

05-196-CD
Great West et al vs. Chang Fens

FENS CHEN, et al.

Great West Cas'tly. et al v. Chang Chen et al
2005-196-CD

THIS IS AN ARBITRATION MATTER.
ASSESSMENT OF DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

PAUL M. SCHOFIELD, JR., ESQUIRE

Identification No.: 81894

21 S. 21st Street

Philadelphia, PA 19103

(215) 988-9600

Attorney for Plaintiff

Great West Casualty,
Individually and as Subrogee on
behalf of Sharkey

Transportation

1901 Liberty Drive

Bloomington IN 47402

and

Sharkey Transportation

3803 Dye P.O. Box 3156

Quincy, IL 62305-3156

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2005-196-CD

Chang Fens Chen

3038 Fish Hatchery Road

Fitchburg WI 53713

and

Jing Quintz Chen

3038 Fish Hatchery Road

Fitchburg WI 53713

FILED

FEB 11 2005

m/11:50/w
William A. Shaw

Prothonotary/Clerk of Courts
3 cent to Att

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 JUDGEMENT 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.

PENNSYLVANIA BAR ASSOCIATION LAWYER REFERRAL SERVICE
100 SOUTH STREET
HARRISBURG, PA 17108
(800) 692-7375

COMPLAINT IN CIVIL ACTION

1. Sharkey Transportation (the "Plaintiff"), is an adult individual residing at the address above captioned.

2. Plaintiff, Great West Casualty, is a corporation duly authorized to conduct business within the Commonwealth of Pennsylvania, and is subrogated to the rights of the Plaintiff arising out of the within claim.

3. Chang Fens Chen, (the "Defendant"), is an individual residing at the above-captioned address.

4. On or about February 6, 2004, the Plaintiff did own and possess a certain motor vehicle, involved in the accident hereinafter referred to.

5. On or about February 6, 2004, the Defendant did operate and control a certain motor vehicle, involved in the accident hereinafter referred to.

6. On or about February 6, 2004, the vehicle of the defendant was being operated in such a negligent and careless manner that it came into violent contact with the plaintiff's vehicle causing property damage to the Plaintiff's motor vehicle.

7. At the time and place aforesaid, the negligence and carelessness of the Defendant consisted of the following:

a. Operating said vehicle at a high and excessive rate of speed under the circumstances;

b. Failing to give proper and sufficient warning of the approach of said vehicle;

c. Failing to have said vehicle under proper and adequate control at the time;

d. Operating said motor vehicle without due regard for the rights, safety and position of the Plaintiff herein at the point aforesaid;

e. Failing to sound a horn or other signaling device as to give warning to the plaintiff;

f. Violating the rules and regulations of the road, ordinances of the County of CLEARFIELD, and the statutes of the Commonwealth of Pennsylvania; and

g. Operating said vehicle without observing and heeding the road and traffic conditions then and there existing.

8. As a result of Defendant's negligent and careless operating of the motor vehicle, the plaintiff's motor vehicle sustained damages in the amount of \$5,128.33.

9. At all times material hereto the plaintiff was insured by plaintiff, Great West Casualty.

10. As a further result of the defendants' negligence, Great West Casualty has made compensation for said property loss to the plaintiff.

11. Plaintiff Great West Casualty individually and as subrogee on behalf of the plaintiff, Sharkey Transportation has paid money to the plaintiff for property damage in the amount of \$5,128.33 for which plaintiff demands remuneration from the defendant.

WHEREFORE, Plaintiff, Great West Casualty, claims damages from the Defendant, in the amount of \$5,128.33, and/or any other damages this Honorable Court deems just and proper, including attorney's fees and court costs from the Defendant, for arbitration purposes only.

GORDON & WEINBERG, P.C.

BY: 

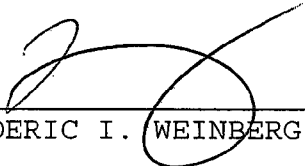
FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiffs

P01d
2015165

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.



FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

130
870783 ERO 19 2/1

PENNSYLVANIA STATE POLICE
NOTICE OF CRASH INVESTIGATION

AS REPORTED ON A COMMONWEALTH OF PENNSYLVANIA POLICE CRASH REPORTING FORM, FORM AA-45, THE CRASH IN WHICH YOU WERE INVOLVED HAS BEEN REPORTED TO THE PENNSYLVANIA STATE POLICE AND WILL BE INVESTIGATED IN ACCORDANCE WITH SECTION 3748(C) OF THE PENNSYLVANIA VEHICLE CODE.

CERTIFIED COPIES OF THE COMMONWEALTH OF PENNSYLVANIA POLICE CRASH REPORTING FORM (EXCLUDING APPENDED DOCUMENTS AND PHOTOGRAPHS) FOR CRASHES REPORTED TO THE PENNSYLVANIA STATE POLICE ARE AVAILABLE TO AUTHORIZED PERSONS UPON COMPLETION OF THE REVERSE SIDE OF THIS FORM AND ACCOMPANIED BY A CHECK OR MONEY ORDER IN THE AMOUNT OF \$8.00. THE CHECK OR MONEY ORDER SHALL BE MADE PAYABLE TO THE COMMONWEALTH OF PENNSYLVANIA. GOVERNMENT AGENCIES ARE EXEMPT FROM PAYMENT OF THIS FEE.

A POLICE CRASH REPORTING FORM MAY BE VIEWED OR PHOTOGRAPHED (WITH PERSONAL EQUIPMENT) BY ANY PERSON INVOLVED (NOT WITNESSES), THEIR ATTORNEY, INSURER, AND CERTAIN GOVERNMENT OFFICIALS ONLY AT THE PENNSYLVANIA STATE POLICE STATION LISTED BELOW.

DATE AND TIME OF CRASH 02/06/04 1020	INCIDENT NUMBER C03-0772518
LOCATION OF CRASH SR 150 nm NW	COUNTY CLEARFIELD
INVESTIGATING OFFICER'S SIGNATURE <i>[Signature]</i>	BADGE NUMBER 7810
PENNSYLVANIA STATE POLICE STATION P.D. CLEARFIELD	STATION TELEPHONE NUMBER 814-857-3800

IT IS RECOMMENDED THAT YOU OBTAIN, AT A MINIMUM, THE FOLLOWING INFORMATION FROM THE OTHER INVOLVED PERSON(S) BEFORE LEAVING THE SCENE OF THE CRASH. THIS INFORMATION CAN BE OBTAINED FROM THE DRIVER'S LICENSE, VEHICLE REGISTRATION CARD, AND ANY PROOF OF FINANCIAL RESPONSIBILITY.

DRIVER(S)/PEDESTRIAN(S)/PROPERTY OWNER(S) INFORMATION				VEHICLE OWNER(S) INFORMATION		
NAME CHANG FENG CHEN				NAME CHEN JING QUINCY		
ADDRESS SAME				ADDRESS 3038 FISH HATCHERY RD		
CITY SAME	STATE PA	ZIP CODE		CITY FITZBURGH	STATE WI	ZIP CODE 53711
TELEPHONE NUMBER -				TELEPHONE NUMBER 240-988-5141		

DRIVER'S/OPERATOR'S LICENSE NUMBER C500115248480	YEAR, MAKE, AND MODEL OF VEHICLE 1999 CHEV ASTRO
STATE OF ISSUANCE MD	REGISTRATION/LICENSE PLATE NUMBER WI 936BR
DRIVER'S/OPERATOR'S LICENSE EXPIRATION DATE SUSPENDED	VEHICLE REGISTRATION EXPIRATION DATE

NAME OF VEHICLE INSURANCE COMPANY AMERICAN FAMILY	POLICY NUMBER 1100-1200-01-02	POLICY EXPIRATION DATE
--	----------------------------------	------------------------

REMARKS/NOTES UNIT #2 - ROBERT J. SCHLEICH 133 EAST LOVELL AVE. NEW CASTLE PA 16101 PA 20 222 198	(724) 971-5287 PA TT - AE 17834 KENNEDY INS CO - WESTPORT INS. CORP. # WCP103000258500
UNIT #4 - DAVE DALMER JR 1834 HANDEN AVE. APT #1 E CLEVELAND OH 44112	(OH) RML04359 OH - TWH 3254 TT 1999 VOWD LINCOLN GENERAL # LTC100329

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

ERO 9

870783

Cosh Number

AA-500 1

Case Closed

☒ Yes ☐ No

Reportable Crash

☒ Yes ☐ No

Page

1

130 2-22-04

0539588

16

Police Agency Data	Incident Number	003-0772518										Police Agency	42003				Patrol Zone	72						
	Agency Name	PA STATE POLICE										Precinct	CLEARFIELD 1330				Investigation Date (MM-DD-YY)	02-00-2004						
Crash Data	Dispatch Time (mi)	1021			Arrival Time (mi)	1039			Investigator	TPR LEIGH A. BARROWS										Badge Number	7240			
	Reviewer	S. J. [Signature]										Badge Number	6836				Approval Date (MM-DD-YY)	02-13-2004						
Crash Data	County	17		County Name	CLEARFIELD					Municipality	204		Municipality Name	BRADFORD TWP					Day of Week	<input type="radio"/> Sun <input type="radio"/> Thu <input type="radio"/> Mon <input checked="" type="radio"/> Fri <input type="radio"/> Tue <input type="radio"/> Sat <input type="radio"/> Wed <input type="radio"/> Unk				
	Crash Date (MM-DD-YYYY)	02-00-2004				Crash Time (mi)	1020		No of Units	4		People	3		Injured	1		Killed*	0		*If > 00 complete Form F			
Loc Type	Workzone (If Yes, Complete Form M, Section 29)	<input type="radio"/> Yes <input checked="" type="radio"/> No		School Bus Related	<input type="radio"/> Yes <input checked="" type="radio"/> No		School Zone Related	<input type="radio"/> Yes <input checked="" type="radio"/> No		Notify PENNDOT Maintenance	<input checked="" type="radio"/> Yes <input type="radio"/> No		Special Location	00		See Overlay								
	Intersection Type	<input type="radio"/> 4 Way Intersection <input type="radio"/> "Y" Intersection <input type="radio"/> Multi-Leg Intersection <input type="radio"/> Off Ramp <input type="radio"/> Railroad Crossing		<input checked="" type="radio"/> Midblock <input type="radio"/> "T" Intersection <input type="radio"/> Traffic Circle/Round About <input type="radio"/> On Ramp <input type="radio"/> Crossover <input type="radio"/> Other																				
Principal Road	Route Number	80		Segment (Optional)			Travel Lanes	2		Speed Limit	65		Orientation	<input type="radio"/> North <input type="radio"/> South <input checked="" type="radio"/> East <input type="radio"/> West <input type="radio"/> Unknown		House Number (if applicable)			For Mid-block crashes only. Use postal House Number and make sure Principal Roadway Street Name is filled in if using this option.					
	Route Signing	<input checked="" type="radio"/> Interstate (Not Turnpike) <input type="radio"/> Turnpike (East/West) <input type="radio"/> Turnpike Spur <input type="radio"/> State Highway <input type="radio"/> County Road <input type="radio"/> Local Road or Street <input type="radio"/> Private Road <input type="radio"/> Other/Unknown																						
Intersecting Road	Route Number			Segment (Optional)			Travel Lanes			Speed Limit			Orientation	<input type="radio"/> North <input type="radio"/> South <input type="radio"/> East <input type="radio"/> West <input type="radio"/> Unknown				F						
	Route Signing	<input type="radio"/> Interstate (Not Turnpike) <input type="radio"/> Turnpike (East/West) <input type="radio"/> Turnpike Spur <input type="radio"/> State Highway <input type="radio"/> County Road <input type="radio"/> Local Road or Street <input type="radio"/> Private Road <input type="radio"/> Other/Unknown																						
Distance From Landmark	Use For Mid-Block Crashes	Please Enter Information for BOTH Landmarks if Using This Option		Landmark 1		Intersecting Rt Num Or Mile Post		Or Segment Marker		Ramp Use Only		<input type="radio"/> North <input type="radio"/> South <input type="radio"/> East <input type="radio"/> West		Feet										
	Use For Mid-Block Crashes			Landmark 2		Intersecting Rt Num Or Mile Post		Or Segment Marker		Ramp Use Only		<input type="radio"/> North <input type="radio"/> South <input type="radio"/> East <input type="radio"/> West		Distance From Crash Scene to Landmark 1 (For Crash between Landmark 1 and Landmark 2)										
GPS	Latitude	Degrees		Minutes		Seconds		Degrees		Minutes		Seconds		Longitude		- 78 17 14.00								
	Traffic Control Device	<input checked="" type="radio"/> Not Applicable <input type="radio"/> Traffic Signal <input type="radio"/> Flashing Traffic Signal		<input type="radio"/> Yield Sign <input type="radio"/> Active RR Crossing Controls <input type="radio"/> Stop Sign <input type="radio"/> Passive RR Crossing Controls		<input type="radio"/> Police Officer or Flagman <input type="radio"/> Other Type TCD <input type="radio"/> Unknown		TCD Functioning		<input checked="" type="radio"/> No Controls <input type="radio"/> Device Not Functioning		<input type="radio"/> Device Functioning Improperly <input type="radio"/> Device Functioning Properly		<input type="radio"/> Emergency Preemptive Signal <input type="radio"/> Unknown										
Lane Closed	Lane Closed (If "Not Applicable", skip rest of the Lane Closure section)	<input type="radio"/> Not Applicable <input checked="" type="radio"/> Partially <input type="radio"/> Fully <input type="radio"/> Unknown		Lane Closure Direction		<input type="radio"/> North <input checked="" type="radio"/> East <input type="radio"/> South <input type="radio"/> West <input type="radio"/> North and South <input type="radio"/> East and West		All (N,S,E,W)																
	Traffic Detained	Yes <input type="radio"/> No <input checked="" type="radio"/> Unknown <input type="radio"/>		Est. Time Closed		<input type="radio"/> < 30 Min. <input type="radio"/> 30-60 Min. <input type="radio"/> 1-3 hrs <input type="radio"/> 3-6 hrs <input type="radio"/> 6-9 hrs <input type="radio"/> > 9 hours <input checked="" type="radio"/> Unknown																		

POLICE CRASH REPORTING FORM

11111111111111111111

Crash Number

500 2

Police Use Only

003-0702518

Page:

2

P0539588

<input checked="" type="checkbox"/> Motor Vehicle in Transport	<input type="checkbox"/> Hit & Run Vehicle	<input type="checkbox"/> Illegally Parked	<input type="checkbox"/> Legally Parked	<input type="checkbox"/> Non - Motorized	Commercial Vehicle
<input type="checkbox"/> Pedestrian	<input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc	<input type="checkbox"/> Disabled From Previous Crash	<input type="checkbox"/> Train	<input type="checkbox"/> Phantom Vehicle	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc", Complete Form M, Section 28)					(If Yes, Complete Form C)

Driver's Name	First Name	MI	Date of Birth (MM-DD-YYYY)
1	CHANG	F	06 23 1941
Driver's Name	Last Name	Telephone Number	
0	CHEN	(937) 241-4018	
Address / City / State		Zip	
7905 GREENBURY DRIVE, GREENBELT, MD		20770	
Driver's License Number	State	Class	
0500115248480	MD	C	

Alcohol/Drugs Suspected	Driver or Pedestrian Physical Condition
<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Apparently Normal
<input type="checkbox"/> Alcohol	<input type="checkbox"/> Illegal Drug Use
<input type="checkbox"/> Illegal Drugs	<input type="checkbox"/> Fatigue
<input type="checkbox"/> Medication	<input type="checkbox"/> Medication
<input type="checkbox"/> Alcohol and Drugs	<input type="checkbox"/> Had Been Drinking
<input type="checkbox"/> Unknown	<input type="checkbox"/> Sick
	<input type="checkbox"/> Asleep
	<input type="checkbox"/> Unknown
Alcohol Test Type	Primary Vehicle Code Violation
<input checked="" type="checkbox"/> Test Not Given	33L01
<input type="checkbox"/> Blood	Charged? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Breath	
<input type="checkbox"/> Urine	
<input type="checkbox"/> Other	
<input type="checkbox"/> Unknown if Test Given	
Alcohol Test Results	Driver Presence
<input type="checkbox"/> Test Refused	1=Driver Operated Vehicle
<input type="checkbox"/> Test Given, Contaminated Results	2=No Driver
0	3=Driver Flew Scene
	4=Hit and Run
	9=Unknown

