

05-104-CD
Ellwanger et al vs Treasure Lake et al
KF PROPERTY OWNERS ASSOCIATION, et al.

Susan Ellwanger et al v. T.L.P.O.A et al
2005-104-CD

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
v.	:	DOCKET NO: 05-104-CD
	:	
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

PRAECIPE FOR WRIT OF SUMMONS

To the Prothonotary of Clearfield County:

Please issue a Writ of Summons in the above-captioned action upon the following Defendant:

Silverwoods at Treasure Lake, 687 Treasure Lake, DuBois, Pennsylvania 15801.

FILED
 M 11:37 6A PC 85/02
 icc b slff
 JAN 25 2005

William A. Shaw
 Prothonotary

Date: January 24, 2005

Peters & Wasilefski

By:

Adam L. Seiferth

Adam L. Seiferth, Esquire
 Attorney ID #89073
 2931 North Front Street
 Harrisburg, Pennsylvania 17110
 717-238-7555

Attorney for Plaintiffs,
 Susan and William Ellwanger

WRIT OF SUMMONS

To the above-named Defendant, Silverwoods at Treasure Lake you are notified that the above-named Plaintiffs, Susan and William Ellwanger have commenced an action against you.

W.A. Shaw
 Prothonotary

Date: 1-25-05

by: _____
 Deputy

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
v.	:	DOCKET NO: <i>05-104-CD</i>
	:	
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

PRAECIPE FOR WRIT OF SUMMONS

To the Prothonotary of Clearfield County:

Please issue a Writ of Summons in the above-captioned action upon the following Defendant:

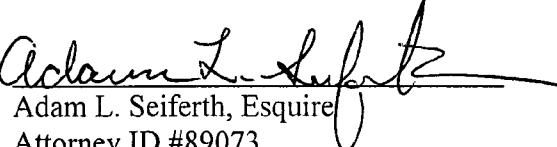
Treasure Lake Property Owners Association, 13 Treasure Lake, DuBois, Pennsylvania 15801.

Peters & Wasilefski

FILED
m 11:37 AM 25 Jan 2005

JAN 25 2005

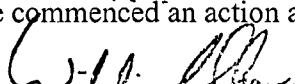
William A. Shaw
 Prothonotary
 Date: *January 24, 2005*

By: 
 Adam L. Seiferth, Esquire
 Attorney ID #89073
 2931 North Front Street
 Harrisburg, Pennsylvania 17110
 717-238-7555

Attorney for Plaintiffs,
 Susan and William Ellwanger

WRIT OF SUMMONS

To the above-named Defendant, Treasure Lake Property Owners Association, you are notified that the above-named Plaintiffs, Susan and William Ellwanger have commenced an action against you.


 Prothonotary

Date: 1-25-05

by: _____
 Deputy

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100169
NO: 05-104-CD
SERVICE # 1 OF 2

SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO.

PLAINTIFF: SUSAN ELLWANGER and WILLIAM ELLWANGER

vs.

DEFENDANT: TREASURE LAKE PROPERTY OWNERS ASSOCIATION and SILVERWOODS AT TREASURE LAKE

SHERIFF RETURN

NOW, February 01, 2005 AT 1:30 PM SERVED THE WITHIN
SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO. ON TREASURE LAKE PROPERTY OWNERS
ASSOCIATION DEFENDANT AT 13 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY
HANDING TO MATT BEGLEY, GEN. MGR. A TRUE AND ATTESTED COPY OF THE ORIGINAL
SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO. AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

FILED
A 8:45 AM
FEB 03 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100169
NO: 05-104-CD
SERVICE # 2 OF 2

SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO.

PLAINTIFF: SUSAN ELLWANGER and WILLIAM ELLWANGER

vs.

