no response is required. To the extent that a response is required, those allegations are denied.
9. Bobby and Falcon deny each and every allegation set forth in Paragraph 9 of Plaintiffs' Complaint.
10. As to the allegations set forth in Paragraph 10 of Plaintiffs' Complaint, after reasonable investigation these answering Defendants' are without knowledge or information sufficient to former belief as to the truth of the averments contained therein, wherefore such averments are denied, and strict proof is demanded thereof.
11. As to the allegations set forth in Paragraph 11 of Plaintiffs' Complaint, after reasonable investigation these answering Defendants' are without knowledge or information sufficient to former belief as to the truth of the averments contained therein, wherefore such averments are denied, and strict proof is demanded

thereof.

12. As to the allegations set forth in Paragraph 12 of Plaintiffs' Complaint, after reasonable investigation these answering Defendants' are without knowledge or information sufficient to former belief as to the truth of the averments contained therein, wherefore such averments are denied, and strict proof is demanded thereof.

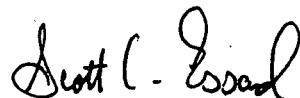
WHEREFORE, Defendants' James Bobby and Falcon Transport Co. request that Plaintiffs' receive nothing and that judgment be entered for these answering Defendants, including costs of this action and any other relief that this Court deem appropriate.

**NEW MATTER**

13. These answering Defendants hereby incorporate Paragraphs 1 through 12 of their Answer as if fully set forth herein.
14. Plaintiffs' Complaint fails to state a cause of action against these answering Defendants' upon which the relief demanded by Plaintiffs' can be granted.
15. The Plaintiffs' Complaint is barred due to the applicable statute of limitations.
16. The Plaintiffs' have failed to mitigate their damages.
17. The actions of the Plaintiffs are barred by the doctrine of assumption of risk.
18. Plaintiffs' claims are barred due to their own contributory negligence and/or the contributory negligence of others.
19. At the time of the accident, James Bobby was confronted by a sudden emergency.
20. All necessary and essential parties for a fair adjudication of the issues in this case have not been joined.

21. The venue of this actions is improper.
22. The Plaintiffs' claims are barred and/or limited according to the Pennsylvania Motor Vehicle Financial Responsibility Law.
23. At all relevant times, James Bobby acted in a reasonable and prudent manner, and no acts or omissions of James Bobby caused the accident or damages as alleged in Plaintiffs' Complaint.

Respectfully submitted,



Scott C. Essad  
Pa. I.D. No. 88749

HENDERSON, COVINGTON, MESSENGER  
NEWMAN & THOMAS CO., L.P.A.  
34 Federal Plaza West, Suite 600  
Youngstown, Ohio 44503  
Telephone: (330) 744-1148

**JURY DEMAND**

Pursuant to the Constitution of the Commonwealth of Pennsylvania and Pa. Civ. R. 1007.1, the Defendants respectfully request a trial by jury on all issues in this matter.

Respectfully submitted,

Scott C. Essad

Scott C. Essad  
Pa. I.D. No. 88749

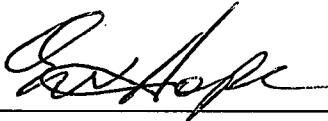
**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

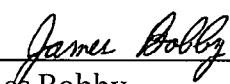
SENTRY SELECT INS. CO., et al. ) Case No. 05-41-CD  
Plaintiffs )  
v. ) **VERIFICATION**  
JAMES BOBBY, et al. )  
Defendants )

The undersigned hereby depose and say that the facts set forth in the forgoing Answer and New Matter are true and correct to the best of their knowledge and understanding.

I understand that my statements are made subject to 18 PA. C.S. §4904 relating to criminal penalties for unsworn falsifications to authorities.

2/02/05  
Date

  
Edward W. Hope  
Risk Manager, Falcon Transport Co.

  
James Bobby

**CERTIFICATE OF SERVICE**

4 A copy of the foregoing Answer and New Matter was sent regular U.S. mail this day of February, 2005 to the following:

Brian J. Walker, Esq.  
Hennessy and Walker Group  
142 West Market Street, Suite 2  
West Chester, PA 19382  
Attorney for Plaintiffs

Scott C. Essad  
Scott C. Essad  
Pa. I.D. No. 88749

Brian J. Walker, Esquire  
Hennessy & Walker  
142 W. Market Street  
West Chester, PA 19382  
610-431-2727  
Attorney I.D. 71927

Attorney for Plaintiff

Sentry Select Insurance Company  
A/S/O Kevin Ryman, Inc.