Owner/Driver	00=Not Applicable	02=Private Vehicle Not Owned/Leased by Driver	04=State Police Vehicle	07=Municipal Police Veh	09=Federal Gov Veh
02	01=Private Vehicle Owned/Leased by Driver	03=Rented Vehicle	05=PENNDOT Vehicle	08=Other Municipal Government Vehicle	98=Other
			06=Other State Gov Veh		99=Unknown

Owner's Name	Owner First Name	Owner Last Name or Business Name (If Pedestrian, skip this Section)
0	JING	CHEN
Address / City / State / Zip		Vehicle Make
3038 FISH HATCHERY RD, FITCHBURG, WI 53713		CHEVROLET
Model Year		*Make Code
1999		20
Vehicle Model		(see overlay)
ASTRO		
License Plate	Reg. State	Est. Speed
935ABR	WI	45
Vehicle Towed		Towed By
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		BIELER BOYZ
Insurance	Insurance Company	Policy No
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	AMERICA FAMILY	1110-1200-01-02

Towing	No. of Towing Units	Type Unit	1=Towing Pass. Veh	4=Mobile/Modular Home	7=Semi-Trailer	Tag No	Tag Year	Tag St
0	0	0	2=Towing Truck	5=Camper	8=Other			
			3=Towing Utility Trailer	6=Full Trailer	9=Unknown			

Direction of Travel	*Vehicle Position	*Movement	*See Overlay	Special Usage
E	03	01		00
Vehicle Color	Vehicle Type	05=Large Truck	20=Unicycle, Bicycle, Tricycle	12=Commercial Passenger Carrier
09	07	06=SUV	21=Other Pedalcycle	13=Taxi
07=Silver	01=Automobile	07=Van	22=Horse & Buggy	21=Tractor Trailer
08=Gold	02=Motorcycle	10=Snowmobile	23=Horse & Rider	22=Twin Trailer
09=Brown	03=Bus	11=Farm Equip	24=Train	23=Triple Trailer
10=Orange	04=Small Truck	12=Construction Equip	25=Trolley	31=Modified Veh
11=Purple	(If "02", Complete Form M, Section 26)	13=ATV	98=Other	99=Unknown
12=Other	(If "20" or "21", Complete Form M, Section 27)	18=Other Type Spec Veh	99=Unknown	
13=Black		19=Unk. Type Spec Veh		

Initial Impact Point	Damage Indicator	Gradient	Road Alignment
11	3	1	1
00=Non-Collision	0=None	1=Level	1=Straight
01-12=Clock Points	2=Functional	2=Uphill	2=Curved
13=Top	3=Disabling	9=Unknown	9=Unknown
	9=Unknown		

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

AA 500 2

Police Use Only

003-0772518

Page:

3

P0539588

Unit Info	<input type="checkbox"/> Motor Vehicle In Transport <input type="checkbox"/> Pedestrian		<input type="checkbox"/> Hit & Run Vehicle <input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc		<input type="checkbox"/> Illegally Parked <input checked="" type="checkbox"/> Disabled From Previous Crash		<input type="checkbox"/> Legally Parked <input type="checkbox"/> Train		<input type="checkbox"/> Non - Motorized <input type="checkbox"/> Phantom Vehicle		Commercial Vehicle <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
	(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc", Complete Form M, Section 28) (If Yes, Complete Form C)													
Driver or Pedestrian Information	Unit No	First Name				MI	Date of Birth (MM-DD-YYYY)							
	2													
	Delete?	Last Name				Telephone Number								
	Address / City / State										Zip			
	Driver License Number										State		Class	
	Alcohol/Drugs Suspected						Driver or Pedestrian Physical Condition							
	<input type="checkbox"/> No <input type="checkbox"/> Illegal Drugs <input type="checkbox"/> Medication <input type="checkbox"/> Alcohol <input type="checkbox"/> Alcohol and Drugs <input type="checkbox"/> Unknown						<input type="checkbox"/> Apparently Normal <input type="checkbox"/> Illegal Drug Use <input type="checkbox"/> Fatigue <input type="checkbox"/> Medication <input type="checkbox"/> Had Been Drinking <input type="checkbox"/> Sick <input type="checkbox"/> Asleep <input type="checkbox"/> Unknown							
Alcohol Test Type						Primary Vehicle Code Violation								
<input type="checkbox"/> Test Not Given <input type="checkbox"/> Breath <input type="checkbox"/> Other <input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Unknown If Test Given						<input type="checkbox"/> Charged? <input type="checkbox"/> Yes <input type="checkbox"/> No								
Alcohol Test Results						Driver Presence								
<input type="checkbox"/> Test Refused <input type="checkbox"/> Unknown Results <input checked="" type="checkbox"/> Test Given, Contaminated Results						<input checked="" type="checkbox"/> 1=Driver Operated Vehicle <input type="checkbox"/> 3=Driver Fled Scene <input type="checkbox"/> 2=No Driver <input type="checkbox"/> 4=Hit and Run <input type="checkbox"/> 9=Unknown								
Owner/Driver														
<input checked="" type="checkbox"/> 00=Not Applicable <input type="checkbox"/> 01=Private Vehicle Owned/Leased by Driver <input type="checkbox"/> 02=Private Vehicle Not Owned/Leased by Driver <input type="checkbox"/> 03=Rented Vehicle <input type="checkbox"/> 04=State Police Vehicle <input type="checkbox"/> 05=PENNDOT Vehicle <input type="checkbox"/> 06=Other State Gov Veh <input type="checkbox"/> 07=Municipal Police Veh <input type="checkbox"/> 08=Other Municipal Government Vehicle <input type="checkbox"/> 09=Federal Gov Veh <input type="checkbox"/> 99=Other <input type="checkbox"/> 99=Unknown														
Same as Driver <input type="checkbox"/> Owner First Name: EDWIN														
Owner Last Name or Business Name (If Pedestrian, skip this Section): HARDY TRUCKING INC														
Address / City / State / Zip: RD2 BOX 2028, WANDUN, PA 16157														
Vehicle Make: KENWORTH														
*Make Code: 25														
VIN: 1XKADR9X2PS597801														
Model Year: 1993														
Vehicle Model: T600														
Towed By:														
License Plate: AE17834														
Reg. State: PA														
Est. Speed: 00														
Vehicle Towed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														
Insurance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown														
Insurance Company: WESTPORT INS. CORP														
Policy No: LUCPI03000258500														
Trailing Unit: No. of Trailing Units: 1														
Type Unit: 7														
1=Towing Pass. Veh 4=Mobile/Modular Home 7=Semi-Trailer 2=Towing Truck 5=Camper 8=Other 3=Towing Utility Trailer 6=Full Trailer 9=Unknown														
Tag No: X553457														
Tag Year: 2004														
Tag St: PA														
Direction of Travel: E														
*Vehicle Position: 03														
*Movement: 98														
*See Overlay														
Special Usage: 21														
00=Not Applicable 01=Fire Veh 02=Ambulance 03=Police 08=Other Emergency Vehicle 11=Pupl Transport 12=Commercial Passenger Carrier 13=Taxi 21=Tractor Trailer 22=Twin Trailer 23=Triple Trailer 31=Modified Veh 99=Unknown														
Vehicle Color: 01														
06=Yellow 07=Silver 08=Gold 09=Brown 10=Orange 11=Purple 12=Other 99=Unknown 01=Blue 02=Red 03=White 04=Green 05=Black														
Vehicle Type: 05														
01=Automobile 02=Motorcycle 03=Bus 04=Small Truck (If "02", Complete Form M, Section 26) 05=Large Truck 06=SUV 07=Van 10=Snowmobile 11=Farm Equip 12=Construction Equip 13=ATV 18=Other Type Spec Veh 19=Unk. Type Spec Veh 20=Unicycle, Bicycle, Tricycle 21=Other Pedalcycle 22=Horse & Buggy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown														
Initial Impact Point: 15														
00=Non-Collision 01-12=Clock Points 13=Top 14=Undercarriage 15=Towed Unit 99=Unknown														
Damage Indicator: 1														
0=None 2=Functional 1=Minor 3=Disabling 9=Unknown														
Gradient: 1														
1=Level 2=Uphill 3=Downhill 4=Bottom of Hill 5=Top of Hill 9=Unknown														
Road Alignment: 1														
1=Straight 2=Curved 9=Unknown														

COMMONWEALTH OF PENNSYLVANIA
CRASH REPORTING FORM

● New

Crash Number

Use Only

003-072518

Page:

4

○ Change/
Continuation

P0539588

Unit Info

Type Unit ☒ Motor Vehicle in Transport ☐ Hit & Run Vehicle ☐ Illegally Parked ☐ Legally Parked ☐ Non - Motorized
☐ Pedestrian ☐ Pedestrian on Skates, in Wheelchair, etc. ☐ Disabled From Previous Crash ☐ Train ☐ Phantom Vehicle

Commercial Vehicle ☒ Yes ☐ No
(If Yes, Complete Form C)

(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc.", Complete Form M, Section 28)

Unit No 3 First Name RICHARD MI E Date of Birth (MM-DD-YYYY) 03 13 1954

Delete? ☐ Last Name BRADY Telephone Number (217) 894-0580

Address / City / State Zip 315 E. LAFAYETTE, CLANTON, IL 62324

Driver License Number BU307456075 IL A

Alcohol/Drugs Suspected ☒ No ☐ Illegal Drugs ☐ Medication ☐ Alcohol ☐ Alcohol and Drugs ☐ Unknown
Driver or Pedestrian Physical Condition ☒ Apparently Normal ☐ Illegal Drug Use ☐ Fatigue ☐ Medication ☐ Had Been Drinking ☐ Sick ☐ Asleep ☐ Unknown

Alcohol Test Type ☒ Test Not Given ☐ Breath ☐ Other ☐ Blood ☐ Urine ☐ Unknown if Test Given
Primary Vehicle Code Violation 3309 3341 Charged? ☒ Yes ☐ No

Alcohol Test Results ☐ Test Refused ☐ Unknown Results ☐ Test Given, Contaminated Results
Driver Presence 1=Driver Operated Vehicle 3=Driver Fled Scene 4=Hit and Run 9=Unknown 2=No Driver

Owner/Driver 00=Not Applicable : 01=Private Vehicle Owned/Leased by Driver 02=Private Vehicle Not Owned/Leased by Driver 03=Rented Vehicle 04=State Police Vehicle 05=PENNDOT Vehicle 06=Other State Gov Veh 07=Municipal Police Veh 08=Other Municipal Government Vehicle 09=Federal Gov Veh 98=Other 99=Unknown

Same as Driver ☐ Owner First Name SHARKEY Owner Last Name or Business Name (If Pedestrian, skip this Section) TRANSPORTATION INC

Address / City / State / Zip 3803 DNE ROAD, P.O. BOX 3150, QUINCY, IL 62305 Vehicle Make *Make Code MACK 84

VIN 1M1AED0V6Y6W003805 Model Year 2000 Vehicle Model (see overlay) MACK VISION

License Plate 7357113 Reg. State IL Est. Speed 40 Vehicle Towed ☐ Yes ☒ No Towed By

Insurance ☒ Yes ☐ No ☐ Unknown Insurance Company GREAT NEST CASUALTY Policy No CLP93840D

Trailing Unit No. of Trailing Units 1 Type Unit 7 1=Towing Pass. Veh 2=Towing Truck 3=Towing Utility Trailer 4=Mobile/Modular Home 5=Camper 6=Full Trailer 7=Semi-Trailer 8=Other 9=Unknown Tag No T245029 Tag Year 2004 Tag St IL

Direction of Travel E *Vehicle Position 01 *Movement 01 *See Overlay

Vehicle Color 04 06=Yellow 07=Silver 08=Gold 09=Brown 10=Orange 11=Purple 12=Green 13=Black 99=Unknown
Vehicle Type 05 01=Automobile 02=Motorcycle 03=Bus 04=Small Truck (If "02", Complete Form M, Section 26) (If "20" or "21", Complete Form M, Section 27)
05=Large Truck 06=SUV 07=Van 10=Snowmobile 11=Farm Equip 12=Construction Equip 13=ATV 18=Other Type Spec Veh 19=Unk. Type Spec Veh
20=Unicycle, Bicycle, Tricycle 21=Other Pedalcycle 22=Horse & Buggy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown
Special Usage 21 00=Not Applicable 01=Fire Veh 02=Ambulance 03=Police 08=Other Emergency Vehicle 11=Pupil Transport 12=Commercial Passenger Carrier 13=Taxi 21=Tractor Trailer 22=Twin Trailer 23=Triple Trailer 31=Modified Veh 99=Unknown

Initial Impact Point 11 00=Non-Collision 01-12=Clock Points 13=Top 14=Undercarriage 15=Towed Unit 99=Unknown
Damage Indicator 2 0=None 2=Functional 1=Minor 3=Disabling 9=Unknown
Gradient 1 1=Level 2=Uphill 3=Downhill 4=Bottom of Hill 5=Top of Hill 9=Unknown
Road Alignment 1 1=Slight 2=Curved 9=Unknown

AA 500 2

Police Use Only.

003-0772518

Page:

5

Change/
Continuation

P0539588

10	Unit Info		<input type="checkbox"/> Motor Vehicle In Transport <input type="checkbox"/> Pedestrian		<input type="checkbox"/> Hit & Run Vehicle <input type="checkbox"/> Pedestrian on Skates, in Wheelchair, etc.		<input type="checkbox"/> Illegally Parked <input type="checkbox"/> Disabled From Previous Crash		<input type="checkbox"/> Legally Parked <input type="checkbox"/> Train		<input type="checkbox"/> Non - Motorized <input type="checkbox"/> Phantom Vehicle		Commercial <input checked="" type="radio"/> Yes (If Yes, Complete)	
	(If "Pedestrian" or "Pedestrian on Skates, in Wheelchair, etc.", Complete Form M, Section 28)													
11	Unit No		First Name				MI		Date of Birth (MM-DD-YYYY)					
	4													
	Delete?		Last Name						Telephone Number					
	0													
	Address / City / State													
	Zip													
	Driver License Number													
	State Class													
12	Alcohol/Drugs Suspected													
	<input type="checkbox"/> No <input type="checkbox"/> Illegal Drugs <input type="checkbox"/> Medication													
	<input type="checkbox"/> Alcohol <input type="checkbox"/> Alcohol and Drugs <input type="checkbox"/> Unknown													
	Driver or Pedestrian Physical Condition													
	<input type="checkbox"/> Apparently Normal <input type="checkbox"/> Illegal Drug Use <input type="checkbox"/> Fatigue <input type="checkbox"/> Met													
	<input type="checkbox"/> Had Been Drinking <input type="checkbox"/> Sick <input type="checkbox"/> Asleep <input type="checkbox"/> Unk													
	Alcohol Test Type													
	<input type="checkbox"/> Test Not Given <input type="checkbox"/> Breath <input type="checkbox"/> Other													
	<input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Unknown if Test Given													
	Primary Vehicle Code Violation													
	<input type="checkbox"/> Yes													
13	Alcohol Test Results													
	<input type="checkbox"/> Test Refused <input type="checkbox"/> Unknown Results													
	<input type="checkbox"/> Test Given, Contaminated Results													
	Driver Presence													
	1=Driver Operated Vehicle 3=Driver Fled Scene 4=Hit and Run 2=No Driver 9=Unknown													
	Owner/Driver													
	00=Not Applicable 01=Private Vehicle Owned/Leased by Driver 02=Private Vehicle Not Owned/Leased by Driver 03=Rented Vehicle 04=State Police Vehicle 05=PENNDOT Vehicle 06=Other State Gov Veh 07=Municipal Police Veh 08=Other Municipal Government Vehicle 09=Federal 98=Other 99=Unknown													
	00													
	Owner First Name													
	R O O D													
	Owner Last Name or Business Name (If Pedestrian, skip this Section)													
T R U C K I N G C O I N S														
14	Address / City / State / Zip													
	3505 UNION ST, MINERAL RIDGE OH 44140													
	Vehicle Make													
	VOLVO													
	VIN													
	4V67DE6A04N784370													
	Model Year													
	1999													
	Vehicle Model													
	LWT													
	License Plate													
PUH8254														
Reg. State														
OH														
Est. Speed														
00														
Vehicle Towed														
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														
Towed By														
15	Insurance													
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown													
	Insurance Company													
	LINCOLN GENERAL INS CO													
	Policy No													
	LTC 100328101													
	Trailing Unit													
	<input type="checkbox"/> No, of Trailing Units: 1 <input type="checkbox"/> Type Unit: 7													
	1=Towing Pass. Veh 4=Mobile/Modular Home 7=Semi-Trailer 2=Towing Truck 5=Camper 8=Other 3=Towing Utility Trailer 6=Full Trailer 9=Unknown													
	Tag No Tag Year													
	HB991WD 2004													
16	Direction of Travel													
	E													
	*Vehicle Position													
	98													
	*Movement													
	98													
	*See Overlay													
	Vehicle Color													
	02													
	01=Blue 02=Red 03=White 04=Green 05=Black 06=Yellow 07=Silver 08=Gold 09=Brown 10=Orange 11=Purple 12=Other 99=Unknown													
Vehicle Type														
05														
01=Automobile 02=Motorcycle 03=Bus 04=Small Truck (If "02", Complete Form M, Section 26) 05=Large Truck 06=SUV 07=Van 10=Snowmobile 11=Farm Equip 12=Construction Equip 13=ATV 18=Other Type Spec Veh 19=Unk. Type Spec Veh 20=Unicycle, Bicycle, Tricycle 21=Other Pedalcycle 22=Horse & Buggy 23=Horse & Rider 24=Train 25=Trolley 98=Other 99=Unknown														
Special Usage														
21														
00=Not Applicable 01=Fire Veh 02=Ambulance 03=Police 08=Other Emergency Vehicle 11=Pupil Transport 12=Comm. Passen. Carrier 13=Taxi 21=Tractor 22=Twin Tr 23=Triple T 31=Modifie 99=Unknov														
Initial Impact Point														
09														
00=Non-Collision 01-12=Clock Points 13=Top 14=Undercarriage 15=Towed Unit 99=Unknown														
Damage Indicator														
2														
0=None 2=Functional 1=Minor 3=Disabling 9=Unknown														
Gradient														
1														
1=Level 2=Uphill														
Road Alignment														
1														
1=Str 2=Cl 9=Un														

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

AA 500 3

Police Use Only

003-0772518

Page

6

P0539588

People Information

<p>A Person Type: 1=Driver 2=Passenger 7=Pedestrian 8=Other 9=Unknown</p> <p>B Sex: F=Female M=Male U=Unknown</p> <p>C Injury Severity: 0=Not Injured 1=Killed 2=Major Injury 3=Moderate Injury 4=Minor Injury 8=Injury, Unk Severity 9=Unknown if Injury</p>	<p>D Seat Position: 00=Not A Passenger/Occupant 01=Driver - All Vehicles 02=Front Seat Middle Position 03=Front Seat Right Side 04=Second Row - Left Side Or Motorcycle Passenger 05=Second Row - Middle Position 06=Second Row - Right Side 07=Third Row Or Greater - Left Side 08=Third Row Or Greater - Middle Position 09=Third Row Or Greater - Right Side 10=Sleeper Section of Truckcab 11=In Other Enclosed Passenger Or Cargo Area 12=In Open Area (Back Of Pickup, Etc.) 13=Trailing Unit 14=Riding On Vehicle Exterior 15=Bus Passenger 98=Other 99=Unknown</p>	<p>E Safety Equipment One: 00=None Used / Not Applicable 01=Shoulder Belt Used 02=Lap Belt Used 03=Lap And Shoulder Belt Used 04=Child Safety Seat Used 05=Motorcycle Helmet Used 06=Bicycle Helmet Used 10=Safety Belt Used Improperly 11=Child Safety Seat Used Improperly 12=Helmet Used Improperly 90=Restraint Used, Type Unknown 99=Unknown</p> <p>F Safety Equipment Two: 00=None Used / Not Applicable 01=Front Air Bag Deployed (For This Seat) 02=Side Air Bag Deployed (For This Seat) 03=Other Type Air Bag Deployed 04=Multiple Air Bags Deployed 05=Motorcycle Eye Protection 06=Bicyclist Wearing Elbow/Knee/Pads 10=Air Bag Not Deployed, Switch On 11=Air Bag Not Deployed, Switch Off 12=Air Bag Not Deployed, Unk Switch Setting 13=Air Bag Removed (Prior To Crash) 19=Unknown If Air Bag Deployed 99=Unknown</p>	<p>G Ejection: 0=Not Applicable 1=Not Ejected 2=Totally Ejected 3=Partially Ejected 9=Unknown</p> <p>H Ejection Path: 0=Not Ejected / Not Applicable 1=Through Side Door Opening 2=Through Side Window 3=Through Windshield 4=Through Back Door 5=Through Back Door Tailgate Opening 6=Through Roof Opening (Sunroof/Convertible Top Down) 7=Through Roof Opening (Convertible Top Up) 9=Unknown</p> <p>I Extrication: 0=Not Applicable 1=Not Extricated 2=Extricated By Mechanical Means 3=Extricated By Non - Mechanical Means 8=Other 9=Unknown</p>
--	---	---	---

EMS Agency:

NONE DEARBFIELD EMS

Medical Facility:

NONE

Unit No	Person No	Delete?	Date of Birth (MM-DD-YYYY)	A	B	C	D	E	F	G	H	I
1	01	0	04-23-1941	1	M	0	0	1	0	3	1	2

Name / Address / Phone

Same as Operator

EMS Transport

Yes

Unit No	Person No	Delete?	Date of Birth (MM-DD-YYYY)	A	B	C	D	E	F	G	H	I
1	02	0	04-23-1949	2	F	4	0	0	0	0	0	0

Name / Address / Phone

Same as Operator

YUE VING LIN, 7905 GREENBELT RD, GREENBELT, MD 20710 (430) 211-1018

EMS Transport

Yes

Unit No	Person No	Delete?	Date of Birth (MM-DD-YYYY)	A	B	C	D	E	F	G	H	I
3	01	0	03-13-1960	1	M	0	0	1	0	3	0	0

Name / Address / Phone

Same as Operator

EMS Transport

Yes

Unit No	Person No	Delete?	Date of Birth (MM-DD-YYYY)	A	B	C	D	E	F	G	H	I
		0										

Name / Address / Phone

Same as Operator

EMS Transport

Yes

Unit No	Person No	Delete?	Date of Birth (MM-DD-YYYY)	A	B	C	D	E	F	G	H	I
		0										

Name / Address / Phone

Same as Operator

EMS Transport

Yes

Unit No	Person No	Delete?	Date of Birth (MM-DD-YYYY)	A	B	C	D	E	F	G	H	I
		0										

Name / Address / Phone

Same as Operator

EMS Transport

Yes

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

AA 500 4

Police Use Only

043-0772518

Page

7



Crash Number

P0539588

General Crash Information
(If more than 2 Units only complete once)

Crash Description	2	0=Non-Collision 1=Rear End	2=Head On 3=Rear to Rear (Backing)	4=Angle 5=Slideswipe (Same Direction)	6=Slideswipe (Opposite Direction) 7=Hit Fixed Object	8=Hit Pedestrian 9=Other/Unknown
Relation to Roadway	1	1=On Travel Lanes 2=Shoulder	3=Median 4=Roadside	5=Outside Trafficway 6=In Parking Lane	7=Gore (Ramp Intersection) 9=Unknown	
Illumination	1	1=Daylight 2=Dark - No Street Lights	3=Dark - Street Lights 4=Dusk	5=Dawn 6=Dark - Unknown Roadway Lighting	8=Other	
Weather Conditions	4	1=No Adverse Conditions 2=Rain	3=Sleet (Hail) 4=Snow	5=Fog 6=Rain & Fog	7=Sleet & Fog 8=Other	9=Unknown
Road Surface Conditions	5	0=Dry 1=Wet	2=Sand, Mud, Dirt, Oil 3=Snow Covered	4=Slush 5=Ice	6=Ice Patches 7=Water - Standing or Moving	8=Other

Unit(s) Event Information

Unit No	Harm Event	L/R	Most?	Utility Pole Number
1	02	D		
2				
3				
4				

Please Put Events in Sequential Order

Harmful Events (Harm Event)

- 01=Hit Unit 1
- 02=Hit Unit 2
- 03=Hit Unit 3
- 04=Hit Unit 4
- 05=Hit Unit 5
- 06=Hit Other Traffic Unit
- 07=Hit Deer
- 08=Hit Other Animal
- 09=Collision With Other Non Fixed Object
- 11=Struck By Unit 1
- 12=Struck By Unit 2
- 13=Struck By Unit 3
- 14=Struck By Unit 4
- 15=Struck By Unit 5
- 16=Struck By Other Traffic Unit
- 21=Hit Tree Or Shrubbery
- 22=Hit Embankment
- 23=Hit Utility Pole
- 24=Hit Traffic Sign
- 25=Hit Guard Rail
- 26=Hit Guard Rail End
- 27=Hit Curb
- 28=Hit Concrete Or Longitudinal Barrier
- 29=Hit Ditch
- 30=Hit Fence Or Wall
- 31=Hit Building
- 32=Hit Culvert
- 33=Hit Bridge Pier Or Abutment
- 34=Hit Parapet End
- 35=Hit Bridge Rail
- 36=Hit Boulder Or Obstacle On Roadway
- 37=Hit Impact Attenuator
- 38=Hit Fire Hydrant
- 39=Hit Roadway Equipment
- 40=Hit Mail Box
- 41=Hit Traffic Island
- 42=Hit Snow Bank
- 43=Hit Temporary Construction Barrier
- 48=Hit Other Fixed Object
- 49=Hit Unknown Fixed Object
- 50=Overturn/Roll Over
- 51=Struck By Thrown Or Falling Object
- 52=Pot Holes Or Other Pavement Irregularities
- 53=Jackknife
- 54=Fire In Vehicle
- 58=Other Non-Collision
- 99=Unknown Harmful Event

Unit No	Harm Event	Most Harmful Event in the Crash
1	02	
2		

Do not repeat this information on multiple pages

Environmental / Roadway Potential Factors (E/R)

- | | |
|------------------------------|--|
| 00=None | 11=Slippery Road Conditions (Ice/Snow) |
| 01=Windy Conditions | 12=Substance On Roadway |
| 02=Sudden Weather Conditions | 13=Potholes |
| 03=Other Weather Conditions | 14=Broken Or Cracked Pavement |
| 04=Deer In Roadway | 15=TCD Obstructed |
| 05=Obstacle On Roadway | 16=Soft Shoulder Or Shoulder Drop Off |
| 06=Other Animal In Roadway | 17=Other Roadway Factor |
| 07=Glare | 29=Other Environmental Factor |
| 08=Work Zone Related | 99=Unknown |

Possible Vehicle Failures (V)

- | | | |
|--------------------|------------------|-----------------------------------|
| 00=None | 06=Exhaust | 12=Wipers |
| 01=Tires | 07=Headlights | 13=Driver Seating/Control |
| 02=Brake System | 08=Signal Lights | 14=Body, Doors, Hood, Etc |
| 03=Steering System | 09=Other Lights | 15=Trailer Hitch |
| 04=Suspension | 10=Horn | 16=Wheels |
| 05=Power Train | 11=Mirrors | 17=Airbags |
| | | 18=Trailer Overloaded |
| | | 19=Unsecured/Shifted Trailer Load |
| | | 20=Improper Towing |
| | | 21=Obstructed Windshield |
| | | 99=Unknown |

Indicated Prime Factor

Do not repeat this information on multiple pages.
E/R V D P
☐ ☐ ☒ ☐

Unit No	Factor Code
1	24

If E/R is the Prime Factor
Turn In Unit No. 1

Driver Action (D)

- 00=No Contributing Action
- 01=Driver Was Distracted
- 02=Driving Using Hand Held Phone
- 03=Driving Using Hands Free Phone
- 04=Making Illegal U-Turn
- 05=Improper/Careless Turning
- 06=Turning From Wrong Lane
- 07=Proceeding W/O Clearance After Stop
- 08=Running Stop Sign
- 09=Running Red Light
- 10=Failure To Respond To Other Traffic Control Device
- 11=Tailgating
- 12=Sudden Slowing/Stopping
- 13=Illegally Stopped On Road
- 14=Careless Passing Or Lane Change
- 15=Passing In No Passing Zone
- 16=Driving The Wrong Way On 1-Way Street
- 17=Careless Or Illegal Backing On Roadway
- 18=Driving On The Wrong Side Of Road
- 19=Making Improper Entrance To Highway
- 20=Making Improper Exit From Highway
- 21=Careless Parking/Unparking
- 22=Over/Under Compensation At Curve
- 23=Speeding
- 24=Driving Too Fast For Conditions
- 25=Failure To Maintain Proper Speed
- 26=Driver Fleeing Police (Poli Chase)
- 27=Driver Inexperienced
- 28=Failure To Use Specialized Equip
- 92=Affected By Physical Condition
- 98=Other Improper Driving Actions
- 99=Unknown

Unit No	1	2	3	4
0	24			
2	00			

Pedestrian Action (P)

- 00=None
- 01=Entering Or Crossing At Specified Location
- 02=Walking, Running, Jogging, Or Playing
- 03=Working
- 04=Pushing Vehicle
- 05=Approaching Or Leaving Vehicle
- 06=Working On Vehicle
- 07=Standing
- 98=Other
- 99=Unknown

Unit No	1	2
00	00	
2	00	

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

00 4

Police Use Only

003-0772518

Page

2



Change/
Continuation

P0539588

Crash Description	<input type="checkbox"/> 0=Non-Collision 1=Rear End	<input type="checkbox"/> 2=Head On 3=Rear to Rear (Backing)	<input type="checkbox"/> 4=Angle 5=Slideswipe (Same Direction)	<input type="checkbox"/> 6=Slideswipe (Opposite Direction) 7=Hit Fixed Object	<input type="checkbox"/> 8=Hit Pedestrian 9=Other/Unknown
Location to Roadway	<input type="checkbox"/> 1=On Travel Lanes 2=Shoulder	<input type="checkbox"/> 3=Median 4=Roadside	<input type="checkbox"/> 5=Outside Trafficway 6=In Parking Lane	<input type="checkbox"/> 7=Gore (Ramp Intersection) 9=Unknown	
Lighting	<input type="checkbox"/> 1=Daylight 2=Dark - No Street Lights	<input type="checkbox"/> 3=Dark - Street Lights 4=Dusk	<input type="checkbox"/> 5=Dawn 6=Dark - Unknown Roadway Lighting	<input type="checkbox"/> 8=Other	
Weather Conditions	<input type="checkbox"/> 1=No Adverse Conditions 2=Rain	<input type="checkbox"/> 3=Sleet (Hail) 4=Snow	<input type="checkbox"/> 5=Fog 6=Rain & Fog	<input type="checkbox"/> 7=Sleet & Fog 8=Other	<input type="checkbox"/> 9=Unknown
Road Surface Conditions	<input type="checkbox"/> 0=Dry 1=Wet	<input type="checkbox"/> 2=Sand, Mud, Dirt, Oil 3=Snow Covered	<input type="checkbox"/> 4=Slush 5=Ice	<input type="checkbox"/> 6=Ice Patches 7=Water - Standing or Moving	<input type="checkbox"/> 8=Other