DEFENDANT: TREASURE LAKE PROPERTY OWNERS ASSOCIATION and SILVERWOODS AT TREASURE LAKE

SHERIFF RETURN

NOW, February 01, 2005 AT 1:45 PM SERVED THE WITHIN
SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO. ON SILVERWOODS AT TREASURE LAKE
DEFENDANT AT 687 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO
LISA QUAIRIERE, PROPERTY DIRECTOR A TRUE AND ATTESTED COPY OF THE ORIGINAL
SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO. AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100169
NO: 05-104-CD
SERVICES 2

SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO.

PLAINTIFF: SUSAN ELLWANGER and WILLIAM ELLWANGER

vs.

DEFENDANT: TREASURE LAKE PROPERTY OWNERS ASSOCIATION and SILVERWOODS AT TREASURE LAKE

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PETERS	11663	20.00
SHERIFF HAWKINS	PETERS	11663	39.76

Sworn to Before Me This

So Answers,

____ Day of _____ 2005


Chester A. Hawkins
Sheriff

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,

Plaintiffs,

vs.

TREASURE LAKE PROPERTY OWNERS ASSOCIATION and SILVERWOODS AT TREASURE LAKE,

Defendants.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA

DOCKET No. 05 - 104 - CD

CIVIL ACTION - LAW

PRAECIPE FOR APPEARANCE

Filed on behalf of Defendants

Counsel of Record for this Party:

JAMES F. ANDREWS, JR., ESQUIRE
PA I.D. #30648

JACOBS & ASSOCIATES
11269 Perry Highway
Suite 400
Wexford, PA 15090

(724) 934-0388

JURY TRIAL DEMANDED

FILED
m 12/5/2005 NO
FEB 07 2005
b6
cc
FEB 07 2005
William A. Shaw
Prothonotary/Clerk of Courts

SUSAN ELLWANGER and
WILLIAM ELLWANGER, her
husband,

Plaintiffs,

vs.

TREASURE LAKE PROPERTY
OWNERS ASSOCIATION and
SILVERWOODS AT TREASURE
LAKE,

Defendants.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA
DOCKET No. 05 - 104 - CD

CIVIL ACTION - LAW

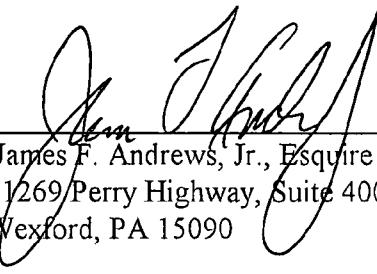
JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

TO: WILLIAM A. SHAW, SR., PROTHONOTARY

Please enter my appearance on behalf of the Defendants in the above-captioned matter.

JACOBS & ASSOCIATES

By: 

James F. Andrews, Jr., Esquire
11269 Perry Highway, Suite 400
Wexford, PA 15090

SUSAN ELLWANGER and WILLIAM
ELLWANGER, her husband,

Plaintiffs,

vs.

TREASURE LAKE PROPERTY
OWNERS ASSOCIATION and
SILVERWOODS AT TREASURE
LAKE,

Defendants.

IN THE COURT OF COMMON
PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
DOCKET No. 05 - 104 - CD

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

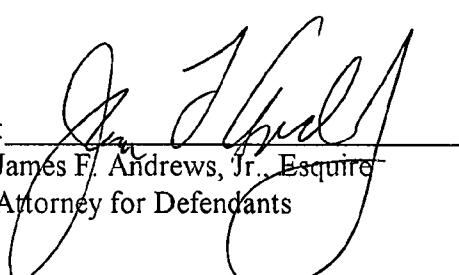
I hereby certify that a true and correct copy of the within Praeclipe for Appearance was served upon the following counsel of record on the 4 day of February, 2005, by First Class U.S. Mail, postage prepaid:

Adam L. Seiferth, Esquire
Peters & Wasilefski
2931 North Front Street
Harrisburg, PA 17110

JACOBS & ASSOCIATES

By:

James F. Andrews, Jr., Esquire
Attorney for Defendants



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

SUSAN ELLWANGER and WILLIAM
ELLWANGER, her husband,

GD 05-104-CD

Plaintiffs,

PRAECLPICE FOR APPEARANCE

vs

TREASURE LAKE PROPERTY
OWNERS ASSOCIATION and
SILVERWOODS AT TREASURE LAKE,

Filed on behalf of: Treasure Lake
Property Owners Association
Defendants

Defendants.