: In The Court of Common Pleas

AND  
Kevin Ryman, Inc.

: Clearfield County, Pennsylvania

vs.

: Civil Action Law

James Bobby  
AND  
Falcon Transport Co.

: No: 05-41 CD

**AFFIDAVIT OF SERVICE**

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CHESTER : ss.

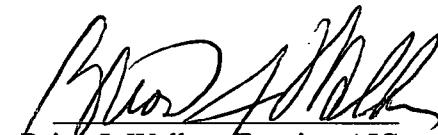
Brian J. Walker, Esquire, AIC, being duly sworn according to law, deposes and says that he has served a true and correct copy of the Complaint filed in the above captioned action upon the Defendant, Falcon Transport Company by first class United States mail, certified, return receipt requested, and that Defendant, Falcon Transport Company did accept service of the same on, January 17, 2005, as evidenced by the attached sender's receipts.

**FILED**

1/13/05 10:00 AM

(OK) MAR 01 2005

William A. Shaw  
Prothonotary



Brian J. Walker, Esquire, AIC  
Hennessy & Walker

Sworn to and subscribed  
before me this 10<sup>th</sup> day  
of FEBRUARY, 2005.

  
NOTARY PUBLIC

NOTARIAL SEAL
THERESA B CHUPLIS Notary Public
West Chester Boro Chesler County
My Commission Expires November 4, 2006

**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:**

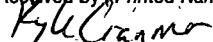
Falcon Transport Co.  
650 N. Meridian Rd  
Youngstown, OH 44509

**2. Article Number  
(Transfer from service label)**

7004 2510 0003 6565 3058

**COMPLETE THIS SECTION ON DELIVERY****A. Signature**

Agent  
 Addressee

**B. Received by (Printed Name)****C. Date of Delivery**

1-17-05

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

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

**4. Restricted Delivery? (Extra Fee)**  Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

3058  
4565  
0003  
0000  
0150  
2510  
7004

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$ 4.42.	
1-12-05	
Postmark Here	
Sent To Falcon Transport Company Street, Apt. No.: or PO Box No. 650 N. Meridian Road City, State, ZIP+4 Youngstown, OH 44509.	

PS Form 3800, June 2002

See Reverse for Instructions

Brian J. Walker, Esquire, AIC  
Hennessy & Walker  
142 West Market Street  
West Chester, PA 19382  
610-431-2727  
Attorney I.D. 71927

Attorney for Plaintiffs

Sentry Select Insurance Company : In The Court of Common Pleas  
A/S/O Kevin Ryman, Inc.  
AND : Clearfield County, Pennsylvania  
Kevin Ryman, Inc. : Civil Action Law  
vs. : No: 05-41-CD  
James Bobby  
AND  
Falcon Transport Co.

**Plaintiffs' Reply to Defendants'**  
**New Matter**

14-23. Denied as conclusions of law.

**WHEREFORE**, Plaintiff seeks judgment against Defendant as set forth  
in original complaint.



Brian J. Walker, Esquire, AIC  
Hennessy & Walker

FILED  
© M 1:15 09 10 2005  
MAR 01 2005

William A. Shaw  
Prothonotary

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CHESTER : ss

The undersigned verifies that the facts contained herein are true and correct.

The undersigned understands that false statements herein are made subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

If applicable, this affidavit is made on behalf of the Plaintiff(s); that the said Plaintiff(s) is/are unable and unavailable to make this verification on its/his/her own behalf within the time allotted for filing of this pleading, and the facts set forth in the foregoing pleading are true and correct to the best of counsel's knowledge, information and belief.