Unit No	Harm Event	L/R	Most?	Utility Pole Number
1	01			
2	04			
3				
4				

Unit No	Harm Event	L/R	Most?	Utility Pole Number
1	13			
2				
3				
4				

Unit No	Harm Event	Most Harmful Event in the Crash	Unit No	Harm Event

Do not repeat this information on multiple pages

Environmental / Roadway Factors (E/R)	1	2	3
None			
Windy Conditions			
Sudden Weather Conditions			
Other Weather Conditions			
Deer In Roadway			
Obstacle On Roadway			
Other Animal On Roadway			
Narrow Lane			
Work Zone Related			
11=Slippery Road Conditions (Ice/Snow)			
12=Substance On Roadway			
13=Potholes			
14=Broken Or Cracked Pavement			
15=TCO Obstructed			
16=Soft Shoulder Or Shoulder Drop Off			
28=Other Roadway Factor			
29=Other Environmental Factor			
99=Unknown			

Vehicle Failures (V)	1	2
None		
Exhaust		
Headlights		
Signal Lights		
Other Lights		
Horn		
Mirrors		
Wipers		
Driver Seating/Control		
Body, Doors, Hood, Etc		
Trailer Hitch		
Wheels		
Airbags		
Trailer Overloaded		
Unsecured/Shifted Trailer Load		
Improper Towing		
Obstructed Windshield		
99=Unknown		

Rated Prime Factor	Unit No	Factor Code
1=Repeat this information on multiple pages		
R V D P		
0 0 0 0		

If E/R is the Prime Factor Type, leave Unit No blank

Harmful Events (Harm Event)
01=Hit Unit 1
02=Hit Unit 2
03=Hit Unit 3
04=Hit Unit 4
05=Hit Unit 5
06=Hit Other Traffic Unit
07=Hit Deer
08=Hit Other Animal
09=Collision With Other Non Fixed Object
11=Struck By Unit 1
12=Struck By Unit 2
13=Struck By Unit 3
14=Struck By Unit 4
15=Struck By Unit 5
16=Struck By Other Traffic Unit
21=Hit Tree Or Shrubbery
22=Hit Embankment
23=Hit Utility Pole
24=Hit Traffic Sign
25=Hit Guard Rail
26=Hit Guard Rail End
27=Hit Curb
28=Hit Concrete Or Longitudinal Barrier
29=Hit Ditch
30=Hit Fence Or Wall
31=Hit Building
32=Hit Culvert
33=Hit Bridge Pier Or Abutment
34=Hit Parapet End
35=Hit Bridge Rail
36=Hit Boulder Or Obstacle On Roadway
37=Hit Impact Attenuator
38=Hit Fire Hydrant
39=Hit Roadway Equipment
40=Hit Mail Box
41=Hit Traffic Island
42=Hit Snow Bank
43=Hit Temporary Construction Barrier
48=Hit Other Fixed Object
49=Hit Unknown Fixed Object
50=Overturn/Roll Over
51=Struck By Thrown Or Falling Object
52=Pot Holes Or Other Pavement Irregularities
53=Jackknife
54=Fire In Vehicle
58=Other Non-Collision
99=Unknown Harmful Event

Driver Action (D)
00=No Contributing Action
01=Driver Was Distracted
02=Driving Using Hand Held Phone
03=Driving Using Hands Free Phone
04=Making Illegal U-Turn
05=Improper/Careless Turning
06=Turning From Wrong Lane
07=Proceeding W/O Clearance After Stop
08=Running Stop Sign
09=Running Red Light
10=Failure To Respond To Other Traffic Control Device
11=Tailgating
12=Sudden Slowing/Stopping
13=Illegally Stopped On Road
14=Careless Passing Or Lane Change
15=Passing In No Passing Zone
16=Driving The Wrong Way On 1-Way Street
17=Careless Or Illegal Backing On Roadway
18=Driving On The Wrong Side Of Road
19=Making Improper Entrance To Highway
20=Making Improper Exit From Highway
21=Careless Parking/Unparking
22=Over/Under Compensation At Curve
23=Speeding
24=Driving Too Fast For Conditions
25=Failure To Maintain Proper Speed
26=Driver Fleeing Police (Pursuit)
27=Driver Inexperienced
28=Failure To Use Specialized Equipment
92=Affected By Physical Condition
98=Other Improper Driving Action
99=Unknown

Unit No	1	2	3	4
3	24			
4	00			

Pedestrian Action (P)
00=None
01=Entering Or Crossing At Specified Location
02=Walking, Running, Jogging, Or Playing
03=Working
04=Pushing Vehicle
05=Approaching Or Leaving Vehicle
06=Working On Vehicle
07=Standing
98=Other
99=Unknown

Unit No	1	2	3	4
3	00			
4	00			

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

AA 500 C

Police Use Only

003-0772518

Page:

9

New

Change/
Continuation

00539588

Commercial Vehicle Information

Unit No

2

Number of Axles

99

(Code Number of Axles
or "99" for unknown)

Carrier Phone

(724) 535-7374

Carrier Name

EDWIN HARDY TRUCKING INC

Address

RD2 BOX 202A

GVWR

80000

Oversize Load

☐ Yes ☒ No
☐ Unknown

City

WAMPUM

State

PA

Zip

16157

USDOT#

132340

KCC #

MC289980

PUC #

A112070

Cargo Body Type

☐ Not Applicable ☐ Flat Bed ☐ Auto Transport
☐ Van/Enclosed Box ☐ Dump ☐ Garbage/Refuse
☐ Cargo Tank ☐ Concrete Mixer ☐ Bus
☒ Other/Unknown

Hazardous Material

☐ Yes ☒ No

Enter 1-digit hazardous material class

☐ ☐ ☐ ☐
☐ ☐ ☐ ☐

Release Indicator 1 = No Release 2 = Release Occurred 9 = Unknown

Vehicle Configuration

☐ Not Applicable ☐ Truck Tractor (Bobtail)
☐ Passenger Car - Only Record if ☒ Tractor/Semi-Trailer(s)
HazMat Placard Displayed ☐ Medium/Heavy Truck - Cannot
Classify
☐ Light Truck (Van, Mini-Van, Panel, ☐ Small Bus (Seats 9-15 People,
Pickup or SUV with HazMat Placard) ☐ Including Driver)
☐ Single Unit Truck (2 Axles, 6 ☐ Bus (Seats More Than 15
Tires) ☐ People, including the Driver)
☐ Single Unit Truck (3 or More Axles) ☐ Other
☐ Single Unit Truck (Unknown ☐ Unknown
Number of Axles)
☐ Truck/Trailer(s)

Commercial Vehicle Information

Unit No

3

Number of Axles

99

(Code Number of Axles
or "99" for unknown)

Carrier Phone

(217) 228-0555

Carrier Name

CHARLEV TRANSPORTATION INC

Address

3803 DNE ROAD

GVWR

80000

Oversize Load

☐ Yes ☒ No
☐ Unknown

City

GUINCY

State

IL

Zip

62305

USDOT#

55815

KCC #

MC135598

PUC #

Cargo Body Type

☐ Not Applicable ☐ Flat Bed ☐ Auto Transport
☒ Van/Enclosed Box ☐ Dump ☐ Garbage/Refuse
☐ Cargo Tank ☐ Concrete Mixer ☐ Bus
☐ Other/Unknown

Hazardous Material

☐ Yes ☒ No

Enter 1-digit hazardous material class

☐ ☐ ☐ ☐
☐ ☐ ☐ ☐

Release Indicator 1 = No Release 2 = Release Occurred 9 = Unknown

Vehicle Configuration

☐ Not Applicable ☐ Truck Tractor (Bobtail)
☐ Passenger Car - Only Record if ☒ Tractor/Semi-Trailer(s)
HazMat Placard Displayed ☐ Medium/Heavy Truck - Cannot
Classify
☐ Light Truck (Van, Mini-Van, Panel, ☐ Small Bus (Seats 9-15 People,
Pickup or SUV with HazMat Placard) ☐ Including Driver)
☐ Single Unit Truck (2 Axles, 6 ☐ Bus (Seats More Than 15
Tires) ☐ People, including the Driver)
☐ Single Unit Truck (3 or More Axles) ☐ Other
☐ Single Unit Truck (Unknown ☐ Unknown
Number of Axles)
☐ Truck/Trailer(s)

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

Page:

☒ New

☐ Change/
Continuation

00

Police Use Only

003-072518

10

0539588

No

☐

Number of Axles

99

(Code Number of Axles
or '99' for unknown)

Carrier Phone

(330) 652-3440

Driver Name

000 TRUCKING CO INS

Address

605 UNION ST

GVWR

80000

Oversize Load

☐ Yes ☒ No
☐ Unknown

State

Zip

MINERAL RIDGE

OH 44440

IT#

14480

ICC #

PUC #

Body Type

Not Applicable

☐ Flat Bed

☐ Auto Transport

☐ Garbage/Refuse

Van/Enclosed Box

☐ Dump

☐ Bus

Cargo Tank

☐ Concrete Mixer

☐ Other/Unknown

Hazardous Material

Yes ☒ No

Enter 1-digit hazardous material class

☐ ☐ ☐ ☐
☐ ☐ ☐ ☐

Vehicle Configuration

☐ Not Applicable

☐ Passenger Car - Only Record if
HazMat Placard Displayed

☐ Light Truck (Van, Mini-Van, Panel,
Pickup or SUV with HazMat Placard)

☐ Single Unit Truck (2 Axles, 6
Tires)

☐ Single Unit Truck (3 or More Axles)

☐ Single Unit Truck (Unknown
Number of Axles)

☐ Truck/Trailer(s)

☐ Truck Tractor (Bobtail)

☒ Tractor/Semi-Trailer(s)

☐ Medium/Heavy Truck - Cannot
Classify

☐ Small Bus (Seats 9-15 People,
Including Driver)

☐ Bus (Seats More Than 15
People, Including the Driver)

☐ Other

☐ Unknown

Release Indicator 1 = No Release 2 = Release Occurred 9 = Unknown

No

☐

Number of Axles

(Code Number of Axles
or '99' for unknown)

Carrier Phone

() -

Driver Name

Address

GVWR

Oversize Load

☐ Yes ☐ No
☐ Unknown

State

Zip

IT#

ICC #

PUC #

Body Type

Not Applicable

☐ Flat Bed

☐ Auto Transport

☐ Garbage/Refuse

Van/Enclosed Box

☐ Dump

☐ Bus

Cargo Tank

☐ Concrete Mixer

☐ Other/Unknown

Hazardous Material

Yes ☐ No

Enter 1-digit hazardous material class

☐ ☐ ☐ ☐
☐ ☐ ☐ ☐

Vehicle Configuration

☐ Not Applicable

☐ Passenger Car - Only Record if
HazMat Placard Displayed

☐ Light Truck (Van, Mini-Van, Panel,
Pickup or SUV with HazMat Placard)

☐ Single Unit Truck (2 Axles, 6
Tires)

☐ Single Unit Truck (3 or More Axles)

☐ Single Unit Truck (Unknown
Number of Axles)

☐ Truck/Trailer(s)

☐ Truck Tractor (Bobtail)

☐ Tractor/Semi-Trailer(s)

☐ Medium/Heavy Truck - Cannot
Classify

☐ Small Bus (Seats 9-15 People,
Including Driver)

☐ Bus (Seats More Than 15
People, Including the Driver)

☐ Other

☐ Unknown

Release Indicator 1 = No Release 2 = Release Occurred 9 = Unknown

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

005

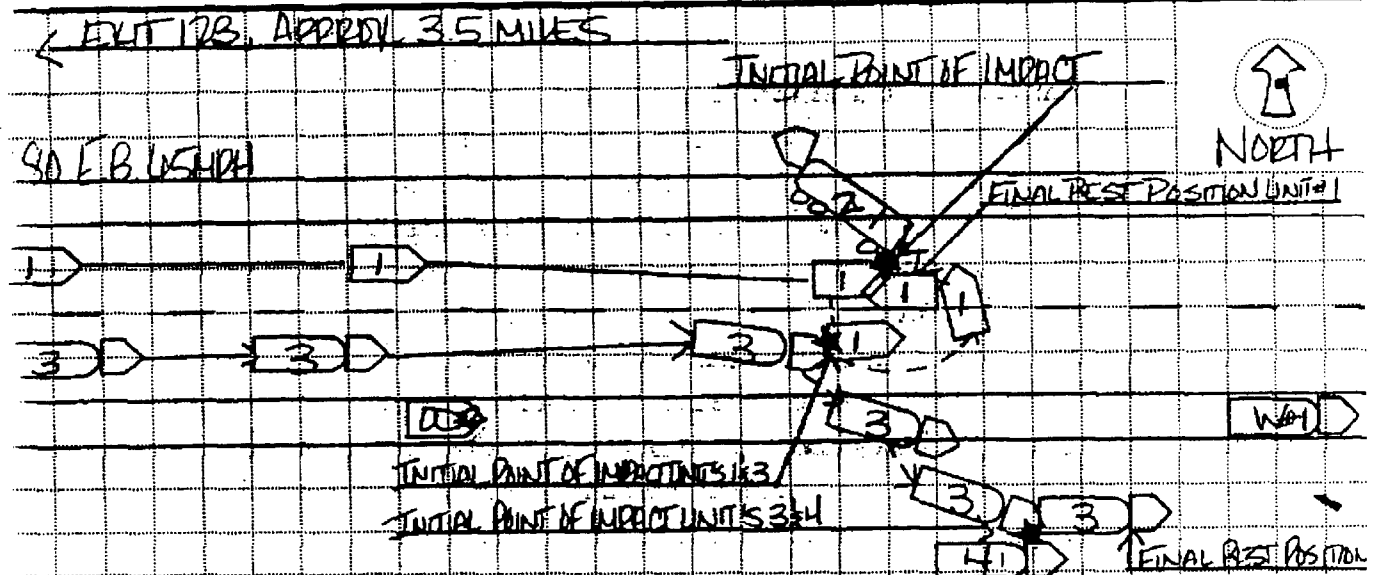
Police Use Only

003-0772518

Page



P0539588



WITNESS NOT TO SCALE

Witness Name	Address	Phone
FRED J. SHANKS	17310 SHERMAN RD, STANFORD, OH 44130	(416) 738-3029
FRED L. FENTON	147 DOE HILL RD, WOODLAND, PA 15081	(814) 857-3800

Other and additional witnesses:

Accident Investigation Notification Issued? ☒

Property Damage ☐

WIT #1, NO CELL PHONE PRESENT OR IN USE

WIT #2, NO CELL PHONE PRESENT OR IN USE

WIT #3, NO CELL PHONE PRESENT OR IN USE

WIT #4, NO CELL PHONE PRESENT OR IN USE

THIS COLLISION OCCURRED AS UNIT #1 WAS TRAVELING EAST ON SR0080 IN THE LEFT LANE AT A SPEED GREATER THAN REASONABLE OR PRUDENT FOR HAZARDOUS ROADWAY CONDITIONS. AT THIS TIME, UNIT #2 WAS DISABLED FROM A PREVIOUS COLLISION ON 02/01/04 ALONG THE NORTH BERM OF SR0080. THE TRAILER OF UNIT #2 WAS ^{OVERTURNED &} DISABLED PARTIALLY IN THE ROADWAY OF LEFT LANE AS UNIT #1 WAS TRAVELING EAST IN THE LEFT LANE. AS UNIT #1 APPROACHED THE DISABLED TRAILER IN THE ROADWAY, OPERATOR #1 ATTEMPTED TO AVOID STRIKING THE TRAILER BY ATTEMPTING TO TRAVEL INTO THE RIGHT LANE OF SR0080. UNIT #1 THEN STRUCK THE REAR TIRES OF THE TURNED TRAILER AND CONTINUED TO TRAVEL IN A COUNTERCLOCKWISE DIRECTION AS IT WAS STRUCK FROM BEHIND BY UNIT #3 THAT WAS TRAVELING IN THE RIGHT LANE OF SR0080.

(MORE)

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM



Crash Number

500 N

Police Use Only

03-0772518

Page

12

☒ New

☐ Change/
Continuation

20539528

Narrative and additional witnesses:

UNIT#1 CAME TO ITS FINAL RESTING POSITION FACING WEST ALONG SIDE OF DISABLED TRAILER ALONG LEFT LANE OF SR0080. AFTER IMPACT WITH UNIT#1, UNIT#3 CONTINUED TO TRAVEL APPROXIMATELY 50 FEET ALONG SR0080 AND OVER AND ACROSS SOUTH BERM AND INTO SNOW EMBANKMENT APPROXIMATELY 50 FEET SOUTH OF SR0080. AT THIS TIME, UNIT#2 STRUCK THE LEFT SIDE OF UNIT#4 AS IT WAS DISABLED AT THE LOCATION. AFTER IMPACT WITH UNIT#4, UNIT#3 CONTINUED TO TRAVEL APPROXIMATELY 20 FEET IN AN EAST DIRECTION AND CAME TO ITS FINAL RESTING POSITION.

PHYSICAL EVIDENCE: DAMAGE OBSERVED TO FRONT LEFT HOOD AND BUMPER OF UNIT#1 FROM IMPACT WITH TRAILER OF UNIT#2. DAMAGE OBSERVED TO ENTIRE REAR OF UNIT#1 FROM IMPACT WITH UNIT#3. DEBRIS ALONG ROADWAY FROM UNIT#1. FRONT FRONT END AND LEFT FRONT FENDER DAMAGE OBSERVED IN UNIT#3 FROM IMPACT WITH UNIT#1. DAMAGE OBSERVED TO RIGHT SIDE MIRROR AND RIGHT SIDE OF CAB OF UNIT#3 FROM IMPACT WITH UNIT#4. DAMAGE OBSERVED TO LEFT SIDE AND TOP OF CAB OF UNIT#4 FROM IMPACT WITH UNIT#3.

ON 02/09/04 AT APPROXIMATELY 1045 HOURS, I ATTEMPTED TO INTERVIEW OPERATOR#1 AT THE SCENE. OPERATOR#1 COULD NOT SPEAK OR COMPREHEND THE ENGLISH LANGUAGE AND INTERVIEW COULD NOT BE CONDUCTED AT THIS TIME.

ON 02/09/04 AT APPROXIMATELY 1119 HOURS, I INTERVIEWED OPERATOR#3 AT THE SCENE. OPERATOR#3 RELATED THAT HE OBSERVED UNIT#1 TRAVELING ALONG SIDE HIM AND STRUCK THE DISABLED TRAILER IN LEFT LANE. HE THEN RELATED THAT UNIT#1 CUT IN FRONT OF HIM AND HE STRUCK THE REAR OF UNIT#1. HE THEN RELATED THAT HE TRAVELED OFF ROADWAY AND INTO SNOW STRUCK UNIT#4. HE RELATED THAT IT ALL HAPPENED SO FAST AND HE COULD NOT GET STOPPED.

(MORE)

COMMONWEALTH OF PENNSYLVANIA
POLICE CRASH REPORTING FORM

AA 500 N

Police Use Only

003-0772518

Page

113

New

Change/Continuation



Crash Number

00539588

Narrative and additional witnesses:

ON 02/01/04 AT APPROXIMATELY 1142 HOURS, I INTERVIEWED WITNESS, JEFFREY JOHN SHERWOOD WINIM 38 AT THE SCENE OF THE COLLISION. SHERWOOD RELATED THAT HE WAS PARKED ALONG SHOULDER A FEW FEET AHEAD OF COLLISION SCENE AND OBSERVED THE VAN COME UP ALONG SIDE OF UNIT#3 AND THEN STRIKE THE DISABLED TRAILER ON ROADWAY. HE THEN SAW THE VAN (UNIT#1) GET STRUCK BY UNIT#3 AND THEN SPIN AROUND. HE THEN OBSERVED UNIT#3 GO OFF ROADWAY AND INTO SNOW. HE ADVISED THAT HE WAS OPERATING ANOTHER VEHICLE (TRACTOR TRAILER) FROM SAME COMPANY AS UNIT#4. HE ADVISED THAT THE OPERATOR OF UNIT#4 WAS IN HIS VEHICLE AT TIME OF COLLISION. HE OBSERVED THE COLLISION THROUGH HIS SIDE MIRRORS.

ON 02/01/04 AT APPROXIMATELY 1150 HOURS, I INTERVIEWED TPR. JEFFREY L FENTON, PSP CLEARFIELD WHO WAS AT SCENE AT TIME OF COLLISION. HE RELATED THAT HE WAS THERE INVESTIGATING A PREVIOUS COLLISION WITH UNIT#2. HE RELATED THAT HE WAS PARKED ALONG SOUTH BERM AND COULD NOT SEE IMPACT OF UNIT#1 WITH DISABLED UNIT#2. BECAUSE OF UNIT#3 WAS THERE. HE THEN OBSERVED UNIT#3 TRAVEL OFF ROADWAY NEAR UNIT#4.

PENNDOT ASSISTANCE REQUESTED AT SCENE. PUBLIC INFORMATION RELEASE FORM COMPLETED AND SUBMITTED.

TRAFFIC CITATIONS FILED ON 02/01/04 AT DM WIDELLA'S
OPERATOR#1 - # M0070880-5 - DRIVING VEHICLE AT SAFE SPEED
M0075091-2 - CARELESS DRIVING
M0075092-3 - DRIVING ON ROADWAY'S LANED FOR TRAFFIC
OPERATOR#3 - # M0075093-4 - DRIVING VEHICLE AT SAFE SPEED



R. Arland Sandvik
AIC
Altoona PA 16601

February 10, 2004

111

GREAT WEST CASUALTY COMPANY

Attn: Christopher Moorman
P O Box 4555
1901 Liberty Dr
Bloomington, In 47403-4555

RE:	Claim No:	870783
	Insured:	Sharkey Transportation
	Claimant:	Jing Quintz Chen
	Accident:	February 6, 2004
	Our File:	250-43567

Dear Ms. Moorman:

This will serve as first and final report regarding the captioned claim.

Date Time and Place: On February 6, 2004 at 10:20am on Interstate 80 eastbound mile marker 126, Clearfield County, Woodland, PA.

Description of Locus: I80 is a four lane divided highway with two lanes eastbound separated from the two westbound lanes by a grass wooded median. Traveling eastbound I80 has a slight downgrade with a slight curve from north to south. Visibility is good. Traffic is heavy. The posted speed limit is 65 mile per hour.

Description of Accident: The insured was eastbound in the south eastbound lane slowing down to 35 mile per hour for an overturned trailer in the north eastbound lane. As the insured was slowing down, Claimant Chen attempted to pass the insured in the north eastbound lane. However, Claimant Chen was unable to avoid colliding with the rear of the overturned trailer. On impact claimant Chen spun around into the south eastbound lane into the path of the insured tractor. The insured collided with the rear end of the Chen vehicle and then the insured drove off the south side of the road and struck the tractor of a second tractor-trailer sitting in a ditch along the south side of the highway.

Insured Driver: Richard E. Brady is a 48-year-old male born March 13, 1956, social security number 342-44-6707 residing at 2650 50th Street, 1777, Clayton IL 62324. Mr. Brady owns an Illinois drivers license #B630-7455-6075 which expires 3-15-2005.

Mr. Brady has described the accident as we reported above.

Page -2-

Claim No: 870783

February 10, 2004

Insured Equipment: Tractor: A 2000 Mack Conventional serial number 1M1AE06Y6W003805, model CX613.

Trailer: A 2000 Wabash, unit number 2443, serial number 1JJV5323YL553284.

Claimant: Chang Feng Chen, 3038 Fish Hatchery Road, Fitchburg, WI 53713 telephone 240-988-5194. Mr. Chen had already left our area prior to our assignment. Mr. Chen was alleged to have been driving under a suspended Maryland drivers license C500115248480.

Claimant Vehicle: A 1999 Chevrolet Astro van bearing serial number 1GNDM19W5XB190211. The license plate was removed prior to our inspection. According to the investigating office, this vehicle had a Wisconsin Plate No: 935GBR

Claimant Passengers: Presently the names and addresses passengers of this vehicle are unknown.

Claimant Operator: Robert J. Schleich, 133 East Lovell Avenue, New Castle PA 16101 telephone 724-971-5287 was the driver of the overturned tractor-trailer that was stopped in the north eastbound lane. Mr. Schleich had left the area prior to our arrival at the scene.

According to the investigating office Mr. Schleich was not in his unit at the time of collision by Mr. Chen.

Other Insurance: American Family Insurance policy 1166-1266-01-62.

Claimant Vehicle: A Kenworth tractor bearing Pennsylvania plate TT-AE 17834 registered to Mr. Schleich. The tractor had been removed from the scene prior to our arrival. However, we have learned that Eagle Tire and Recovery of Milesburg took Pa the tractor

Claimant: Dave Palmer, Jr, 1834 Hayden Avenue, Apt #1, E. Cleveland, Ohio 44112. Mr. Palmer was not in his vehicle at the time of collision by the insured tractor.

On February 6, 2004 we personally met with Mr. Palmer at the Snowshoe Truck Stop and requested a written statement. Mr. Palmer would not give us any information other than his employer RTC, INC, 3505 Union Street, Mineral Ridge, Ohio 44440. Mr. Palmer further stated that his partner had been the driver of the unit when it drove into the ditch.

Claimant Passenger: Jeff Sherwood, address unknown. Mr. Sherwood was not in the unit when struck by the insured.

Page -3-

February 10, 2004

Claim No: 870783

Claimant Vehicle: A 1999 Volvo tractor bearing Ohio registration PUH 8254 register to Rood Trucking Company, 3505 Union St., Mineral Point, Ohio 44440. Telephone number 800-327-2719

The trailer was a Stoughton Van bearing serial number 1DW1A4825YS352631 and Oregon plate HR 99760.

Police Report: Trooper Barrows, Badge No: 7840, from the Clearfield Post of the Pennsylvania State Police investigated this accident. The incident number of their report is C03-0772518.

On February 6, 2004, we personally met with Trooper Barrows and gained the information reported to your office regarding all drivers, passengers, vehicles, and possible citations.

Further, Trooper Barrows provided the insured's copy of the Notice of Crash Investigation. We have forwarded the original of that notice to the insured.

Future Activity: Obtain police report.

Remarks: Upon receipt of the police report, we will advise and request further instructions.

Very truly yours,



R. Arland Sandvik, AIC

Enclosure: Notice of Accident
Photographs.

Cc: Safety Department
Sharkey Transportation Inc
3803 Dye Rd
Quincy, IL 62305

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

Great West Casualty
1901 Liberty Drive
Bloomington, IN 47402
Ind. a/s/o Sharkey Transportation
and
Sharkey Transportation
3803 Dye P.O. Box 3156
Quincy, IL 62305-3156

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2005-196-cd

Chang Fens Chen
3038 Fish Hatchery Road
Fitchburg, WI 53713
and
Jing Quintz Chen
3038 Fish Hatchery Road
Fitchburg, WI 53713

AFFIDAVIT OF SERVICE

The undersigned does hereby depose and say that he served a copy of the Complaint in Civil Action in the above-captioned matter upon defendant, **Chang Fens Chen and Jing Quintz Chen**, by certified mail, return receipt requested and regular mail, on March 7, 2005 as evidenced by the copy of the return receipt card and transmittal letter attached hereto as Exhibit "A".

GORDON & WEINBERG, P.C.

BY: *Dorothy M. Donnelly*
DOROTHY M. DONNELLY, PARALEGAL TO
PAUL M. SCHOFIELD, JR., ESQUIRE

Dated: March 7, 2005

Sworn to and Subscribed
Before me this 7th Day of March, 2005

NOTARY PUBLIC COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

JOHN V. McBRIDE, III, Notary Public
City of Philadelphia, Phila. County
My Commission Expires August 4, 2008

®
FILED *no cc*

m/p: 3201
MAR 10 2005

William A. Shaw
Prothonotary/Clerk of Courts

MARC R. GORDON
FREDERIC I. WEINBERG*
DEAN I. ORLOFF*
PAUL M. SCHOFIELD, Jr.*

*Also member NJ Bar



SAMUEL F. PEPPER
(1905-1992)

PAUL BREEN
(1931-1995)

21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103

PHONE: (215) 988-9600
FACSIMILE: (215) 988-9601

March 7, 2005

Jing Quintz Chen
3038 Fish Hatchery Road
Fitchburg, WI 53713

RE: Great West Casualty, et al v. Chang Fens Chen, et al
Court of Common Pleas of Clearfield County
Docket No.: 2005-196-CD

Dear Sir/Madam:

Enclosed please find an original copy of the Complaint in Civil Action filed in Clearfield County Pennsylvania.

Very truly yours,
GORDON & WEINBERG, P.C.

Dorothy M. Donnelly
Secretary to Paul M. Schofield Jr., Esquire

:dmd
enclosure

via regular and certified mail

CERTIFIED MAIL NO.: 7003 3110 0005 5932 0775

505 CHURCH STREET
NORRISTOWN, PA 19401

1200 LAUREL OAK ROAD
SUITE 104
VOORHEES, NJ 08043

MARC R. GORDON
FREDERIC I. WEINBERG*
DEAN I. ORLOFF*
PAUL M. SCHOFIELD, Jr.*

*Also member NJ Bar



SAMUEL F. PEPPER
(1905-1992)

PAUL BREEN
(1931-1995)

21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103

PHONE: (215) 988-9600
FACSIMILE: (215) 988-9601

March 7, 2005

Chang Fens Chen
3038 Fish Hatchery Road
Fitchburg, WI 53713

RE: Great West Casualty, et al v. Chang Fens Chen, et al
Court of Common Pleas of Clearfield County
Docket No.: 2005-196-CD

Dear Sir/Madam:

Enclosed please find an original copy of the Complaint in Civil Action filed in Clearfield County Pennsylvania.

Very truly yours,
GORDON & WEINBERG, P.C.

Dorothy M. Donnelly
Secretary to Paul M. Schofield Jr., Esquire

:dmd
enclosure

via regular and certified mail

CERTIFIED MAIL NO.: 7003 3110 0005 5932 0768

505 CHURCH STREET
NORRISTOWN, PA 19401

1200 LAUREL OAK ROAD
SUITE 104
VOORHEES, NJ 08043

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Jing Quintz Chen
3038 Fish Hatchery Road
Fitchburg, WI 53713

4a. Article Number

7003 3110 0005 5932 0775

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Chang Fens Chen
3038 Fish Hatchery Road
Fitchburg WI 53713

4a. Article Number

7003 3110 0005 5932 0768

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894

21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

Great West Casualty Company
1901 Liberty Drive
Bloomington, IL 47402
Individually and as subrogee on behalf of Sharkey
Transportation
and
Sharkey Transportation
3803 Dye P.O. Box 3156
Quincy, IL 62305

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2005-196-CD

Chang Fens Chen
and
Jing Quintz Chen

AFFIDAVIT OF SERVICE

The undersigned does hereby depose and say that she served a copy of the Complaint in Civil Action in the above-captioned matter upon defendant, **Chang Fens Chen and Jing Quintz Chen**, by certified mail, return receipt requested, on March 11, 2005 as evidenced by the copy of the return receipt cards attached hereto as Exhibit "A".

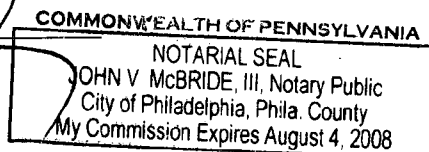
GORDON & WEINBERG, P.C.

BY: *Dorothy M. Donnelly*
DOROTHY M. DONNELLY, PARALEGAL TO
PAUL M. SCHOFIELD, JR., ESQUIRE

Dated: March 15, 2005

Sworn to and Subscribed
Before me this 15th Day of March, 2005

[Signature]
NOTARY PUBLIC



FILED ^{NO} ^{CC}
m/10:54
MAR 21 2005 ⁶¹⁰

William A. Shaw
Prothonotary/Clerk of Courts

EXHIBIT “A”

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Jing Quintz Chen
3038 Fish Hatchery Road
Fitchburg, WI 53713

4a. Article Number

7003 3110 0005 5932 0775

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

3-11-05

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Chen

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Chang Fens Chen
3038 Fish Hatchery Road
Fitchburg WI 53713

4a. Article Number

7003 3110 0005 5932 0768

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☒ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

3-11-05

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Chen

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

FILED
MAR 21 2005
CLERK OF COURTS
PROthonary

FILED
MAR 21 2005
William A. Shaw
Prothonary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

NO. 2005-196-CD

ISSUE:

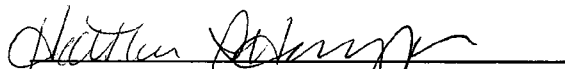
PRAECIPE FOR APPEARANCE

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN and
JING QUINTZ CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 4th DAY OF
APRIL, 2005.


Attorneys for Named Defendant

FILED

m/10:23/1 cc
APR 05 2005 (GW)

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

NO. 2005-196-CD

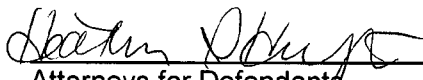
JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Enter my Appearance on behalf of Defendants Chang Fens Chen and Jing Quintz Chen.

Papers may be served at the address set forth below.


Attorneys for Defendants

McINTYRE, DUGAS, HARTYE & SCHMITT

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

Date: April 4, 2005

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

NO. 2005-196-CD

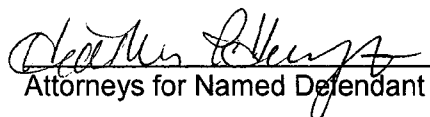
ISSUE:
PRAECIPE FOR ARGUMENT LIST

FILED ON BEHALF OF DEFENDANTS:
CHANG FENS CHEN and
JING QUINTZ CHEN

COUNSEL OF RECORD FOR DEFENDANTS:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 5th DAY OF
April, 2005.


Attorneys for Named Defendant

FILED *no ec*
m/11:19/05
APR 06 2005
William A. Shaw
Prothonotary/Clerk of Courts

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

NO. 2005-196-CD

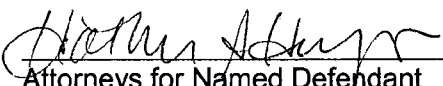
ISSUE:
**PRELIMINARY OBJECTIONS ON BEHALF
DEFENDANT, JING QUINTZ CHEN**

FILED ON BEHALF OF DEFENDANT:
JING QUINTZ CHEN


COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 5th DAY OF
APRIL, 2005.


Attorneys for Named Defendant

FILED *no cc*
m/11/19/05
APR 06 2005

 William A. Shaw
Prothonotary/Clerk of Courts

J.

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF :
SHARKEY TRANSPORTATION AND :
SHARKEY TRANSPORTATION :

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

JURY TRIAL DEMANDED

AND NOW, comes Defendant, JING QUINTZ CHEN, by and through his counsel, McINTYRE, DUGAS, HARTYE & SCHMITT, and files the within Preliminary Objections to the plaintiffs' Complaint, as follows:

1. Plaintiffs have filed a Complaint naming both Chang Chen and Jing Chen as defendants.

2. However, in the actual allegations of the Complaint (paragraphs 1 through 11), the only individual mentioned is Chang Chen, described as “the defendant” in paragraph 3.

3. Nowhere in the plaintiffs' Complaint is there any mention or reference to Jing Chen or any alleged actions or omissions on his part which would allegedly give rise to a cause of action against him.

4. Pennsylvania Rule of Civil Procedure 1019(a) provides, “the material facts on which a cause of action or defense is based shall be stated in a concise and summary form.”

5. There are no facts upon which a cause of action against Defendant, Jing Chen, could be based which are stated in the Complaint.

6. Therefore, the plaintiffs' Complaint fails to state a cause of action upon which relief can be granted against Defendant, Jing Chen.

7. As such, Defendant, Jing Chen, should be dismissed as party defendant to the action, as there are no allegations of negligence against him in the Complaint.

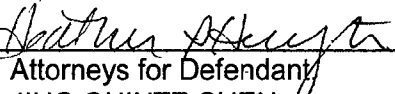
MOTION FOR MORE SPECIFIC PLEADING

8. Defendant, Jing Chen, hereby incorporates by reference paragraphs 1 through 7 of the within Preliminary Objections, as if more fully set forth at length.

9. In the alternative to dismissal of Defendant, Jing Chen, as a party defendant, he requests that this Honorable Court direct the plaintiffs to more specifically plead any and all facts upon which a cause of action may be stated against him.

Respectfully submitted,

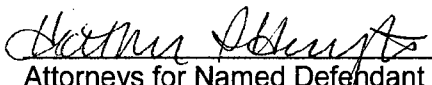
McINTYRE, DUGAS, HARTYE & SCHMITT

By 
Attorneys for Defendant
JING QUINTZ CHEN

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

TO: PLAINTIFFS

YOU ARE HEREBY NOTIFIED TO FILE
A WRITTEN RESPONSE TO THE
ENCLOSED **PRELIMINARY OBJECTIONS**
WITHIN TWENTY (20) DAYS FROM
SERVICE HEREOF OR A JUDGMENT
MAY BE ENTERED AGAINST YOU.


Attorneys for Named Defendant

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

NO. 2005-196-CD

ISSUE:

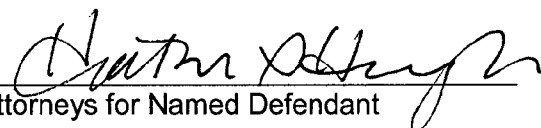
**ANSWER AND NEW MATTER ON
BEHALF OF DEFENDANT,
CHANG FENS CHEN**

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 25th DAY OF
April, 2005.


Attorneys for Named Defendant

FILED ^{cc}
m/10:59/01
APR 26 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

NO. 2005-196-CD

JURY TRIAL DEMANDED

**ANSWER AND NEW MATTER
ON BEHALF OF DEFENDANT, CHANG FENS CHEN**

AND NOW, comes Defendant, CHANG FENS CHEN, by and through his counsel,
McINTYRE, DUGAS, HARTYE & SCHMITT, and files the within Answer and New Matter to the
plaintiffs' Complaint, as follows:

ANSWER

1. After reasonable investigation, the defendant is without information sufficient to
form a belief as to the truth of the allegations of paragraph 1. The same are therefore denied.
By way of further response, the entity described in paragraph 1 does not appear to be an
"individual", but rather a business entity, of some sort.

2. Admitted in part and denied in part. It is admitted that Great West Casualty is a
corporation duly authorized to conduct business within the Commonwealth of Pennsylvania.
However, to the extent that Great West is subrogated to the rights of Sharkey Transportation,
those allegations are legal conclusions to which the defendant, after reasonable investigation,
does not have sufficient information to respond and the same are therefore denied.

3. Admitted in part and denied in part. It is admitted that Chang Chen is an individual. It is denied that he resides at the above-captioned address. To the contrary, he resides at 3009 Stamford Place, Fitchburg, Wisconsin 53711.

4. The defendant, after reasonable investigation, does not have sufficient information to determine whether the plaintiff did in fact own the vehicle referenced in the Complaint. These allegations are therefore denied.

5. It is admitted that Defendant, Chang Chen, operated a motor vehicle on February 6, 2004.

6. Denied.

7. Denied.

8. Denied. Paragraph 8 contains conclusions of law to which no responsive pleading is required. Further, in regard to the allegations of alleged damage, this defendant, after reasonable investigation, is without sufficient information to determine the truth of those allegations and the same are therefore denied.

9-11. Defendant, Chang Chen, after reasonable investigation, does not have sufficient information to determine the truth of these allegations and the same are therefore denied.

WHEREFORE, Defendant, Chang Chen, respectfully requests that this Honorable Court enter judgment in his favor and against the plaintiff, with prejudice.

NEW MATTER

12. Defendant, Chang Chen, hereby incorporates by reference his responses to paragraphs 1 through 11 of the plaintiffs' Complaint, as if set forth at length.

13. The sole and proximate cause of the alleged damage to the plaintiffs' vehicle was the presence of a third vehicle, owned and operated by Hardy Trucking, on the highway in the lane of travel of Defendant, Chang Chen, presenting a Sudden, Emergency to which Defendant, Chang Chen, reasonably responded.

14. Some or all of the plaintiffs' alleged damages were the result of the Plaintiff, Sharkey Transportation's driver's actions.

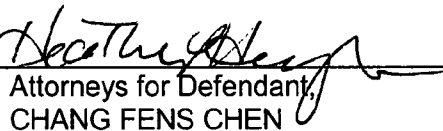
15. Therefore, the plaintiffs' own comparative negligence, through the acts of its agent, servant and employee, bar, or reduce any recovery allowable under the Pennsylvania Comparative Negligence Act, which is hereby pled as an affirmative defense. The direct and proximate result of this accident was not the actions of Defendant, Chang Chen, but the actions of a third party, including the operators of other vehicles involved in the aforesaid accident, and plaintiff's agent, servant and employee in operating plaintiff's vehicle.

16. The direct and proximate result of the damages sustained to plaintiff's vehicle was a result of the negligence or inattentive operation of that vehicle and other vehicles involved in said collision.

WHEREFORE, Defendant, Chang Chen, respectfully requests that this Honorable Court enter judgment in his favor and against the plaintiff, with prejudice.

Respectfully submitted,

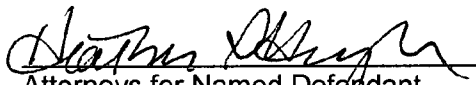
McINTYRE, DUGAS, HARTYE & SCHMITT

By 
Attorneys for Defendant,
CHANG FENS CHEN

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

TO: PLAINTIFFS

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


Attorneys for Named Defendant

VERIFICATION

I, **CHANG FENS CHEN**, do hereby verify that I have read the foregoing **ANSWER AND 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.


Chang Fens Chen

Date: 08/04/05

A

•
•
•
•
•
•
•
•
•
•
•

: No. 05-196-CD

$$\vdots$$

Th

5th

BY THE COURT:

Judge J. C. Cavanaugh

FREDRIC J. AMMERMAN
President Judge

18:30
MAY 09 2005
William A. Shaw
Amy Harrington
w/ service memo

William A. Shaw
Prothonotary/Clerk of Courts



OFFICE OF COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA

CLEARFIELD COUNTY COURTHOUSE
SUITE 228, 230 EAST MARKET STREET
CLEARFIELD, PENNSYLVANIA 16830

DAVID S. MEHOLICK
COURT ADMINISTRATOR

PHONE: (814) 765-2641
FAX: 1-814-765-7649

MARCY KELLEY
DEPUTY COURT ADMINISTRATOR

MEMO: To all parties filing Petitions/Motions in Clearfield County:

Please make note of the following:

Rule 206(f) The party who has obtained the issuance of a Rule to Show Cause shall forthwith serve a true and correct copy of both the Court Order entering the Rule and specifying a return date, and the underlying Petition or Motion, upon every other party to the proceeding in the manner prescribed by the Pennsylvania Rules of Civil Procedure (see PA. R.C.P. 440) and upon the Court Administrator.

Rule 206(g) The party who has obtained the issuance of a Rule to Show Cause shall file with the Prothonotary, within seven (7) days of the issuance of the Rule, an Affidavit of Service indicating the time, place and manner of service. Failure to comply with this provision may constitute sufficient basis for the Court to deny the prayer of the Petition or Motion.

***** Please note: This also includes service of scheduling orders obtained as the result of the filing of any pleading.**

ORIGINAL

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

NO. 2005-196-CD

ISSUE: STIPULATION FOR DISMISSAL
OF LESS THAN ALL PARTIES

FILED ON BEHALF OF DEFENDANTS:
CHANG FENS CHEN and
JING QUINTZ CHEN

COUNSEL OF RECORD FOR DEFENDANTS:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 10TH DAY OF
MAY, 2005.


Attorneys for Named Defendant

FILED ⁶²
m/11:06
MAY 12 2005 CC

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

NO. 2005-196-CD

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN

Defendants

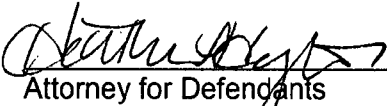
JURY TRIAL DEMANDED

STIPULATION FOR DISMISSAL OF LESS THAN ALL PARTIES

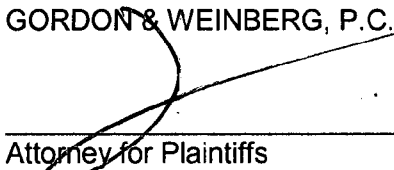
It is hereby stipulated and agreed by the parties, by and through their undersigned counsel, that Jing Quintz Chen is hereby dismissed as a party defendant from the above-captioned matter. The parties further agree to remove Jing Quintz Chen as a named defendant from the caption and any further filings. The parties also agree that this dismissal pertains solely to Jing Quintz Chen.

McINTYRE, DUGAS, HARTYE & SCHMITT

GORDON & WEINBERG, P.C.



Attorney for Defendants
HEATHER A. HARRINGTON, ESQUIRE
PA ID. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581
(814) 696-9399 - FAX



Attorney for Plaintiffs
Frederic I. Weinberg, Esquire
PA ID. No. 41360
21 South 21st Street
Philadelphia, PA 19103

CA

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN AND
JING QUINTZ CHEN
Defendants

NO. 2005-196-CD

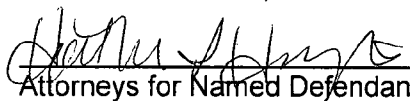
ISSUE: **Praecipe to Withdraw
Preliminary Objections**

FILED ON BEHALF OF DEFENDANTS:
CHANG FENS CHEN and
JING QUINTZ CHEN

COUNSEL OF RECORD FOR DEFENDANTS:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 13th DAY OF
MAY, 2005.


Attorneys for Named Defendant

FILED *no cc*
MAY 19 3 30 PM '05
MAY 16 2005
W.A. Shaw
William A. Shaw
Promotory/Clerk of Courts

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

ISSUE:

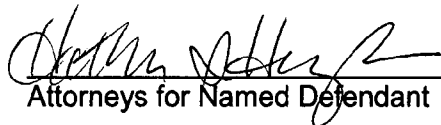
Notice of Service of Interrogatories and
Request for Production of Documents
Directed to Plaintiffs Dated
November 18, 2005


FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, DUGAS, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 18th DAY OF
NOVEMBER, 2005.


Attorneys for Named Defendant

FILED ^{NO cc}
01/10:42/04
NOV 22 2005 

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

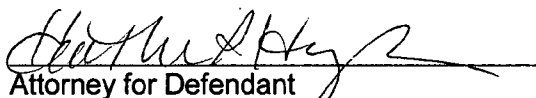
**NOTICE OF SERVICE OF FIRST SET OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS DIRECTED TO PLAINTIFFS DATED NOVEMBER 18, 2005**

TO: PROTHONOTARY

You are hereby notified that on the 18th day of November, 2005, Defendants, CHANG FENS CHEN, served First Set of Interrogatories and Request for Production of Documents Directed to Plaintiffs Dated November 18, 2005, by mailing the original of same via First Class U.S. Mail, postage prepaid, addressed to the following:

Frederic I. Weinberg, Esquire
Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

McINTYRE, DUGAS, HARTYE & SCHMITT


Attorney for Defendant
Chang Fens Chen

HEATHER A. HARRINGTON, ESQUIRE
PA I.D. No. 62977
P. O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

ORIGINAL

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

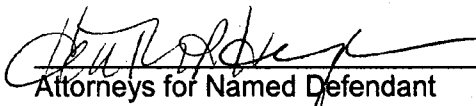
ISSUE: Certificate Prerequisite to
Service of a Subpoena Pursuant to
Rule 4009.22

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 12th DAY OF
APRIL, 2006.


Attorneys for Named Defendant

FILED ^{no cc}
m/10:20/06
APR 18 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

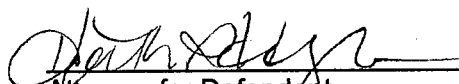
JURY TRIAL DEMANDED

**CERTIFICATE PREREQUISITE TO SERVICE
OF A SUBPOENA PURSUANT TO RULE 4009.22**

As a prerequisite to service of subpoenas for documents and things pursuant to Rule 4009.22, Defendant, Chang Fens Chen, certifies that:

1. a Notice of Intent to Serve the Subpoena with a copy of the 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 of Intent, 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 Subpoena which is attached to the Notice of Intent to Serve the Subpoena.
5. Please note that any and all information obtained via the Subpoena requests shall be used and maintained pursuant to the requirements of the Health Insurance Portability and Accountability Act, otherwise known as HIPAA.

Date: April 12, 2006


Attorney for Defendant,

HEATHER A. HARRINGTON, ESQUIRE
PA I.D.# 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
814/696-3581

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

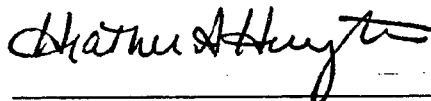
JURY TRIAL DEMANDED

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

Defendant, CHANG FENS CHEN, intends to serve a subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made, the subpoena may be served.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT



Attorney for Defendant
Chang Fens Chen

HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
814/696-3581

Date: February 28, 2006

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Great West Casualty
Sharkey Transportation
Plaintiff(s)

Vs.

Chang Fens Chen
Defendant(s)

*

*

*

No. 2005-00196-CD

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

TO: Commissioner Jeffrey B. Miller, Custodian of Records, Pennsylvania
State Police, 1800 Elmerton Avenue, Harrisburg, PA 17110-9758
(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 police crash reporting forms pertaining to automobile accidents which
occurred on February 6, 2004 on Route 80 in Bradford Township, Clearfield County.

(Address)
McIntyre, Hartye & Schmitt, P.O. Box 533, Hollidaysburg, PA 16648

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: Heather A. Harrington, Esquire
ADDRESS: P.O. Box 533
Hollidaysburg, PA 16648
TELEPHONE: 814/696-3581
SUPREME COURT ID # 62977
ATTORNEY FOR: Defendant

BY THE COURT:

William A. Shaw
Prothonotary/Clerk, Civil Division



Deputy

DATE: Thursday, February 23, 2006
Seal of the Court

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

CA

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

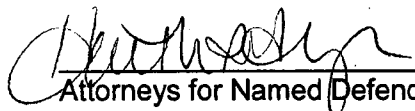
ISSUE: **MOTION TO COMPEL DISCOVERY
RESPONSES**

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 13TH DAY OF
APRIL, 2006. 17


Attorneys for Named Defendant

FILED
m110:2/6/06
APR 18 2006
William A. Shaw
Prothonotary/Clerk of Courts
Harrington

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF :
SHARKEY TRANSPORTATION AND :
SHARKEY TRANSPORTATION :

1. A Rule is issued upon the respondent to show cause why the moving party is not entitled to relief requested;
2. The respondent shall file an Answer to the Motion within _____ days of this date;
3. The Motion shall be decided under Pa. R.C.P. 206.7;
4. Depositions and all other discovery shall be completed within _____ days of this date;
5. An evidentiary hearing on disputed issues and material facts shall be held on _____, 200____, in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. _____;
6. Argument shall be held on _____, 200____, in Courtroom No. _____, of the Clearfield County Courthouse; and

7. The Notice of entry of this Order shall be provided to all parties by the moving party.

BY THE COURT:

J.

LA

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

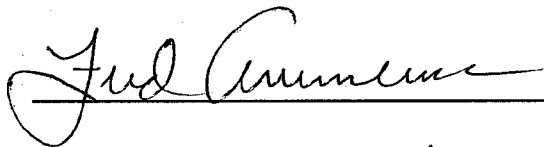
NO. 2005-196-CD

JURY TRIAL DEMANDED

ORDER

AND NOW, this 18th day of April, 2006, after consideration of defendant Chang Fens Chen's Motion to Compel, it is hereby **ORDERED, DIRECTED AND DECREED** that said Motion is granted. Plaintiffs are hereby directed to provide full and complete responses to the defendant's Interrogatories and Request for Production of Documents within ^{Thirty (30)} ~~twenty (20)~~ days of the date of this Order or suffer sanctions as the court may deem appropriate. *FJA*

BY THE COURT:


J.

FILED *icc*
03:47 PM
APR 18 2006 *Any Harrington*

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

NO. 2005-196-CD

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

JURY TRIAL DEMANDED

MOTION TO COMPEL DISCOVERY RESPONSES

AND NOW, comes defendant **Chang Fens Chen**, by and through his counsel, McIntyre, Hartye & Schmitt, and files the within Motion to Compel Discovery Responses.

1. Plaintiffs have filed the within action alleging that the defendant was negligent in causing damage to a vehicle owned and operated by Sharkey Transportation and insured by the plaintiff Great West Casualty on February 6, 2005 on Route 80 in Bradford Township, Clearfield County.

2. On or about November 18, 2005, the defendant served on plaintiffs Interrogatories and Request for Production of Documents. To date, the plaintiffs have failed to respond to the written discovery requested by the defendant. They have further failed to object in any way to the written discovery requests of the defendant.

3. The information requested by the defendant in the Interrogatories and Request for Production of Documents is necessary for the defendant to properly assess the claim against him and defend against the allegations set forth in the plaintiffs' Complaint.

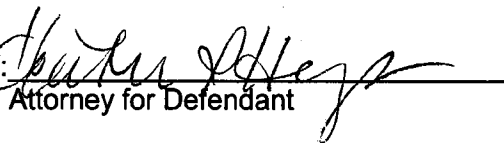
4. Under the Pennsylvania Rules of Procedure, the plaintiffs were required to respond to the discovery requests within thirty days, obtain an extension to respond or object to the same. As plaintiffs have done none of these things, they have waived their right to object.

5. Plaintiffs failure and/or refusal to respond to the written discovery requests of the defendant has prejudiced the defendant in his defense of this litigation.

WHEREFORE, defendant Chang Fens Chen respectfully requests that this Honorable Court grant his Motion to Compel Discovery Responses and direct that the plaintiffs shall file full and complete discovery responses, without objection, to all Interrogatories and Request for Production of Documents within twenty (20) days from the date of court's Order or suffer sanctions as the court may deem appropriate.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY: 
Attorney for Defendant

Heather A. Harrington, Esquire
PA I.D. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

NO. 2005-196-CD

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

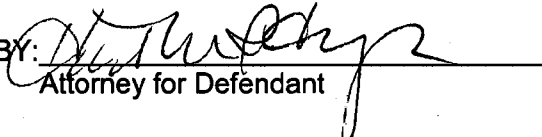
JURY TRIAL DEMANDED

CERTIFICATION

I, Heather A. Harrington, Esquire, counsel for named defendant hereby certify that I have attempted to confer with counsel for the plaintiffs in order to resolve this Motion, without success.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY: 
Attorney for Defendant

Heather A. Harrington, Esquire

PA I.D. No. 62977

P.O. Box 533

Hollidaysburg, PA 16648-0533

PH: (814) 696-3581

FAX: (814) 696-9399

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

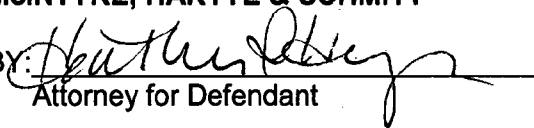
CERTIFICATE OF SERVICE

I, Heather A. Harrington, Esquire, hereby certify that I have served a true and correct copy of the foregoing Motion to Compel Discovery Responses on behalf of Defendant, Chang Fens Chen, on the following persons by placing the same in the U.S. Mail, postage prepaid, on the 13th day of April, 2006:

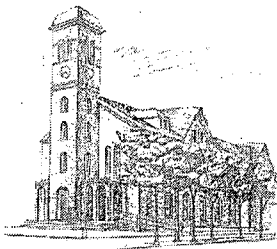
Frederic I. Weinberg, Esquire
Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY: 
Attorney for Defendant

Heather A. Harrington, Esquire
PA I.D. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399



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: 4/18/06

X 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, PA
CIVIL DIVISION

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

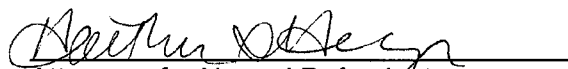
ISSUE: **CERTIFICATE OF SERVICE**


FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 25TH DAY OF
APRIL, 2006.


Attorneys for Named Defendant

FILED *no cc*
mjd:slr
APR 26 2006 

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

NO. 2005-196-CD

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I, Heather A. Harrington, Esquire, hereby certify that I have served a true and correct copy of the foregoing Court Order of April 18, 2006, granting the Motion to Compel which was filed on behalf of Defendant, Chang Fens Chen, on the following person by placing the same in the U.S. Mail, postage prepaid, on the 25th day of April, 2006:

Frederic I. Weinberg, Esquire
Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY: 
Attorney for Defendant

Heather A. Harrington, Esquire
PA I.D. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF : NO. 2005-196-CD
SHARKEY TRANSPORTATION AND :
SHARKEY TRANSPORTATION :
:

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

JURY TRIAL DEMANDED

ORDER

AND NOW, this 18th day of April, 2006, after consideration of
defendant Chang Fens Chen's Motion to Compel, it is hereby **ORDERED, DIRECTED AND
DECREED** that said Motion is granted. Plaintiffs are hereby directed to provide full and
complete responses to the defendant's Interrogatories and Request for Production of
Documents within ~~twenty~~ ^{thirty (30)} days of the date of this Order or suffer sanctions as the court may
deem appropriate. FJA/BM

BY THE COURT:

/s/ Fredric J. Ammerman

J.

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

APR 18 2006

Attest.

William D. Ammerman
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

GREAT WEST CASUALTY, INDIVIDUALLY
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND

(Plaintiff)
SHARKEY TRANSPORTATION

CIVIL ACTION

No. 2005-196-CD

(Street Address)

Type of Case: MOTOR VEHICLE ACCIDENT

(City, State ZIP)

Type of Pleading: CIVIL ACTION

VS.

Filed on Behalf of:

PLAINTIFFCHANG CHEN

(Defendant)

(Plaintiff/Defendant)

(Street Address)

(City, State ZIP)

(Filed by)

PAUL M. SCHOFIELD, JR., ESQUIRE

(Address)

GORDON & WEINBERG, P.C.
21 S. 21ST STREET
PHILADELPHIA, PA 19103

(Phone)

(Signature)

FILED 1cc
MAR 05 2007
William A. Shaw
Prothonotary/Clerk of Courts
Atty Schofield
Atty Schofield
pd. 20.00
(CR)

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

Civil Trial Listing/Certificate of Readiness

Plaintiff(s): GREAT WEST CASUALTY, INDIVIDUALLY Case Number: 2005-196-D
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND SHARKEY
TRANSPORTATION

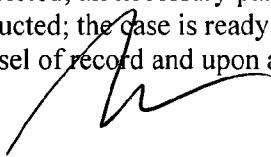
Defendant(s): CHANG CHEN

To the Prothonotary:

Arbitration Limit: _____
Type Trial Requested: _____ Jury _____ Non-Jury X Arbitration
Estimated Trial Time: 3 HRS

Jury Demand Filed By: _____
Date Jury Demand Filed: _____

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



(Signature)

1/31/07
(Date)

For the Plaintiff: PAUL M. SCHOFIELD, JR., ESQ. 215-988-9600 Telephone Number

For the Defendant: HEATHER A. HARRINGTON 814-696-3581 Telephone Number

For Additional Defendant: _____ Telephone Number

Certification of Current Address for all parties or counsel of record:

Name: <u>PAUL M. SCHOFIELD, JR.</u>	Address: <u>21 S. 21 ST. ST. PHILA</u>	City/State/Zip: <u>PHILA, PA 19103</u>
Name: <u>HEATHER A. HARRINGTON</u>	Address: <u>PO BOX 16648</u>	City/State/Zip: <u>HOLIOAYSBURG PA 16648</u>
Name: _____	Address: _____	City/State/Zip: _____
Name: _____	Address: _____	City/State/Zip: _____
Name: _____	Address: _____	City/State/Zip: _____
Name: _____	Address: _____	City/State/Zip: _____

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

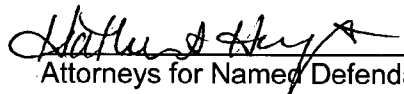
ISSUE:
**MOTION TO STRIKE CERTIFICATE
OF READINESS**

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 14th DAY OF
MARCH, 2007.


Attorneys for Named Defendant

FILED *no cc*
10:32 AM
MAR 15 2007 *(EK)*

William A. Shaw
Prothonotary/Clerk of Courts

J.

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

FILED 2cc
012:2784 Atty
MAR 16 2007 Harrington
William A. Shaw
Prothonotary/Clerk of Courts
ICC to CIA
to Fax 3/16/07

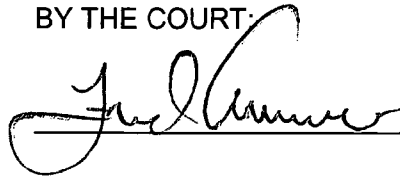
ORDER

AND NOW, this 16 day of March, 2007, upon consideration of the foregoing Motion to Strike Certificate of Readiness, it is hereby **ORDERED** that:

1. A Rule is issued upon the respondent to show cause why the moving party is not entitled to relief requested;
2. The respondent shall file an Answer to the Motion within _____ days of this date;
3. The Motion shall be decided under Pa. R.C.P. 206.7;
4. Depositions and all other discovery shall be completed within _____ days of this date;
5. An evidentiary hearing on disputed issues and material facts shall be held on March 16, 2007, in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. 6A;
6 Argument shall be held on April 2, 2007, in Courtroom No. 1, of the Clearfield County Courthouse; and
9:00 A.M.

7. The Notice of entry of this Order shall be provided to all parties by the moving party.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "J. L. Hammer", is written over a horizontal line.

J.

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

GREAT WEST CASUALTY, INDIVIDUALLY:	:	
AND AS SUBROGEE ON BEHALF OF	:	NO. 2005-196-CD
SHARKEY TRANSPORTATION AND	:	
SHARKEY TRANSPORTATION	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
CHANG FENS CHEN	:	
	:	
Defendant	:	JURY TRIAL DEMANDED

MOTION TO STRIKE CERTIFICATE OF READINESS

AND NOW, comes Defendant, CHANG CHEN, by and through his counsel, McINTYRE, HARTYE & SCHMITT, and files the within Motion to Strike Certificate of Readiness, as follows:

1. Plaintiffs instituted this subrogation action on February 11, 2005, by filing a Complaint.
2. Subsequently the defendant filed an Answer denying any and all liability.
3. Plaintiffs allege that the defendant caused damage to a vehicle owned and operated by Sharkey Transportation, and insured by Plaintiff Great West Casualty, on February 6, 2005, on Route 80 in Bradford Township, Clearfield County.
4. On November 18, 2005, the defendant served plaintiffs Interrogatories and Request for Production of Documents.
5. To date, the plaintiffs have failed to respond to the written discovery requested by the defendant.

6. On or about April 17, 2006, the defendant filed a Motion to Compel which the Court granted on April 18, 2006, specifically directing that the plaintiffs had 30 days to fully respond to the defendant's Interrogatories and Request for Production of Documents or suffer sanctions as may be appropriate. (A copy of the Court's Order is attached hereto as Exhibit "A" and incorporated by reference).

7. Although the plaintiffs have never responded to the discovery requests, plaintiffs did agree, in mid-June 2006 to submit the within dispute to inter-company arbitration, an arbitration process which is used for disputes between insurance companies which pertain solely to property damage claims. (A copy of undersigned counsel's June 15, 2006 confirmation letter to counsel for plaintiffs regarding the inter-company arbitration issue is attached hereto, marked as Exhibit "B" and incorporated by reference).

8. To date there has been no activity in the case until plaintiffs filed the Certificate of Readiness.

9. In fact, counsel for defendant has written to counsel for plaintiffs several times requesting a status of the inter-company arbitration process and dismissal of the within litigation. (Please see the attached correspondence dated December 6, 2006, January 8, 2007 and February 7, 2007 between counsel, attached hereto and marked as Exhibit "C" and incorporated by reference).

10. Certifying a case for Readiness requires that counsel verify to the Court that all discovery has been completed. Clearly, discovery has not been completed in this case because a Motion to Compel has been granted against the plaintiffs and the plaintiffs have never responded.

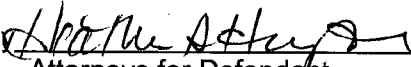
11. Concurrent with the filing of this Motion to Strike the Certificate of Readiness, counsel is also filing a Motion for Sanctions based on the plaintiffs' failure to respond to the defendant's discovery requests.

12. Not only is the case not ready for trial in this Honorable Court, the parties have agreed that it should be resolved via submission to inter-company arbitration.

WHEREFORE, the Defendant, Chang Chen, respectfully requests that this Honorable Court dismiss the plaintiffs' case in its entirety and direct that it be forwarded to inter-company arbitration per the agreement of the parties or strike the Certificate of Readiness and hear the defendant's Motion for Sanctions.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

By  _____
Attorneys for Defendant

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

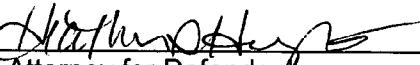
JURY TRIAL DEMANDED

CERTIFICATION

I, Heather A. Harrington, Esquire, counsel for named defendant hereby certify that I have attempted to confer with counsel for the plaintiffs in order to resolve this Motion, without success.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY 
Attorney for Defendant

Heather A. Harrington, Esquire
PA I.D. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

ORDER

AND NOW, this 18th day of April, 2006, after consideration of defendant Chang Fens Chen's Motion to Compel, it is hereby **ORDERED, DIRECTED AND DECREED** that said Motion is granted. Plaintiffs are hereby directed to provide full and complete responses to the defendant's Interrogatories and Request for Production of Documents within ~~twenty (20)~~ ^{thirty (30)} days of the date of this Order or suffer sanctions as the court may deem appropriate.
FJA/BM

BY THE COURT:

/s/ Fredric J. Ammerman

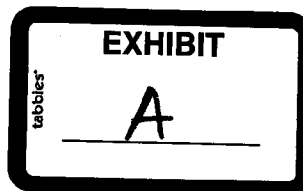
J.

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

APR 18 2006

Attest.

William D. Shaw
Prothonotary/
Clerk of Courts





McIntyre, Hartye & Schmitt
LAW OFFICES

June 15, 2006

Our Reference: 8180 NH

Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Re: Great West Casualty, Individually and as Subrogee
on behalf of Sharkey Transportation and Sharkey
Transportation v. Chang Chen
No. 2005-196-CD

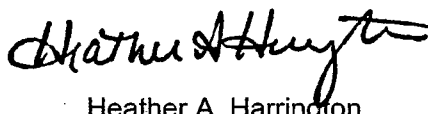
Dear Mr. Schofield:

Thank you for your e-mail correspondence confirming that your client has agreed to resolve this matter by submission to Intra-Company Arbitration. I have requested that my adjuster, Mary McDaniel, prepare the necessary arbitration paperwork and forward it directly to your attention.

I will keep my file open to ensure that the litigation is discontinued once the matter has been resolved by arbitration.

Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Heather A. Harrington

HAH:lag





McIntyre, Hartye & Schmitt
LAW OFFICES

December 6, 2006

Our Reference: 8180 NH

Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Re: Great West Casualty, Individually and as Subrogee
on behalf of Sharkey Transportation and Sharkey
Transportation v. Chang Chen
No. 2005-196-CD

Dear Mr. Schofield:

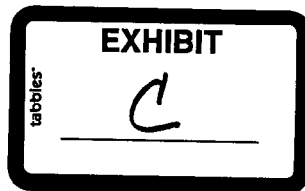
It is my understanding that this matter was submitted to IntraCompany Arbitration in June of this year. Would you please provide me with the status of that process?

Also, as IntraCompany Arbitration is binding, it would seem to me that we can dismiss the civil docket in this matter. Would you be so kind as to file the necessary paperwork to do so?

Sincerely,

Heather A. Harrington

HAH:lg





McIntyre, Hartye & Schmitt
LAW OFFICES

January 18, 2007

Our Reference: 8180 NH

Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Re: Great West Casualty, Individually and as Subrogee
on behalf of Sharkey Transportation and Sharkey
Transportation v. Chang Chen
No. 2005-196-CD

Dear Mr. Schofield:

It is my understanding that this matter was submitted to IntraCompany Arbitration in June of this year. Would you please provide me with the status of that process?

Also, as IntraCompany Arbitration is binding, it would seem to me that we can dismiss the civil docket in this matter. Would you be so kind as to file the necessary paperwork to do so?

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather A. Harrington', with a stylized flourish at the end.

Heather A. Harrington

HAH:lg



McIntyre, Hartye & Schmitt
LAW OFFICES

February 7, 2007

Our Reference: 8180 NH

Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Re: Great West Casualty, Individually and as Subrogee
on behalf of Sharkey Transportation and Sharkey
Transportation v. Chang Chen
No. 2005-196-CD

Dear Mr. Schofield:

It is my understanding that this matter was submitted to IntraCompany Arbitration in June of this year. Would you please provide me with the status of that process?

Also, as IntraCompany Arbitration is binding, it would seem to me that we can dismiss the civil docket in this matter. Would you be so kind as to file the necessary paperwork to do so?

Sincerely,

A handwritten signature in cursive script, appearing to read 'Heather A. Harrington'.

Heather A. Harrington

HAH:lg

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

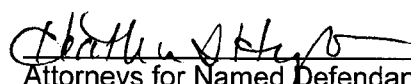
ISSUE:
MOTION FOR SANCTIONS

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 14TH DAY OF MARCH, 2007.


Attorneys for Named Defendant

FILED No
m110:3204 CC
MAR 15 2007 (LK)

William A. Shaw
Prothonotary/Clerk of Courts

J.

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

NO. 2005-196-CD

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

JURY TRIAL DEMANDED

FILED 2cc
of 2:27 PM
MAR 16 2007
Harrington
William A. Shaw
Prothonotary/Clerk of Courts
ICC + CIA
to Fax 3116607

ORDER

AND NOW, this 16 day of March, 2007, upon consideration of the foregoing Motion for Sanctions, it is hereby **ORDERED** that:

1. A Rule is issued upon the respondent to show cause why the moving party is not entitled to relief requested;

2. The respondent shall file an Answer to the Motion within _____ days of this date;

3. The Motion shall be decided under Pa. R.C.P. 206.7;

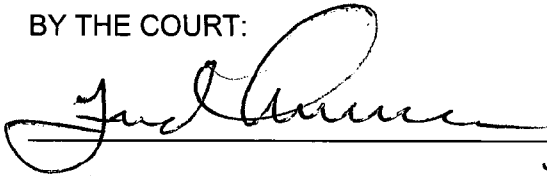
4. Depositions and all other discovery shall be completed within _____ days of this date;

5. An evidentiary hearing on disputed issues and material facts shall be held on _____, 200____, in the Clearfield County Courthouse, Clearfield, Pennsylvania, in Courtroom No. _____;

6. Argument shall be held on April 2, 2007, in Courtroom No. 1, of the Clearfield County Courthouse; and
9:00 A.M.

7. The Notice of entry of this Order shall be provided to all parties by the moving party.

BY THE COURT:


J.

FILED

MAR 16 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 3/16/07

☒ You are responsible for sending all notices to the 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

5. The plaintiffs did not file a response to the Motion to Compel.

6. On April 18, 2006 the Honorable Frederick J. Ammerman entered an Order directing that plaintiffs provide full and complete responses to the defendant's Interrogatories and Request for Production of Documents within thirty (30) days or suffer sanctions as the court may deem appropriate. (A copy of the April 18, 2006 Order is attached hereto, marked as Exhibit "A", and incorporated by reference.)

7. To date, the plaintiffs have failed to provide any discovery responses whatsoever.

8. The defendant is unable to defend this claim in that the plaintiffs have not provided any information pertaining to their allegations of negligence against the defendant or the alleged damages.

9. Not only is the defendant prejudiced by the plaintiffs' failure and/or refusal to respond to discovery requests, but plaintiffs are now in direct violation of a Court Order.

10. Pennsylvania Rules of Civil Procedure 4019 states, in relevant part:

(a)(1) the court may, on Motion, make an appropriate Order if
(i) a party fails to serve answers, sufficient answers, or objections to written interrogatories under Rule 4005;

(vii) a party, in response to a request for production or inspection made under Rule 4009, fails to respond that inspection will be permitted as requested, or fails to permit inspection as requested;

(viii) a party or person otherwise fails to make discovery or to obey an Order of Court respecting discovery;

(c) the court, when acting under subdivision (a) of this Rule may make:

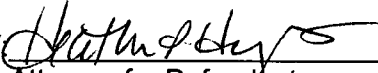
(2) an Order refusing to allow the disobedience party to support or oppose designated claims or defenses, or prohibiting such party from introducing in evidence designating documents, things, or testimony, or from introducing evidence of physical or mental condition.

Based on the plaintiffs' complete lack of response to the discovery requests and the Court's Order, the defendant believes it is appropriate for the plaintiffs to be sanctioned by preclusion of presentation of testimony or evidence at time of trial pertaining to any issue inquired into by the defendant's discovery responses, which the plaintiffs have failed and/or refused to respond to answer.

WHEREFORE, Defendant, Chang Fens Chen, respectfully requests that this Honorable Court grant his Motion for Sanctions and preclude the plaintiffs from presenting any testimony or evidence at trial on any issue inquired into by the defendant's written discovery requests.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY 
Attorney for Defendant

Heather A. Harrington, Esquire
PA I.D. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

FAX: (814) 696-9399

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

ORDER

AND NOW, this 18th day of April, 2006, after consideration of defendant Chang Fens Chen's Motion to Compel, it is hereby **ORDERED, DIRECTED AND DECREED** that said Motion is granted. Plaintiffs are hereby directed to provide full and complete responses to the defendant's Interrogatories and Request for Production of Documents within ~~twenty (20)~~ ^{thirty (30)} days of the date of this Order or suffer sanctions as the court may deem appropriate. FJA/30

BY THE COURT:

/s/ Fredric J. Ammerman

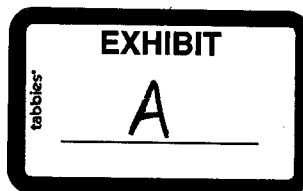
J.

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

APR 18 2006

Attest.

William B. Allen
Prothonotary/
Clerk of Courts



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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I, Heather A. Harrington, Esquire, hereby certify that I have served a true and correct copy of the foregoing Motion for Sanctions on behalf of Defendant, Chang Fens Chen, on the following persons by placing the same in the U.S. Mail, postage prepaid, on the **14th** day of **March, 2007**:

Frederic I. Weinberg, Esquire
Paul M. Schofield, Jr., Esquire
Gordon & Weinberg, P.C.
21 S. 21st Street
Philadelphia, PA 19103

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

BY 
Attorney for Defendant

Heather A. Harrington, Esquire
PA I.D. No. 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

Sharkey Transportation 3803
Dye P.O. Box 3156 Quincy, IL
62305-3156

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2005-196-CD

Chang Fens Chen

PRAECIPE TO STRIKE APPOINTMENT OF ARBITRATORS

TO THE PROTHONOTARY:

Plaintiff and Defendant have agreed to strike the appointment of the arbitrators in the above referenced matter. Kindly dissolve the panel as the parties have agreed to send the matter to inter company arbitration.

Dated: 3-23-7

By: 

Paul M. Schofield, Jr., Esquire

FILED ^{no cc}
MAR 26 2007
10:42 AM
68

William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

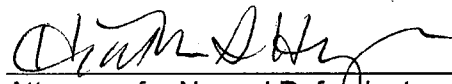
ISSUE: **Praecipe to Withdraw
Motion to Strike Certificate of Readiness
and Motion for Sanctions**

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANTS:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 27th DAY OF
MARCH, 2007.


Attorneys for Named Defendant

FILED NO
m/10:30 AM CC
MAR 28 2007 (CK)
William A. Shaw
Prothonotary/Clerk of Courts

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

JURY TRIAL DEMANDED

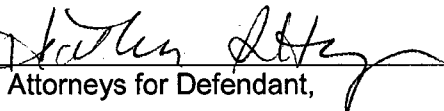
**PRAECIPE TO WITHDRAW MOTION TO STRIKE CERTIFICATE OF READINESS
AND MOTION FOR SANCTIONS**

TO PROTHONOTARY:

Kindly withdraw the **Motion to Strike Certificate of Readiness and Motion for Sanctions** filed on behalf of **Defendant, Chang Fens Chen**, in the above captioned matter. This matter is currently scheduled for Argument on April 2, 2007 in Courtroom No. 1 at 9:00 a.m.

Respectfully submitted,

McINTYRE, HARTYE & SCHMITT

By 
Attorneys for Defendant,

Heather A. Harrington, Esquire
PA I.D. #62977
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

FILED

MAR 28 2007

William A. Shaw
Prothonotary/Clerk of Courts

ORIGINAL

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

ISSUE: **Praecipe to Settle and Discontinue**

FILED ICC & Cert
m/10:50 am of disc issued
SEP 07 2007 to Atty
(S) Copy to C/A.

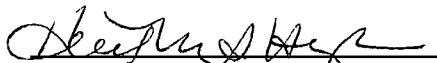
William A. Shaw
Prothonotary/Clerk of Courts

FILED ON BEHALF OF DEFENDANT:
CHANG FENS CHEN

COUNSEL OF RECORD FOR DEFENDANT:

McINTYRE, HARTYE & SCHMITT
HEATHER A. HARRINGTON, ESQUIRE
PA I.D.#: 62977
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581
FAX (814) 696-9399

I HEREBY CERTIFY THAT A TRUE
AND CORRECT COPY OF THE WITHIN
WAS MAILED TO ALL PARTIES OF
RECORD THIS 6th DAY OF
SEPTEMBER, 2007.


Attorneys for Named Defendant

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

GREAT WEST CASUALTY, INDIVIDUALLY:
AND AS SUBROGEE ON BEHALF OF
SHARKEY TRANSPORTATION AND
SHARKEY TRANSPORTATION

Plaintiffs,

vs.

CHANG FENS CHEN

Defendant

NO. 2005-196-CD

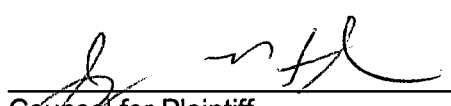
JURY TRIAL DEMANDED

PRAECIPE TO SETTLE AND DISCONTINUE

TO: PROTHONOTARY

Kindly mark the above captioned matter as settled, discontinued and ended,
without prejudice.

GORDON & WEINBERG, P.C.


Counsel for Plaintiff

~~Joel M. Fine~~ ~~Paul M. Schofield, Jr., Esquire~~ ~~27~~
PA I.D. No. 41200

21 S. 21st Street
Philadelphia, PA 19103
215/988-9600

Date: August 31, 2007

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Great West Casualty
Sharkey Transportation

Vs.
Chang Fens Chen

No. 2005-00196-CD

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 September 7, 2007, marked:

Settled, discontinued and ended without prejudice

Record costs in the sum of \$105.00 have been paid in full by Frederic I. Weinberg Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 7th day of September A.D. 2007.




William A. Shaw, Prothonotary