Counsel of record for this party:

Jerry S. Eisenberg, Esquire
Atty. State I.D. No. 41241

LAW OFFICES OF JERRY S.
EISENBERG
1225 One Oxford Centre
301 Grant Street
Pittsburgh, PA 15219

Tel. (412) 281-7761

64 FILED NO
m 10:56 AM
FEB 17 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

SUSAN ELLWANGER and WILLIAM
ELLWANGER, her husband,

Plaintiffs,

vs

TREASURE LAKE PROPERTY
OWNERS ASSOCIATION and
SILVERWOODS AT TREASURE LAKE,

Defendants.

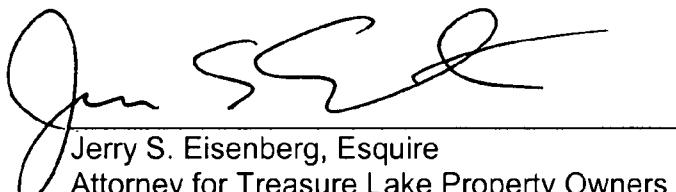
No.: 05-104-CD

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Kindly enter our appearance on behalf of Defendant, Treasure Lake Property
Owners Association with regard to the above captioned action.

LAW OFFICES OF JERRY S. EISENBERG



Jerry S. Eisenberg, Esquire
Attorney for Treasure Lake Property Owners
Association, Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Praeclipe for Appearance was served upon the following at their address of record by first class mail, postage prepaid, this **15th** day of **February, 2005**.

Adam L. Seiferth, Esquire
PETERS & WASILEFSKI
2931 North Front Street
Harrisburg, PA 17110

James Andrews, Esquire
11269 Perry Highway
Suite 400
Wexford, PA 15090

LAW OFFICES OF JERRY S. EISENBERG



Jerry S. Eisenberg

SUSAN ELLWANGER and
WILLIAM ELLWANGER, her
husband,

Plaintiffs,

vs.

TREASURE LAKE PROPERTY
OWNERS ASSOCIATION and
SILVERWOODS AT TREASURE
LAKE,

Defendants.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PENNSYLVANIA

DOCKET No. 05 - 104 - CD

CIVIL ACTION - LAW

**PRAECIPE FOR WITHDRAWAL
OF APPEARANCE**

Filed on behalf of Defendant

Counsel of Record for this Party:

JAMES F. ANDREWS, JR., ESQUIRE
PA I.D. #30648

JACOBS & ASSOCIATES
11269 Perry Highway
Suite 400
Wexford, PA 15090

(724) 934-0388

JURY TRIAL DEMANDED

UK FILED NO CC
M 12 3884
FEB 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

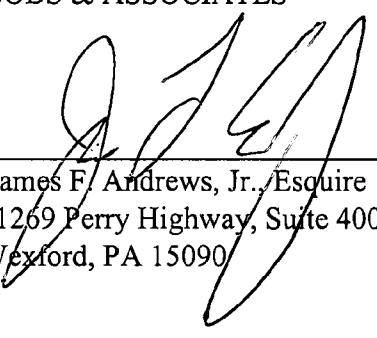
SUSAN ELLWANGER and	IN THE COURT OF COMMON PLEAS
WILLIAM ELLWANGER, her	OF CLEARFIELD COUNTY,
husband,	PENNSYLVANIA
	DOCKET No. 05 - 104 - CD
Plaintiffs,	
	CIVIL ACTION - LAW
vs.	
	JURY TRIAL DEMANDED
TREASURE LAKE PROPERTY	
OWNERS ASSOCIATION and	
SILVERWOODS AT TREASURE	
LAKE,	
Defendants.	

PRAECIPE FOR WITHDRAWAL OF APPEARANCE

TO: WILLIAM A. SHAW, SR., PROTHONOTARY

Please withdraw my appearance on behalf of the Defendant Treasure Lake Property
Owners Association in the above-captioned matter.