This verification is made pursuant to Pa. R.C.P. 1024 and is based on interviews, conferences, reports, records and other investigative material in the file



Dated: 2-23-05

Brian J. Walker, Esquire, AIC  
Hennessy & Walker  
142 West Market Street  
West Chester, PA 19382  
610-431-2727  
Attorney I.D. 71927

Attorney for Plaintiffs

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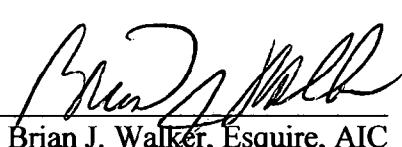
Sentry Select Insurance Company : In The Court of Common Pleas  
A/S/O Kevin Ryman, Inc.  
**AND** : Clearfield County, Pennsylvania  
Kevin Ryman, Inc. : Civil Action Law  
**vs.** : No: 05-41-CD  
James Bobby  
**AND**  
Falcon Transport Company

**PRAECIPE**

To the Prothonotary:

Please schedule an arbitration in the above matter. We anticipate it will take  
½ day to present our case. The attorney for the defendants is:

Scott C. Essad, Esquire  
Henderson, Covington, Messenger  
213 East Main Street  
Carnegie, PA 15106  
412-279-7075

  
Brian J. Walker, Esquire, AIC  
Hennessy & Walker

FILED *Atty.pd.*  
*14:00 01 2005* 20:00  
SEP 22 2005 2005  
*Atty*

William A. Shaw  
Prothonotary/Clerk of Courts

*(OK)*

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

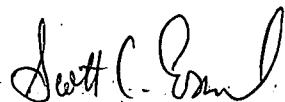
SENTRY SELECT INS. CO. )  
 )  
KEVIN RYMAN, INC. )  
 )  
Plaintiffs )  
 )  
v. ) Case No. 05-41-CD  
 )  
JAMES BOBBY )  
 )  
FALCON TRANSPORT CO. )  
 )  
Defendants )

NOTICE OF CHANGE OF ADDRESS

PLEASE TAKE NOTICE that Scott C. Essad, attorney in the above captioned case, has a new address effective immediately. All notices or pleadings given in these proceedings should be served upon him at the following address:

Scott C. Essad, Esq.  
HENDERSON, COVINGTON, MESSENGER,  
NEWMAN & THOMAS CO., L. P. A.  
6 Federal Plaza Central, Suite 1300  
Youngstown, Ohio 44503

Respectfully submitted.



Scott C. Essad, Esq. (6667352)  
HENDERSON, COVINGTON, MESSENGER,  
NEWMAN & THOMAS CO., L. P. A.  
6 Federal Plaza Central, Suite 1300  
Youngstown, Ohio 44503  
Telephone: (330) 744-1148  
Facsimile: (330) 744-3807

FILED  
M 10 5 2006  
JAN 20 2006  
Copy to CJA  
William A. Shaw  
Prothonotary/Clerk of Courts

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

SENTRY SELECT INSURANCE  
COMPANY a/s/o KEVIN RYMAN INC.,  
and KEVIN RYMAN, INC.  
vs.  
JAMES BOBBY and FALCON  
TRANSPORT COMPANY

: No. 05-041-CD

FILED  
01/01/2006  
FEB 28 2006

GR  
William A. Shaw  
Prothonotary/Clerk of Courts  
cc CIA

**ORDER**

NOW, this 27 day of February, 2006, it is the ORDER of the Court that the above-captioned matter is scheduled for Arbitration on Thursday, April 20, 2006 at 9:00 A.M. in the Conference/Hearing Room No. 3, 2<sup>nd</sup> Floor, Clearfield County Courthouse, Clearfield, PA. The following have been appointed as Arbitrators:

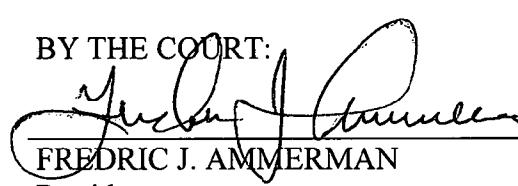
Michael P. Yeager, Chairman

Theron G. Noble, Esquire

Paul Colavecchi, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators. For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local Rule of Court.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President

Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Sentry Select Insurance Company a/s/o  
Kevin Ryman, Inc. and Kevin Ryman, Inc.

vs.

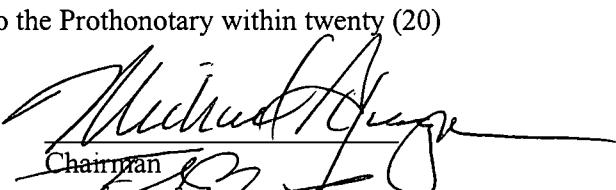
James Bobby and Falcon Transport Company

No. 2005-00041-CD

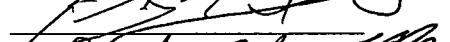
**OATH OR AFFIRMATION OF ARBITRATORS**

Now, this 20th day of April, 2006, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

Michael P. Yeager, Esq.

  
Michael P. Yeager  
Chairman

Theron G. Noble, Esq.  
Paul Colavecchi, Esq.

  
Theron G. Noble

Sworn to and subscribed before me this  
April 20, 2006

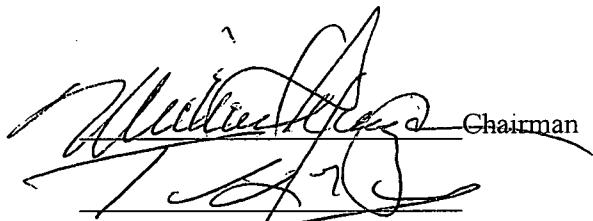


Prothonotary

**AWARD OF ARBITRATORS**

Now, this 20<sup>th</sup> day of April, 2006, we the undersigned arbitrators appointed in this case, after being duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows:

*For the Defendant, as all parties failed to appear.*

  
Michael P. Yeager  
Chairman

(Continue if needed on reverse.)

  
Paul Colavecchi

**ENTRY OF AWARD**

Now, this 20<sup>th</sup> day of April, 2006, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

**WITNESS MY HAND AND THE SEAL OF THE COURT**

  
Prothonotary  
By \_\_\_\_\_

**FILED**  
194861 Notice of  
APR 20 2006 Award to Atlys:  
Walker  
Essad

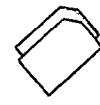
Sentry Select Insurance Company a/s/o  
Kevin Ryman, Inc. and Kevin Ryman, Inc.

: IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

Vs.

: No. 2005-00041-CD

James Bobby and Falcon Transport Company

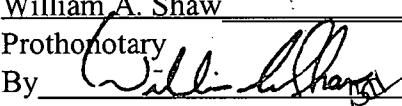
 COPY

NOTICE OF AWARD

TO: BRIAN J. WALKER ESQ.

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on April 20, 2006 and have awarded:

For the Defendant, as all parties failed to appear.

\_\_\_\_\_  
William A. Shaw \_\_\_\_\_  
Prothonotary  
By 

April 20, 2006

Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

Sentry Select Insurance Company a/s/o  
Kevin Ryman, Inc. and Kevin Ryman, Inc.

: IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

Vs.

: No. 2005-00041-CD

James Bobby and Falcon Transport Company

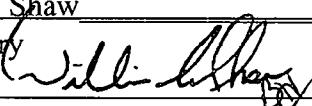
  
*Copy*

NOTICE OF AWARD

TO: SCOTT C. ESSAD, ESQ.

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on April 20, 2006 and have awarded:

For the Defendant, as all parties failed to appear.

William A. Shaw  
Prothonotary  
By 

April 20, 2006

Date

In the event of an Appeal from Award of Arbitration within thirty (30) days of date of award.

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

SENTRY SELECT INSURANCE :  
COMPANY, a/s/o RYMAN, KEVIN, :  
AND KEVIN RYMAN, INC. :  
vs. : No. 05-041-CD  
: :  
JAMES BOBBY AND FALCON :  
TRANSPORT COMPANY :  
:

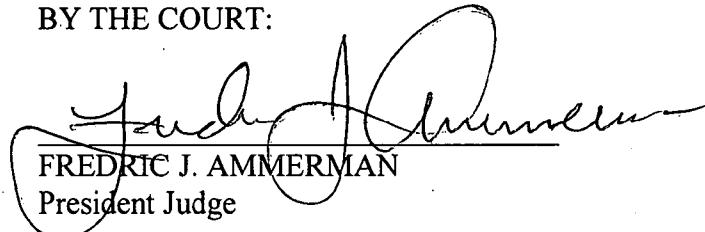
FILED *ICC Atty:*  
01/05/2006 B. Walker  
MAY 05 2006 S. Essad  
William A. Shaw *GA*  
Prothonotary/Clerk of Courts

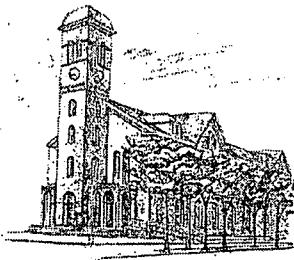
**O R D E R**

AND NOW, this 4<sup>th</sup> day of May, 2006, the Court noting the Board of Arbitrators having been present and prepared to proceed in the above-captioned case on April 20, 2006 and the Parties and their Counsel having failed to appear and having failed to notify the Court of a settlement; it is the ORDER of this Court that the Parties shall equally bear the cost of the Arbitration fees in the amount of \$450. The Court notes that \$450 is the minimum payment required under local rule 1305.