JACOBS & ASSOCIATES

By: 

James F. Andrews, Jr., Esquire
11269 Perry Highway, Suite 400
Wexford, PA 15090

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband, : IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs, : DOCKET No. 05 - 104 - CD
vs. : CIVIL ACTION - LAW
TREASURE LAKE PROPERTY OWNERS ASSOCIATION and SILVERWOODS AT TREASURE LAKE, : JURY TRIAL DEMANDED
Defendants. :

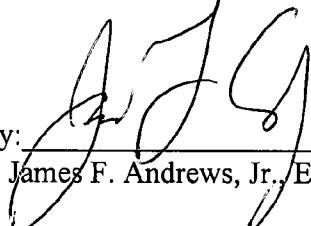
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Praeclipe for Withdrawal of Appearance was served upon the following counsel of record on the 17 day of July, 2005, by First Class U.S. Mail, postage prepaid:

Adam L. Seiferth, Esquire
Peters & Wasilefski
2931 North Front Street
Harrisburg, PA 17110

Jerry S. Eisenberg, Esquire
1225 One Oxford Centre
301 Grant Street
Pittsburgh, PA 15219

JACOBS & ASSOCIATES

By: 
James F. Andrews, Jr., Esquire

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

SUSAN ELLWANGER and :
WILLIAM ELLWANGER :
vs. : No. 05-104-CD
TREASURE LAKE PROPERTY :
OWNERS ASSOCIATION and :
SILVERWOODS AT TREASURE :
LAKE :
: *CP*

ORDER

AND NOW, this 2nd day of March, 2005, it is the Order of the Court that argument on Plaintiffs' Motion to Compel Deposition of Designee of Defendant, Silverwoods at Treasure Lake filed in the above-captioned matter has been scheduled for the 15 day of March, 2005, at 2:00 P.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

FILED

MAR 03 2005

0 / 10:00 (64)

William A. Shaw
Prothonotary

*w/ w/c/c
mom &
to Atty*

BY THE COURT:


FREDRIC J. AMMERMAN
President Judge

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
	:	
v.	:	DOCKET NO: 05-104-CD
	:	
TREASURE LAKE PROPERTY OWNERS: ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

ORDER

AND NOW, this _____ day of _____, 2005, upon consideration of Plaintiffs' Motion to Ccmpel the Deposition of a designee of Defendant, Silverwoods at Treasure Lake, said Motion is hereby **GRANTED**.

Defendant, Silverwoods at Treasure Lake, shall produce Lisa Quairiere for deposition upon oral examination within ten (10) days of the date of this Order at a time and place to be scheduled by Plaintiffs. Failure to comply with this Order may result in sanctions, including attorney's fees, upon motion of Plaintiff pursuant to Pa.R.C.P. 4019(g).

BY THE COURT:

J.

(A)

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband, Plaintiffs	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	DOCKET NO: 05-104-CD
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE, Defendants	:	CIVIL ACTION - LAW JURY TRIAL DEMANDED

FILED

MAR 01 2005
RECEIVED
William A. Shaw
Prothonotary/Clerk of Courts
1 CEN. TO HLR

PLAINTIFFS' MOTION TO COMPEL DEPOSITION OF DESIGNEE OF DEFENDANT, SILVERWOODS AT TREASURE LAKE

AND NOW, come the Plaintiffs, Susan and William Ellwanger, by and through their attorneys, Peters & Wasilefski, and respectfully move this Court to compel the deposition of Lisa Quairiere of Defendant, Silverwoods at Treasure Lake, for the following reasons:

1. This matter arises out of a personal injury claim that occurred on March 27, 2003 when Plaintiff, Susan Ellwanger, tripped and fell as a result of the unsafe condition of the sidewalk located at the base of the front steps of Unit 51B of the Silverwoods Townhouses located in Treasure Lake, resort in Dubois, Pennsylvania.
2. Plaintiffs, Susan and William Ellwanger initiated this matter against Defendants, Treasure Lake property Owners Association and Silverwoods at Treasure Lake, by filing a Praecept for Writ of Summons on January 25, 2005.
3. On February 1, 2005, Lisa Quairiere, the property director of Defendant, Silverwoods at Treasure Lake, was served with the Writ of Summons and, in addition thereto, a Notice to Take Deposition, Interrogatories, and Request for Production of Documents. A true and correct copy of the Sheriff's Return is attached hereto as Exhibit "A".
4. The Notice to Take Deposition directed to Defendant, Silverwoods at Treasure Lake, noticed the oral deposition of a designee of Defendant, Silverwoods at Treasure Lake, in accordance

with Pennsylvania Rule of Civil Procedure 4007.1 for purposes of preparing a Complaint, discovery and/or for use at trial, on February 18, 2005 at 12:00 p.m. in DuBois, Pennsylvania. A true and correct copy of the Notice to Take Deposition is attached hereto as Exhibit "B".

5. On or about February 4, 2005, James F. Andrews, Jr. Esquire, entered his appearance on behalf of Defendants.

6. Despite notice and representation by counsel, Defendant, Silverwoods at Treasure Lake, failed to produce a designee for oral examination and submit to the deposition on February 18, 2003. Further, Defendant, Silverwoods at Treasure Lake, failed to object to the deposition or move for protective order in accordance with the Rules of Civil Procedure.

7. Plaintiffs, Susan and William Ellwanger, require the pre-complaint discovery and specifically, the deposition of Lisa Quairiere of Defendant, Silverwoods at Treasure Lake, in order to ascertain the proper parties who owned, maintained or controlled the sidewalk located at the base of the front steps of Unit 51B of the Silverwoods Townhouses.

8. Under the Pennsylvania Rules of Civil Procedure, a party may take the testimony of any person, including a party, by deposition upon oral examination for the preparation of pleadings. Pa.R.C.P. 4001(c).

9. Under Rule 4019, this Court may, on motion, make an appropriate order if a party or a person designated under Rule 4007.1(e) to be examined, after notice under Rule 4007.1, fails to appear before the person who is to take the deposition. Pa.R.C.P. 4019(a)(1)(iv). This Court may make such order with regard to the failure to make discovery as is just. Pa.R.C.P. 4019(c)(5).

10. Plaintiffs, Susan and William Ellwanger, require the deposition of Lisa Quairiere of Defendant, Silverwoods at Treasure Lake, to be completed in an immediate and expeditious manner so

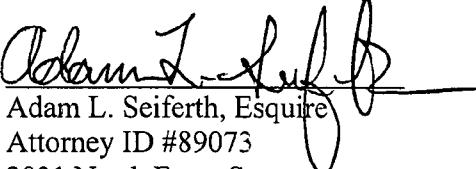
that all appropriate parties can be served prior to the expiration of the statute of limitations on March 27, 2005.

WHEREFORE, Plaintiffs, Suzan and William Ellwanger, requests this Honorable Court enter an Order compelling Lisa Quairiere of Defendant, Silverwoods at Treasure Lake, to submit to a deposition upon oral examination within ten (10) days of the date of the Order.

Respectfully Submitted,

Peters & Wasilefski

By:


Adam L. Seiferth, Esquire
Attorney ID #89073
2931 North Front Street
Harrisburg, Pennsylvania 17110
717-238-7555

Date: 02-28-2004

Attorney for Plaintiffs,
Susan and William Ellwanger

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100169
NO: 05-104-CD
SERVICE # 2 OF 2

SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO.

PLAINTIFF: SUSAN ELLWANGER and WILLIAM ELLWANGER

vs.

DEFENDANT: TREASURE LAKE PROPERTY OWNERS ASSOCIATION and SILVERWOODS AT TREASURE LAKE

SHERIFF RETURN

NOW, February 01, 2005 AT 1:45 PM SERVED THE WITHIN
SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO. ON SILVERWOODS AT TREASURE LAKE
DEFENDANT AT 687 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO
LISA QUAIERIE, PROPERTY DIRECTOR A TRUE AND ATTESTED COPY OF THE ORIGINAL
SUMMONS;INTERROG.;REQUEST/PRODUCT.;NOTICE/DEPO. AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

Peters & Wasilefski
Adam L. Seifert, Esquire
Attorney ID #89073
2931 North Front Street
Harrisburg, Pennsylvania 17110
717-238-7355

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband, Plaintiffs	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
v.	:	DOCKET NO:
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE, Defendants	:	CIVIL ACTION - LAW JURY TRIAL DEMANDED

NOTICE TO TAKE DEPOSITION

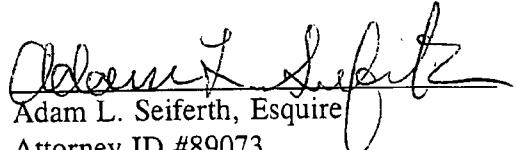
To: Silverwoods at Treasure Lake
687 Treasure Lake
DuBois, Pennsylvania 15801

PLEASE TAKE NOTICE that Susan Ellwanger and William Ellwanger, by and through their attorneys, Peters & Wasilefski, will take the oral deposition of the designee of Silverwoods at Treasure Lake upon oral examination in accordance with Pennsylvania Rule of Civil Procedure 4007.1(c) for purposes of preparing a Complaint, discovery and/or for use at trial, before a person authorized to render an oath at the Best Western Inn and Conference Center, 42 North Park Place, DuBois, Pennsylvania 15801 at 12:00 p.m. on all matters which are relevant and material to actionable claims involved in this case. The nature of the cause of action is a personal injury claim that occurred on March 27, 2003 as a result of the condition of the sidewalk located at the base of the front steps of Unit 51B of the Silverwoods Townhouses located at the Treasure Lake resort in Dubois, Pennsylvania. A designee of Silverwoods at Treasure Lake is requested to appear at the

aforesaid time and place and bring with him or her any records, notes, communications, or any other writings in the possession of Sliverwoods at Treasure Lake or to which Sliverwoods at Treasure Lake has access, which relate to the March 27, 2003 incident and the maintenance, repair, ownership, possession or control of the premises and common areas, and to submit to examination under oath for as long as it takes to complete the interrogation.

Peters & Wasilefski

By:


Adam L. Seiferth, Esquire
Attorney ID #89073
2931 North Front Street
Harrisburg, Pennsylvania 17110
717-238-7555

Date: 01-24-2005

Attorney for Plaintiffs,
Susan and William Ellwanger

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband, Plaintiffs : IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

v. : DOCKET NO:

TREASURE LAKE PROPERTY OWNERS: CIVIL ACTION - LAW
ASSOCIATION, and SILVERWOODS AT : JURY TRIAL DEMANDED
TREASURE LAKE, Defendants :

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Notice to Take Deposition** has been duly served upon all counsel of record and parties of interest by depositing the same in the United States mail, first class, postage prepaid, in Harrisburg, Pennsylvania, on this 24th day of *January, 2005*, addressed as follows:

Silverwoods at Treasure Lake
687 Treasure Lake
DuBois, Pennsylvania 15801

Peters & Wasilefski

Tommy L. Cox

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
	:	
v.	:	DOCKET NO:
	:	
TREASURE LAKE PROPERTY OWNERS: ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Motion to Compel** has been duly served upon all counsel of record and parties of interest by depositing the same in the United States mail, first class, postage prepaid, in Harrisburg, Pennsylvania, on this 28th day of *February, 2005*, addressed as follows:

Jerry S. Eisenberg, Esquire
Suite 1225, 1 Oxford Centre
301 Grant Street
Pittsburgh, Pennsylvania 15219

James F. Andrews, Jr., Esquire
Jacobs & Associates
11269 Perry Highway, #400
Wexford, Pennsylvania 15090-9388

Peters & Wasilefski

Mary Coon

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband, Plaintiffs : IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

v. : DOCKET NO: 05-104-CD

TREASURE LAKE PROPERTY OWNERS: CIVIL ACTION - LAW

ASSOCIATION, and SILVERWOODS AT : JURY TRIAL DEMANDED

TREASURE LAKE, Defendants : .

AFFIDAVIT OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Order** has been duly served upon all counsel of record and parties of interest by depositing the same in the United States mail, first class, postage prepaid, in Harrisburg, Pennsylvania, on this *4th* day of *March, 2005*, addressed as follows:

Jerry S. Eisenberg, Esquire
Suite 1225, 1 Oxford Centre
301 Grant Street
Pittsburgh, Pennsylvania 15219

James F. Andrews, Jr., Esquire
Jacobs & Associates
11269 Perry Highway, #400
Wexford, Pennsylvania 15090-9388

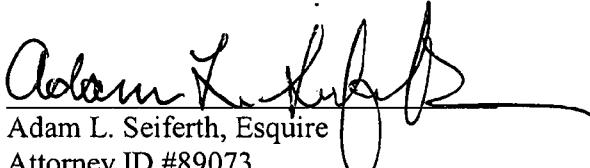
David S. Meholic
Office of Court Administrator
Clearfield County Courthouse, Suite 228
230 East Market Street
Clearfield, Pennsylvania 16830

FILED *10*
m 1/23/04 *cc*
07/2005 *GW*

William A. Shaw
Prothonotary/Clerk of Courts

Peters & Wasilefski

By:


Adam L. Seiferth, Esquire
Attorney ID #89073
2931 North Front Street
Harrisburg, Pennsylvania 17110
717-238-7555

Date: March 4, 2005

Attorney for Plaintiffs,
Susan and William Ellwanger

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

SUSAN ELLWANGER and :
WILLIAM ELLWANGER :
vs. : No. 05-104-CD
TREASURE LAKE PROPERTY :
OWNERS ASSOCIATION and :
SILVERWOODS AT TREASURE :
LAKE :
:

ORDER

AND NOW, this 2 day of March, 2005, it is the Order of the Court that argument on Plaintiffs' Motion to Compel Deposition of Designee of Defendant, Silverwoods at Treasure Lake filed in the above-captioned matter has been scheduled for the 15 day of MARCH, 2005, at 2:00 PM, in Courtroom No. 1, Clearfield County Courthouse, Clearfield, PA.

BY THE COURT:

I hereby certify this to be a true /s/ Fredric J. Ammerman
and attested copy of the original
statement filed in this case.

FREDRIC J. AMMERMAN
President Judge

Attest.

[Signature]
Prothonotary/
Clerk of Courts

MAR 03 2005

CR

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
	:	
v.	:	DOCKET NO: 05-104-CD
	:	
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

ORDER

AND NOW, this 16th day of March, 2005, upon consideration of Plaintiffs' Motion to Compel the Deposition of a designee of Defendant, Silverwoods at Treasure Lake, said Motion is hereby **WITHDRAWN** at the request of counsel for Plaintiffs.

Plaintiffs shall serve this Order on all parties of record.

BY THE COURT:


J. C. Zimmerman

FILED

MAR 18 2005

08:30 AM

William A. Shaw

Prothonotary/Clerk of Courts

3 cent TO ADAM SEIFER

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband, Plaintiffs : IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

v. : DOCKET NO: 05-104-CD

TREASURE LAKE PROPERTY OWNERS: CIVIL ACTION - LAW

ASSOCIATION, and SILVERWOODS AT : JURY TRIAL DEMANDED

TREASURE LAKE, Defendants :

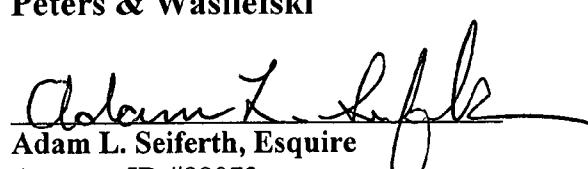
PRAECIPE TO DISCONTINUE ACTION AGAINST TREASURE LAKE PROPERTY OWNERS ASSOCIATION

To the Prothonotary of Clearfield County:

Please mark the docket in the above-captioned action as discontinued against Defendant, Treasure Lake Property Owners Association.

Peters & Wasilefski

By:


Adam L. Seiferth, Esquire
Attorney ID #89073
2931 North Front Street
Harrisburg, Pennsylvania 17110
717-238-7555

Date: *April 22, 2005*

Attorney for Plaintiffs,
Susan and William Ellwanger

FILED

APR 27 2005
m 111-30/ue
William A. Shaw
Prothonotary/Clerk of Courts
I CERT TO ATTY

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
	:	
v.	:	DOCKET NO: 05-104-CD
	:	
TREASURE LAKE PROPERTY OWNERS: ASSOCIATION, and SILVERWOODS AT: TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **Praecipe to Discontinue** **Treasure Lake Property Owners Association** has been duly served upon all counsel of record and parties of interest by depositing the same in the United States mail, first class, postage prepaid, in Harrisburg, Pennsylvania, on this **22nd** day of **April, 2005**, addressed as follows:

James F. Andrews, Jr., Esquire
Jacobs & Associates
11269 Perry Highway, #400
Wexford, Pennsylvania 15090-9388

Jerry S. Eisenberg, Esquire
Suite 1225, 1 Oxford Centre
301 Grant Street
Pittsburgh, Pennsylvania 15219

Peters & Wasilefski

mary coon

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS
Plaintiffs	:	OF CLEARFIELD COUNTY, PENNSYLVANIA
	:	
v.	:	DOCKET NO: 05-104-CD
	:	
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

PRAECIPE TO DISCONTINUE ACTION AGAINST TREASURE LAKE PROPERTY OWNERS ASSOCIATION

To the Prothonotary of Clearfield County:

Please mark the docket in the above-captioned action as discontinued against Defendant, Silverwoods at Treasure Lake.

Peters & Wasilefski

By:

Adam L. Seiferth /SJM

Adam L. Seiferth, Esquire
Attorney ID #89073
2931 North Front Street
Harrisburg, Pennsylvania 17110
717-238-7555

Date: *August 2, 2005*

Attorney for Plaintiffs,
Susan and William Ellwanger

FILED NO
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AUG 04 2005
©

Tom A. Shaw
Prothonotary/Clerk of Courts

SUSAN ELLWANGER and WILLIAM ELLWANGER, her husband,	:	IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
Plaintiffs	:	
	:	
v.	:	DOCKET NO: 05-104-CD
	:	
TREASURE LAKE PROPERTY OWNERS ASSOCIATION, and SILVERWOODS AT TREASURE LAKE,	:	CIVIL ACTION - LAW
Defendants	:	JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

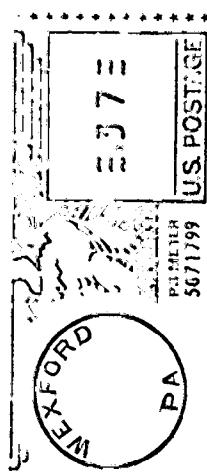
I HEREBY CERTIFY that a true and correct copy of the foregoing **Praecipe to Discontinue** has been duly served upon all counsel of record and parties of interest by depositing the same in the United States mail, first class, postage prepaid, in Harrisburg, Pennsylvania, on this *2nd* day of *August, 2005*, addressed as follows:

James F. Andrews, Jr., Esquire
Jacobs & Associates
11269 Perry Highway, #400
Wexford, Pennsylvania 15090-9388
(Counsel for Silverleaf Resorts, Inc.)

Peters & Wasilefski

mary cook

LAW OFFICES OF
JACOBS & ASSOCIATES
11269 PERRY HIGHWAY, SUITE 400
WEXFORD, PA 15090



JACOBS & ASSOCIATES
11260 PERRY HIGHWAY
SUITE 400
WEXFORD, PA 15090-9389