Payment shall be made in no more than thirty (30) days of the date of this Order and shall be made payable, and delivered to, The Clearfield County Prothonotary, mailing address being Clearfield County Courthouse, 230 E. Market Street, Clearfield, PA 16830. Plaintiff and Defendant shall each pay the amount of \$225.

BY THE COURT:

  
FREDRIC J. AMMERMAN  
President Judge



## Clearfield County Office of the Prothonotary and Clerk of Courts

**William A. Shaw**  
Prothonotary/Clerk of Courts

**David S. Ammerman**  
Solicitor

**Jacki Kendrick**  
Deputy Prothonotary

**Bonnie Hudson**  
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw  
Prothonotary

DATE: 5/5/04

       You are responsible for serving all appropriate parties.

       The Prothonotary's office has provided service to the following parties:

       Plaintiff(s)/Attorney(s)

       Defendant(s)/Attorney(s)

       Other

       Special Instructions:

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

SENTRY SELECT INSURANCE COMPANY, et al, \*  
Plaintiffs \*

vs.

\* \* \* \* \*

No. 05-41-C.D.

JAMES BOBBY, et al,

## Defendants

ORDER

NOW, this 27<sup>th</sup> day of June, 2006, the Court being advised that the Plaintiffs have failed to comply with this Court's Order of May 4, 2006, it is therefore the ORDER of this Court that a hearing to show cause why the Plaintiffs shall not be held in contempt of Court for failure to comply with said Order is scheduled for the **13<sup>th</sup> day of July, 2006 at 3:30 p.m. in Court Room No. 1** of the Clearfield County Courthouse, Clearfield, Pennsylvania at which time a corporate representative from Sentry Select Insurance Company as well as Brian J. Walker, Esquire must be present.

BY THE COURT,

Paul Cunneen

~~FREDRIC J. AMMERMAN  
PRESIDENT JUDGE~~

FILED  
9/18/06  
JUN 28 2006  
1CC: Atlys Walker  
Essad

William A. Shaw  
Prothonotary/Clerk of Courts

**DATE:** 6/28/06

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

**FILED**

**JUN 28 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

Date: 07/03/2006  
Time: 11:53 AM

Clearfield County Court of Common Pleas  
Receipt

NO. 1914544  
Page 1 of 1

Received of: Hennessy & Walker Group, P.C. \$ 225.00

Two Hundred Twenty-Five and 00/100 Dollars

Plaintiff: Sentry Select Insurance Company, et al. vs. James Bobby, et al.

Case	Litigant type	Amount
2005-00041-CD	Plaintiff	
	Civil Contempt Fine/Fee	225.00
		Total: 225.00
		Balance due: 0.00

PAID  
7/3/06

Check: 32870

Payment Method: Check

Amount Tendered:

Change Returned:

Clerk: BHUDSON

William A. Shaw, Prothonotary/Clerk of Cou

225.00

0.00

By:

Deputy Clerk

(A)

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

SENTRY SELECT INSURANCE COMPANY, et al, \*  
Plaintiffs \*  
vs. \*  
JAMES BOBBY, et al, \* NO. 05-41-CD  
Defendants \*

**ORDER**

NOW, this 11<sup>th</sup> day of July, 2006, the Court noting the Plaintiffs submission of payment in the amount of \$225.00 in compliance with this Court's Order of May 4, 2006, it is the ORDER of this Court that the Contempt Hearing scheduled for the 13<sup>th</sup> day of June, 2006 at 3:30 p.m. be and is hereby canceled.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

FILED  
07/13/2006 10:50 AM  
JUL 13 2006 B. Walker  
S. Essad  
William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

**JUL 13 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 7/13/06

       You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

       Plaintiff(s)  Plaintiff(s) Attorney        Other

       Defendant(s)  Defendant(s) Attorney

       Special Instructions: