

05-403-CD  
W. Main and 1st

2005-403-CD  
Wade Maines et al v. Douglas Perkins

Date: 5/29/2008

**Clearfield County Court of Common Pleas**

User: LMILLER

Time: 11:41 AM

**ROA Report**

Page 1 of 2

Case: 2005-00403-CD

Current Judge: Fredric Joseph Ammerman

Wade A. Maines, Darlene A. Maines, Johnathan Maines vs. Douglas S. Perkins

**Civil Other**

Date	Judge
3/22/2005	New Case Filed.
	Filing: Praeclipe for Writ of Summons Paid by: Naddeo, James A. (attorney for Maines, Wade A.) Receipt number: 1897858 Dated: 03/22/2005 Amount: \$85.00 (Check) No cert. copies. 1 Writ issued to Sheriff.
4/19/2005	Sheriff Return, March 28, 2005 Served The Within Summons On Douglas S. Perkins. So Answers Chester A. Hawkins, Sheriff by s/Marilyn Hamm.
4/22/2005	Praeclipe For Rule to File Complaint, filed by s/ Stephen J. Magley, Esquire. No CC, 1rule to Atty Magley
	Praeclipe For Entry of Appearance, on behalf of Defendant, enter O'Malley & Magley, L.L.P. filed by s/ Stephen J. Magley, Esquire. No CC
5/31/2005	Complaint, filed by s/ James A. Naddeo, Esquire. 1CC Atty Naddeo
7/11/2005	Answer and New Matter filed by s/ Stephen J. Magley Esquire. No CC.
8/10/2005	Notice of Service of Interrogatories and Request for Production of Documents Directed to the Plaintiff were served upon counsel for Plaintiff, James A. Naddeo Esquire on August 8, 2005 filed by s/ Stephen J. Magley Esquire. No CC.
9/6/2005	Answer To New Matter, filed by s/ James A. Naddeo, Esquire. 1CC to Atty
10/24/2005	Certificate of Service, filed. That a certified copy of Plaintiffs' Answers to Interrogatories and Answers to Request for Production served on Stephen J. Magley Esq. on October 24, 2005, filed by s/ James A. Naddeo Esq. 1CC Atty.
3/16/2006	Certificate of Service, filed. That a certified copy of Interrogatories Addressed to Defendant was served on Stephen J. Magley Esq on the 16th day of March, 2006, filed by s/ James A. Naddeo Esq. 1CC Atty Naddeo
7/17/2006	Notice of Service, filed. That Answers to Interrogatories were served upon counsel for Plaintiffs, James A. Naddeo Esq. on this 14th day of July 2006, filed by s/ Stephen J. Magley Esq. No CC.
9/12/2007	Praeclipe For Status Conference, filed by s/ James A. Naddeo, Esquire. No CC
9/17/2007	Scheduling Order, NOW, this 14th day of Sept., 2007, it is Ordered that a Status Conference is scheuled for the for the 26th day of Oct., 2007, at 11:00 a.m. in Chambers. By The Court, /s/ Fredric J. Ammerman, Pres. Judge.
9/19/2007	Certificate of Service, filed. That a certified copy of Praeclipe for Status Conference and Scheduling Order was served on Kevin R. O'Malley Esq., on the 19th day of September 2007, filed by s/ James A. Naddeo Esq. NO CC.
10/31/2007	Order, this 31st day of Oct., following status conference with counsel for the Fredric Joseph Ammerman Plaintiff, the Court hereby issues the following case management Order: (see original). By The court, /s/ Fredric J. Ammerman, Pres. Judge. 1CC Atty. Naddeo; 1CC Atty: Magley, O'Malley, and Carone Orig. to 05-402-CD
12/3/2007	Notice of Service of Defendant's Supplemental Request for Production of Documents Directed to James A. Naddeo on this 29th day of November 2007, filed by s/ Stephen J. Magley Esq. No CC.

Date: 4/1/2008  
Time: 01:27 PM

**Clearfield County Court of Common Pleas**

User: GLKNISLEY

Page 1 of 2

ROA Report

Case: 2005-00403-CD

Current Judge: Fredric Joseph Ammerman

Wade A. Maines, Darlene A. Maines, Johnathan Maines vs. Douglas S. Perkins

Civil Other

Date	Judge
3/22/2005 <i>(X)</i>	New Case Filed. No Judge
	Filing: Praeclipe for Writ of Summons Paid by: Naddeo, James A. (attorney for Maines, Wade A.) Receipt number: 1897858 Dated: 03/22/2005 Amount: \$85.00 (Check) No cert. copies. 1 Writ issued to Sheriff.
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9/17/2007 <i>(X)</i>	Scheduling Order, NOW, this 14th day of Sept., 2007, it is Ordered that a Status Conference is scheuled for the for the 26th day of Oct., 2007, at 11:00 a.m. in Chambers. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. Fredric Joseph Ammerman
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Date: 5/29/2008

Time: 11:41 AM

Page 2 of 2

**Clearfield County Court of Common Pleas**

User: LMILLER

**ROA Report**

**Case: 2005-00403-CD**

**Current Judge: Fredric Joseph Ammerman**

**Wade A. Maines, Darlene A. Maines, Johnathan Maines vs. Douglas S. Perkins**

**Civil Other**

<b>Date</b>		<b>Judge</b>
12/19/2007	Certificate of Service, filed. That a copy of Plaintiff's Answers to Defendant's Supplemental Request for Production of Documents Dated to Plaintiffs were served on the 19th day of December 2007 by first class mail to Kevin R. O'Malley Esq., filed by s/ James A. Naddeo Esq. No CC. (original filed to 05-402-CD)	Fredric Joseph Ammerman

Date: 4/1/2008  
Time: 01:27 PM  
Page 2 of 2

**Clearfield County Court of Common Pleas**  
ROA Report  
Case: 2005-00403-CD

User: GLKNISLEY

Current Judge: Fredric Joseph Ammerman  
Wade A. Maines, Darlene A. Maines, Johnathan Maines vs. Douglas S. Perkins

Date	Civil Other	Judge
12/19/2007	Certificate of Service, filed. That a copy of Plaintiff's Answers to Defendant's Supplemental Request for Production of Documents Dated to Plaintiffs were served on the 19th day of December 2007 by first class mail to Kevin R. O'Malley Esq., filed by s/ James A. Naddeo Esq. No CC. (original filed to 05-402-CD)	Fredric Joseph Ammerman

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

WADE A. MAINES and DARLENE  
A. MAINES, Husband and Wife,  
and Parents and Natural  
Guardians of JOHNATHAN  
MAINES, a minor,

Plaintiffs,

vs.

DOUGLAS S. PERKINS,  
Defendant.

\* No. 05 - 403 - CD

\* Type of Pleading:

\* **PRAECIPE FOR WRIT  
OF SUMMONS**

\* Filed on behalf of:  
\* Plaintiffs

\* Counsel of Record for  
\* this party:

\* James A. Naddeo, Esq.  
\* Pa I.D. 06820

\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

FILED *No CC*  
*01/10/48 8:41 AM* Atty pd. 85.00  
*MAR 22 2005* *1/22 Sheriff*  
*Writ*

William A. Shaw  
Prothonotary/Clerk of Courts

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

WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - - CD  
\*  
DOUGLAS S. PERKINS, \*  
Defendant. \*

**PRAECIPE TO ISSUE WRIT OF SUMMONS**

To the Prothonotary:

Please issue a Writ of Summons against Douglas S. Perkins, C/O OCLC, 6565 Frantz Road, Dublin, Ohio 43064.

James A. Naddeo  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

Dated: 3-22-05

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

Copy

**SUMMONS**

**Wade A. Maines  
Darlene A. Maines  
Johnathan Maines**

**Vs.**

**NO.: 2005-00403-CD**

**Douglas S. Perkins**

**TO: DOUGLAS S. PERKINS**

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

**Date: 03/22/2005**

---

William A. Shaw  
Prothonotary

**Issuing Attorney:**

James A. Naddeo  
P.O. Box 552  
Clearfield, PA 16830

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100327  
NO: 05-403-CD  
SERVICE # 1 OF 1  
SUMMONS

PLAINTIFF: WADE A. MAINES, DARLENE A. MAINES, JOHNATHAN MAINES  
vs.  
DEFENDANT: DOUGLAS S PERKINS

**SHERIFF RETURN**

NOW, March 28, 2005 SERVED THE WITHIN SUMMONS ON DOUGLAS S. PERKINS DEFENDANT AT "ADDRESSEE ONLY" c/o OCLC, 6565 FRANTZ ROAD, DUBLIN, OH, 43064 BY CERTIFIED MAIL # 7003 3110 0001 9380 0589. THE RETURN RECEIPT IS HERETO ATTACHED ENDORSED BY AARON SMITH.

FILED  
03/07/04  
APR 19 2005

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NADDEO	17078	10.00
SHERIFF HAWKINS	NADDEO	17078	26.29

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,

*Chester A. Hawkins  
Jeff Mainly Hawkins*  
Chester A. Hawkins  
Sheriff

**SENDER: COMPLETE THIS SECTION**

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

**1. Article Addressed to:**

DOUGLAS S. PERKINS  
c/o OCLC  
6565 Frantz Road  
Dublin, OH 43064

10  
MAY 28 2004

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

*HS*

Agent

Addressee

**B. Received by (Printed Name)**

*Aaron Smith*

**C. Date of Delivery****D. Is delivery address different from item 1?  Yes**

If YES, enter delivery address below:  No

**3. Service Type**

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

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

Yes

**2. Article Number**

*(Transfer from service)*

7003 3110 0001 9380 0589

UNITED STATES POSTAL SERVICE



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

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

CHESTER A. HAWKINS  
SHERIFF OF CLEARFIELD COUNTY  
1 N. 2nd St. Suite 116  
CLEARFIELD, PA. 16830

100327

03

7000 7010 7020 7030 7040 7050 7060 7070 7080 7090

<b>U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)</b>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
PLAIN CITY OH 43064	
Postage	\$ 1.37
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 3.50
Total Postage & Fees	\$ 7.82
	03/24/2005
<i>ADDRESSEE ONLY</i>	
Sent To	
DOUGLAS S. PERKINS	
Street, Apt. No., or PO Box No.	
c/o OCLC, 6565 Frantz Road	
City, State, ZIP+4	
Dublin, OH 43064	
PS Form 3800, June 2002	
See Reverse for Instructions	

**Certified Mail Provides:**

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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
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Internet access to delivery information is not available on mail  
addressed to APOs and FPOs.**

728001

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION

NO. 2005-00403-CD

Plaintiffs,

PRAECIPE FOR RULE TO  
FILE COMPLAINT

vs.

DOUGLAS S. PERKINS,  
Defendant.

Filed on behalf of Defendant,  
DOUGLAS S. PERKINS.

COUNSEL OF RECORD FOR  
THIS  
PARTY:

Kevin R. O'Malley, Esq.  
Pa I.D. #65976

Stephen J. Magley, Esq.  
Pa I.D. #59990

Annabelle L. Carone, Esq.  
Pa I.D. #83178

O'Malley & Magley, L.L.P.  
5280 Steubenville Pike  
Pittsburgh, PA 15205

(412) 788-1200

FILED *6k*  
m 1240 P.M. 1 Rule to  
APR 22 2005 Atty Magley  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION  
NO. 2005-00403-CD

Plaintiffs,

vs.

DOUGLAS S. PERKINS,

Defendant.

PRAECIPE FOR RULE TO FILE COMPLAINT

TO: Prothonotary

Kindly issue a Rule upon Plaintiff to file a Complaint in this action or suffer a  
Judgment of Non Pros.

Respectfully submitted,

O'Malley and Magley, L.L.P.

By: SG. Magley  
Stephen J. Magley, Esq.  
Attorney for Defendant.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION

NO. 2005-00403-CD

Plaintiffs,  
vs.

PRAECIPE FOR APPEARANCE

DOUGLAS S. PERKINS,  
Defendant.

Filed on behalf of Defendant,  
DOUGLAS S. PERKINS.

COUNSEL OF RECORD FOR THIS  
PARTY:

Kevin R. O'Malley, Esq.  
Pa I.D. #65976

Stephen J. Magley, Esq.  
Pa I.D. #59990

Annabelle L. Carone, Esq.  
Pa I.D. #83178

O'Malley & Magley, L.L.P.  
5280 Steubenville Pike  
Pittsburgh, PA 15205

(412) 788-1200

FILED <sup>No</sup> cc  
MAY 4 2005 (6)  
APR 22 2005

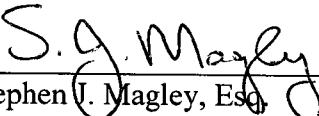
William A. Shaw  
Prothonotary/Clerk of Courts

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within documents were served this 20<sup>th</sup> day of April, 2005, by United States first class mail, postage prepaid upon the following:

James A. Naddeo, Esquire  
P.O. Box 552  
Clearfield, PA 16830

O'MALLEY & MAGLEY, L.L.P.

  
\_\_\_\_\_  
Stephen J. Magley, Esq.  
Attorney for Defendant

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

Wade A. Maines  
Darlene A. Maines  
Johnathan Maines

Vs.  
Douglas S. Perkins

Case No. 2005-00403-CD

RULE TO FILE COMPLAINT

TO: Wade A. Maines, Darlene A. Maines, and Johnathan Maines

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

---

William A. Shaw, Prothonotary

Dated: April 22, 2005

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

WADE A. MAINES and DARLENE  
A. MAINES, Husband and Wife,  
and Parents and Natural  
Guardians of JOHNATHAN  
MAINES, a minor,

Plaintiffs,

vs.

DOUGLAS S. PERKINS,  
Defendant.

\* No. 05 - 403 - CD

\* Type of Pleading:

\* COMPLAINT

\* Filed on behalf of:  
\* Plaintiffs

\* Counsel of Record for  
\* this party:

\* James A. Naddeo, Esq.  
\* Pa I.D. 06820

\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

FILED 1cc  
03-27-05 Atty Naddeo  
MAY 3 1 2005 @

William A. Shaw  
Prothonotary/Clerk of Courts

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

WADE A. MAINES and DARLENE	*
A. MAINES, Husband and Wife,	*
and Parents and Natural	*
Guardians of JOHNATHAN MAINES,	*
a minor,	*
Plaintiffs,	*
	*
vs.	*
	No. 05 - 403 - CD
	*
DOUGLAS S. PERKINS,	*
Defendant.	*

NOTICE

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

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

Court Administrator  
Clearfield County Courthouse  
Market and Second Streets  
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

WADE A. MAINES, and \*  
DARLENE A. MAINES, \*  
husband and wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN MAINES, \*  
a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - 403 - CD  
\*  
DOUGLAS S. PERKINS, \*  
Defendant. \*

COMPLAINT

NOW COME the Plaintiffs, Wade A. Maines and Darlene A. Maines, parents and natural guardians of Johnathan Maines, and by their attorney, James A. Naddeo, Esquire, set forth the following:

1. That the Plaintiffs, Wade A. Maines and Darlene A. Maines, are husband and wife who reside at 18 Bills Road, Clearfield, Pennsylvania 16830.
2. That the Plaintiff, Johnathan Maines, is a minor, age 11, who resides at 18 Bills Road, Clearfield, Pennsylvania 16830.
3. That the Plaintiffs, Wade A. Maines and Darlene A. Maines, are the parents and natural guardians of the minor Plaintiff, Johnathan Maines.

4. That the Defendant is Douglas S. Perkins, an adult individual, who resides at c/o OCLO, 6565 Frantz Road, Dublin, Ohio 43064.

FIRST COUNT

Johnathan Maines, a minor, by his parents  
And natural guardians, Wade A. Maines and Darlene A. Maines  
v. Douglas S. Perkins

5. That on or about August 10, 2003 and at or about 5:30 p.m., the minor Plaintiff, Johnathan Maines, was a passenger in second rear seats in a car seat of a 1985 Ford Econoline Van bearing Pennsylvania Registration Plate No. DYZ1708 which vehicle was owned and operated by Darlene A. Maines.

6. That on or about the said day and at or about the said time, the Defendant, Douglas S. Perkins, was the operator of a 1994 Honda Civic bearing Ohio registration plates.

7. That Pennsylvania Route 879 is a two-lane macadam highway.

8. That Pennsylvania Route 870 intersects with Interstate 80 Off Ramp Exit No. 120 which is controlled by a stop sign at a point approximately one mile east of the Borough of Clearfield, Clearfield County, Pennsylvania.

9. That on or about the said day and at or about the said time, the weather was clear and the roadway was dry.

10. That on or about the said day and at or about the said time, the vehicle in which the minor Plaintiff, Johnathan Maines, was a passenger was proceeding East on Pennsylvania Route 879 where it had reached a point adjacent to Interstate 80 Off Ramp Exit 120.

11. That on or about the said day and at or about the said time, the vehicle in which the minor Plaintiff, Johnathan Maines, was a passenger slowed to permit a third automobile to exit Interstate 80 and enter upon Route 879.

12. That on or about the said day and at or about the said time, the Defendant, Douglas S. Perkins, was existing Interstate 80 when he suddenly and without warning struck the right mid-section of the vehicle in which the minor Plaintiff, Johnathan Maines, was a passenger with the left front of the vehicle which he was operating.

13. That as a result of the collision described herein, the minor Plaintiff, Johnathan Maines, was thrown generally sideways and backwards within the vehicle which he was a passenger causing the numerous and serious injuries hereinafter set forth.

14. That the Defendant, Douglas S. Perkins, was guilty of the following negligence, recklessness and carelessness which was the proximate cause of the accident and the injuries to the minor Plaintiff, Johnathan Maines, as follows:

A. That the Defendant failed to have his vehicle under proper control;

B. That the Defendant failed to maintain a proper lookout;

C. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3714, 75 Pa. C.S.A. Section 3174 and supplements thereto in that he operated his vehicle upon State Route 879 with careless disregard for the safety of the Plaintiff, Johnathan Maines.

E. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3736, 75 Pa. C.S.A. Section 3736, and supplements thereto, in that he operated his vehicle upon State Route 879 in willful or wanton disregard for the safety of the person or property of the minor Plaintiff, Johnathan Maines.

F. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3323, 75 Pa. C.S.A. Section 3323, and supplements thereto, in that he failed to stop at an intersection controlled by a stop sign.

G. That the Defendant violated the Motor Vehicle Code of 1976, June 17, P.L. 162, Section 3321

(b) (1) 75 Pa. C.S.A. Section 3321 (b) (1), and supplements thereto, in that the Defendant failed to yield the right of way to the vehicle in which the minor Plaintiff, Johnathan Maines, was a passenger.

H. That the Defendant, Douglas S. Perkins, was negligent, careless and reckless in that he failed to use due care under all circumstances of the case.

15. That as a result of the collision described in Paragraph 12 hereof, the minor Plaintiff, Johnathan Maines, suffered the following injuries which may and probably will be permanent:

- A. Hyperextension/Hyperflexion injury;
- B. Sprain/Strain - Thoracic Spine;
- C. Sprain/Strain - Cervical Spine.

16. That as a result of the injuries referred to in Paragraph 15 hereof, the minor Plaintiff, Johnathan Maines, has been unable to engage in his hobbies since the time of the accident up to and including the filing of this complaint and will be unable to do so for an indefinite period of time in the future.

17. That as a result of the injuries referred to in Paragraph 15 hereof, the minor Plaintiff, Johnathan Maines, has incurred expenses for the treatment of his injuries in excess of his available first party medical benefits.

18. That the minor Plaintiff, Johnathan Maines, continues to incur medical expenses for treatment of the injuries referred to in Paragraph 15 hereof up to and including the date of this Complaint and will most likely continue to incur medical expenses for an indefinite period of time in the future.

19. That the minor Plaintiff, Johnathan Maines, claims a reasonable amount for the following:

- A. Pain and suffering: past, present and future;
- B. Privation and inconvenience: past, present and future;
- C. Future medical expenses;
- D. Lost wages;
- E. Impairment of earning power;
- F. All other damages allowable by law.

WHEREFORE, the minor Plaintiff, Johnathan Maines, claims damages from the Defendant, Douglas S. Perkins, in excess of Twenty Five Thousand (\$25,000.00) Dollars. Jury Trial Demanded.

SECOND COUNT

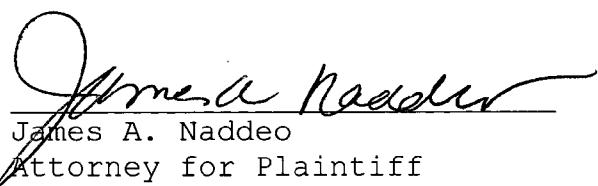
Wade A. Maines and Darlene A. Maines v. Douglas S. Perkins

20. That the Plaintiffs, Wade A. Maines and Darlene A. Maines, incorporate Paragraphs 1 through 19 of the First Count of this Complaint by reference and makes them a part hereof.

21. That as a direct result of the automobile accident referred to in Paragraph 12 of the First Count of this Complaint, the Plaintiffs, Wade A. Maines and Darlene A. Maines, have incurred the following expenses on behalf of their minor son, Johnathan Maines:

- A. Medical expenses;
- B. Cost of transporting said child to and from the doctor;
- C. Cost to replace car seat - \$89.64;
- D. Cost to replace clothing - \$282.50.

WHEREFORE, the Plaintiffs, Wade A. Maines and Darlene A. Maines, claim damages for expenditures incurred on behalf of the minor Plaintiff, Johnathan Maines.

  
James A. Naddeo  
Attorney for Plaintiff

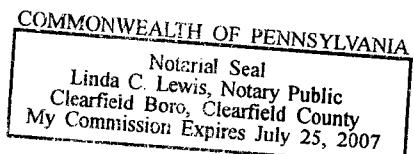
COMMONWEALTH OF PENNSYLVANIA )  
ss.  
COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared DARLENE A. MAINES, parent and natural guardian of JOHNATHAN MAINES being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

Darlene amanes  
Darlene A. Maines, parent and  
Natural guardian of Johnathan  
Maines

SWORN and SUBSCRIBED before me this 23rd day of May, 2005.

Linda C. Lewis



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

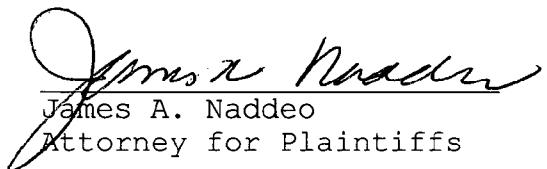
WADE A. MAINES and DARLENE	*
A. MAINES, Husband and Wife,	*
and Parents and Natural	*
Guardians of JOHNATHAN	*
MAINES, a minor,	*
Plaintiffs,	*
	*
vs.	*
	No. 05 - 403 - CD
	*
DOUGLAS S. PERKINS,	*
Defendant.	*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Complaint was served on the following and in the following manner on the 31st day of May, 2005:

First-Class Mail, Postage Prepaid

Stephen J. Magley, Esquire  
O'Malley and Magley, LLP  
5280 Steubenville Pike  
Pittsburgh, PA 15205

  
James A. Naddeo  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION  
NO. 2005-00403-CD

Plaintiffs,

ANSWER AND NEW MATTER

vs.

DOUGLAS S. PERKINS,

Defendant.

Filed on behalf of Defendant,  
DOUGLAS S. PERKINS.

COUNSEL OF RECORD FOR  
THIS  
PARTY:

Kevin R. O'Malley, Esq.  
Pa I.D. #65976

Stephen J. Magley, Esq.  
Pa I.D. #59990

Annabelle L. Carone, Esq.  
Pa I.D. #83178

O'Malley & Magley, L.L.P.  
5280 Steubenville Pike  
Pittsburgh, PA 15205

(412) 788-1200

FILED NO  
M 11 14 2005 CC  
JUL 11 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION  
NO. 2005-00403-CD

Plaintiffs,

vs.

DOUGLAS S. PERKINS,

Defendant.

**ANSWER AND NEW MATTER**

AND NOW, comes the Defendant, DOUGLAS S. PERKINS, by and through his attorneys, O'Malley and Magley, L.L.P. and files the following Answer and New Matter and in support thereof avers as follows:

1. The averments of Paragraphs one through three are denied according to Pa. R.C.P. 1029 (e).
2. The averments of Paragraph four are denied as stated. To the contrary, the proper address for Douglas S. Perkins is 489 Piedmont Road, Columbus, Ohio.
3. The averments of Paragraph five are denied according to Pa. R.C.P. 1029 (e).
4. The averments of paragraph four are admitted in part and denied in part. It is admitted that Defendant was driving a 1994 Honda vehicle with Ohio registration

plates at the time mentioned, however, the vehicle was a Honda Accord not a Honda Civic as indicated in Plaintiff's Complaint.

5. After reasonable investigation, the Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraphs seven and eight of Plaintiff's Complaint.
6. The averments of Paragraphs nine through thirteen are denied according to Pa. R.C.P. 1029 (e).
7. Defendant is advised and therefore avers that the averments of Paragraph fourteen, including subparagraphs (a) through (h), contain conclusions of law to which no response is required. If a response were required, the averments of this paragraph are denied according to Pa. R.C.P. 1029 (e).
8. Defendant is advised and therefore avers that the averments of Paragraph fifteen, contain conclusions of law to which no response is required. If a response were required, the averments of this paragraph are denied according to Pa. R.C.P. 1029 (e).
9. The averments of Paragraphs sixteen through nineteen are denied according to Pa. R.C.P. 1029 (e).
10. No response to the allegations contained in Paragraph twenty of Plaintiff's Complaint is required; however, if response is deemed necessary, Plaintiff specifically denies the allegations of Paragraphs one through nineteen of Defendant's Answer and New Matter to the extent that they imply liability on the part of the Defendant and incorporate by reference herein paragraphs one through nine of Defendant's Answer and New Matter as though set forth at length again.

11. The averments of paragraph twenty one are denied according to Pa. R.C.P. 1029 (e).

WHEREFORE, Defendant, DOUGLAS S. PERKINS, denies any and all liability to Plaintiff and demand judgment in his favor together with costs and fees as this Court deems just and proper.

**NEW MATTER**

12. If applicable based upon facts developed through discovery or at the time of trial, this Defendant hereby avers that the Causes of Action and injuries Plaintiff claims, occurred more than 2 years before this action was filed and are precluded by the provisions of 42 Pa. R.C.P. Section 5524, et seq., as amended and other applicable Statutes of Limitation.

13. This Defendant is advised and therefore avers that Plaintiff selected or is bound by limited tort option of the applicable insurance policies and is precluded from maintaining any action according to the provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law set forth at 75 Pa. C.S.A. Section 1701, et seq., as amended and the applicable insurance policies.

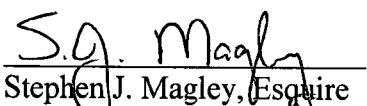
14. This Defendant hereby sets forth the provisions of the Pennsylvania Motor Vehicle Financial Responsibility Law set forth at 75 Pa. C.S.A., Section 1701, et seq., as amended as an affirmative defense to any and all claims of the Plaintiff in this action.

WHEREFORE, Defendant, DOUGLAS S. PERKINS, requests judgment in his

favor together with costs and fees as this Court deems just and proper.

Respectfully submitted,

O'Malley & Magley, L.L.P.  
By:

  
Stephen J. Magley, Esquire  
Attorneys for Defendant

## VERIFICATION

I, DOUGLAS S. PERKINS, have read the foregoing ANSWER AND NEW MATTER. The statements of fact contained therein are true and correct to the best of my personal knowledge, information and belief.

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

Date: 2025-01-22



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DOUGLAS S. PERKINS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within documents were served this 7<sup>th</sup> day of July, 2005, by United States first class mail, postage prepaid upon the following:

James A. Naddeo, Esquire  
P.O. Box 552  
Clearfield, PA 16830

O'MALLEY & MAGLEY, L.L.P.

S. J. Magley  
Stephen J. Magley, Esquire  
Attorneys for Defendant  
5280 Steubenville Pike  
Pittsburgh, PA 15205  
412-788-1200

FILED NOCC  
M 12 6 1  
AUG 10 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

Plaintiffs,  
vs.  
DOUGLAS S. PERKINS,

Defendant.

CIVIL DIVISION  
NO. 2005-00403-CD

NOTICE OF SERVICE OF  
INTERROGATORIES AND  
REQUEST FOR PRODUCTION  
OF DOCUMENTS DIRECTED  
TO THE PLAINTIFFS

Filed on behalf of Defendant,  
DOUGLAS S. PERKINS.

COUNSEL OF RECORD FOR  
THIS  
PARTY:

Kevin R. O'Malley, Esq.  
Pa I.D. #65976

Stephen J. Magley, Esq.  
Pa I.D. #59990

Annabelle L. Carone, Esq.  
Pa I.D. #83178

O'Malley & Magley, L.L.P.  
5280 Steubenville Pike  
Pittsburgh, PA 15205

(412) 788-1200

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION  
NO. 2005-00403-CD

Plaintiffs,

vs.

DOUGLAS S. PERKINS,

Defendant.

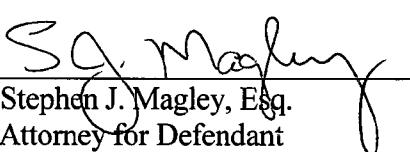
NOTICE OF SERVICE OF INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS  
DIRECTED TO THE PLAINTIFFS

TO: PROTHONOTARY

AND NOW, comes the Defendant, DOUGLAS S. PERKINS, by and through his attorneys, O'MALLEY and MAGLEY, LLP and certifies that Interrogatories and Requests for Production of Documents Directed to the Plaintiffs were served upon counsel for Plaintiff, James A. Naddeo, Esquire, P.O. Box 552, Clearfield, PA 16830, by United States mail, postage pre-paid this 8<sup>th</sup> day of August, 2005.

O'MALLEY AND MAGLEY, L.L.P.

By: \_\_\_\_\_

  
Stephen J. Magley, Esq.  
Attorney for Defendant

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

WADE A. MAINES and DARLENE  
A. MAINES, Husband and Wife,  
and Parents and Natural  
Guardians of JOHNATHAN  
MAINES, a minor,  
Plaintiffs,

vs.

DOUGLAS S. PERKINS,  
Defendant.

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\* No. 05 - 403 - CD

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\* Type of Pleading:

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\* ANSWER TO NEW MATTER

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\* Filed on behalf of:

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\* Plaintiffs

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\* Counsel of Record for  
\* this party:

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\*

\* James A. Naddeo, Esq.

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\* Pa I.D. 06820

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\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

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William A. Shaw  
Prothonotary/Clerk of Courts  
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[Signature]

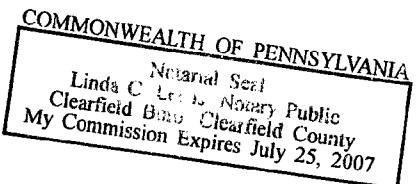
COMMONWEALTH OF PENNSYLVANIA )  
ss.  
COUNTY OF CLEARFIELD )

Before me, the undersigned officer, personally appeared DARLENE A. MAINES, who being duly sworn according to law, depose and state that the facts set forth in the foregoing Answer to New Matter are true and correct to the best of her knowledge, information and belief.

Darlene A. Maines  
Darlene A. Maines

SWORN and SUBSCRIBED before me this 16<sup>th</sup> day of August, 2005.

Linda C. Lewis



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

WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - 403 - CD  
\*  
DOUGLAS S. PERKINS, \*  
Defendant. \*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiffs' Answer to New Matter was served on the following and in the following manner on the 6th day of September, 2005:

First-Class Mail, Postage Prepaid

Stephen J. Magley, Esquire  
O'Malley and Magley, LLP  
5280 Steubenville Pike  
Pittsburgh, PA 15205

  
James A. Naddeo  
Attorney for Plaintiffs

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

WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - 403 - CD

DOUGLAS S. PERKINS,  
Defendant.

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\* Type of Pleading:  
\*  
\*  
\* CERTIFICATE OF SERVICE  
\*  
\*  
\* Filed on behalf of:  
\* Plaintiffs  
\*  
\* Counsel of Record for  
\* this party:  
\*  
\*  
\*  
\* James A. Naddeo, Esq.  
\* Pa I.D. 06820  
\*  
\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

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William A. Shaw  
Prothonotary/Clerk of Courts

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

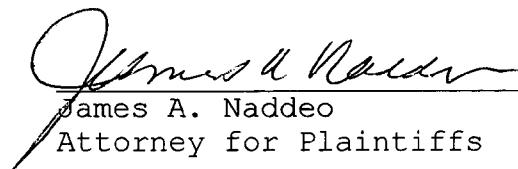
WADE A. MAINES and DARLENE	*
A. MAINES, Husband and Wife,	*
and Parents and Natural	*
Guardians of JOHNATHAN	*
MAINES, a minor,	*
Plaintiffs,	*
	*
vs.	*
	No. 05 - 403 - CD
*	
DOUGLAS S. PERKINS,	*
Defendant.	*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Plaintiffs' Answers to Interrogatories and Answers to Request for Production of Documents served on the following and in the following manner on the 24th day of October, 2005:

First-Class Mail, Postage Prepaid

Stephen J. Magley, Esquire  
O'Malley and Magley, LLP  
5280 Steubenville Pike  
Pittsburgh, PA 15205

  
James A. Naddeo  
Attorney for Plaintiffs

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

WADE A. MAINES and DARLENE  
A. MAINES, Husband and Wife,  
and Parents and Natural  
Guardians of JOHNATHAN  
MAINES, a minor,  
Plaintiffs,

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vs.

No. 05 - 403 - CD

DOUGLAS S. PERKINS,  
Defendant.

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*WM*

William A. Shaw  
Prothonotary/Clerk of Courts

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

WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - 403 - CD  
\*  
DOUGLAS S. PERKINS, \*  
Defendant. \*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Interrogatories Addressed to Defendant was served on the following and in the following manner on the 16th day of March, 2006:

First-Class Mail, Postage Prepaid

Stephen J. Magley, Esquire  
O'Malley and Magley, LLP  
5280 Steubenville Pike  
Pittsburgh, PA 15205

*James A. Naddeo*  
James A. Naddeo  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

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JUL 17 2006  
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cc

William A. Shaw  
Prothonotary/Clerk of Courts

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION  
NO. 2005-00403-CD

Plaintiffs,

vs.

DOUGLAS S. PERKINS,

Defendant.

**NOTICE OF SERVICE OF ANSWERS TO INTERROGATORIES**

TO: PROTHONOTARY

AND NOW, comes the Defendant, DOUGLAS S. PERKINS, by and through his attorneys, O'MALLEY and MAGLEY, LLP and certifies that Answers to Interrogatories were served upon counsel for Plaintiffs, James A. Naddeo, Esquire, P.O. Box 552, Clearfield, PA 16830, by United States mail, postage pre-paid this 14<sup>th</sup> day of July, 2006.

O'MALLEY AND MAGLEY, L.L.P.

By: Stephen J. Magley  
Stephen J. Magley, Esquire  
Attorney for Defendant

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

WADE A. MAINES and DARLENE  
A. MAINES, Husband and Wife,  
and Parents and Natural  
Guardians of JOHNATHAN  
MAINES, a minor,  
Plaintiffs,

vs.

DOUGLAS S. PERKINS,  
Defendant.

\* No. 05 - 403 - CD

\* Type of Pleading:

\* PRAECIPE FOR STATUS  
CONFERENCE

\* Filed on behalf of:  
\* Plaintiffs

\* Counsel of Record for  
this party:

\* James A. Naddeo, Esq.  
\* Pa I.D. 06820

\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

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

FILED <sup>NO CC</sup>  
03/39/01  
SEP 12 2007

William A. Shaw  
Prothonotary/Clerk of Courts

~~SEP 12 2007~~

Attest.

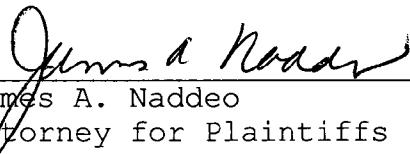
*William A. Shaw*  
Prothonotary/  
Clerk of Courts

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

WADE A. MAINES and DARLENE	*
A. MAINES, Husband and Wife,	*
and Parents and Natural	*
Guardians of JOHNATHAN	*
MAINES, a minor,	*
Plaintiffs,	*
	*
vs.	*
	No. 05 - 403 - CD
DOUGLAS S. PERKINS,	*
Defendant.	*

PRAECIPE FOR STATUS CONFERENCE

Please schedule a status conference in the above-captioned case.

  
\_\_\_\_\_  
James A. Naddeo  
Attorney for Plaintiffs

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

WADE A. MAINES and DARLENE  
A. MAINES, Husband and Wife,  
and Parents and Natural  
Guardians of JOHNATHAN  
MAINES, a minor,  
Plaintiffs,

vs.

DOUGLAS S. PERKINS,  
Defendant.

\* No. 05 - 403 - CD

\* Type of Pleading:

\* SCHEDULING ORDER

\* Filed on behalf of:

\* Plaintiffs

\* Counsel of Record for  
this party:

\* James A. Naddeo, Esq.

\* Pa I.D. 06820

\* 207 East Market Street

\* P.O. Box 552

\* Clearfield, PA 16830

\* (814) 765-1601

FILED, cc  
01/10/2007 Atty Naddeo  
SEP 17 2007  
W.A. Shaw  
Prothonotary/Clerk of Courts

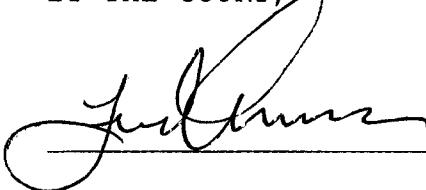
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - 403 - CD  
\*  
DOUGLAS S. PERKINS, \*  
Defendant. \*

**O R D E R**

AND NOW, this 14 day of Sept, 2007, it is the  
ORDER of this Court that a Status Conference is scheduled for  
the 26th day of October, 2007, at 11:00 A.m. in Chambers  
Clearfield County Courthouse, Clearfield,  
Pennsylvania.

BY THE COURT,



**FILED**

**SEP 17 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 9/17/07

You are responsible for serving all appropriate parties.

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

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

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

WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*

Plaintiffs,

vs.

DOUGLAS S. PERKINS,  
Defendant.

\* No. 05 - 403 - CD

**FILED**

SEP 19 2001

0/11/01  
William A. Shaw  
Prothonotary/Clerk of Courts  
No C/C

\* Type of Pleading:

\* CERTIFICATE OF  
\* SERVICE

\* Filed on behalf of:  
\* Plaintiffs

\* Counsel of Record for  
\* this party:

\* James A. Naddeo, Esq.  
\* Pa I.D. 06820

\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

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

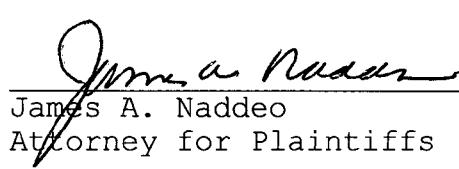
WADE A. MAINES and DARLENE \*  
A. MAINES, Husband and Wife, \*  
and Parents and Natural \*  
Guardians of JOHNATHAN \*  
MAINES, a minor, \*  
Plaintiffs, \*  
\*  
vs. \* No. 05 - 403 - CD  
\*  
DOUGLAS S. PERKINS, \*  
Defendant. \*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a certified copy of Praecipe for Status Conference and Scheduling Order was served on the following and in the following manner on the 19th day of September, 2007:

First-Class Mail, Postage Prepaid

Kevin R. O'Malley, Esquire  
O'Malley and Magley, LLP  
5280 Steubenville Pike  
Pittsburgh, PA 15205

  
\_\_\_\_\_  
James A. Naddeo

Attorney for Plaintiffs

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

HEATHER L. MAINES, an individual, Plaintiff	*	
vs.	*	
DOUGLAS S. PERKINS, Defendant	*	NO. 05-402-CD
	*	<i>Consolidated with</i>
WADE A. MAINES and DARLENE A. MAINES, Husband and Wife, and Parents and Natural Guardians of JONATHAN MAINES, a minor, Plaintiffs	*	
vs.	*	
DOUGLAS S. PERKINS, Defendant	*	NO. 05-403-CD
	*	<i>Consolidated with</i>
WADE A. MAINES and DARLENE A. MAINES, Husband and Wife, and Parents and Natural Guardians of HARLEY MAINES, a minor, Plaintiffs	*	
vs.	*	
DOUGLAS S. PERKINS, Defendant	*	NO. 05-404-CD
	*	<i>Consolidated with</i>
WADE A. MAINES and DARLENE A. MAINES, Husband and Wife, and Parents and Natural Plaintiffs	*	
vs.	*	
DOUGLAS S. PERKINS, Defendant	*	NO. 05-405-CD
	*	

OKED  
Orig. to  
10/31/07  
31/2007

ORDER

NOW, this 31<sup>st</sup> day of October, 2007, following status conference with counsel for the Plaintiff, the Court hereby issues the following case management ORDER:

1. The Defendant, Douglas S. Perkins, shall make himself available for a deposition within no more than sixty (60) days from this date. The date, time and place of the deposition shall be determined by counsel for the Plaintiff;
2. The Defense shall advise the Plaintiffs within no more than thirty (30) days from this date if the Defense wishes to conduct an independent medical examination on the Plaintiff. Failure to properly advise, in writing, within the said thirty (30)

William A. Shaw  
Prothonotary/Clerk of Courts

cc Atty Naddes

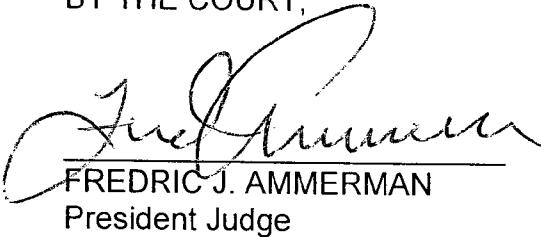
cc Atty's Magley,  
O'Malley, and  
Carone

(6)

days shall result in the Defendant waiving any right to an independent medical examination;

3. All other discovery shall be completed by no later than March 1, 2008;
4. This case shall be listed for Jury Trial for the Spring Term of Civil Court, 2008;
5. Jury selection shall be on April 3, 2008 at 9:00 a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania;
6. The above-captioned cases filed against the Defendant are hereby consolidated.
7. The Court notes that counsel for the Defendant failed to appear for the status conference.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

Plaintiffs,  
vs.  
DOUGLAS S. PERKINS,

Defendant.

CIVIL DIVISION  
NO. 2005-00403-CD

NOTICE OF SERVICE OF  
SUPPLEMENTAL REQUEST  
FOR PRODUCTION OF  
DOCUMENTS DIRECTED  
TO PLAINTIFFS

Filed on behalf of Defendant,  
DOUGLAS S. PERKINS.

COUNSEL OF RECORD FOR  
THIS  
PARTY:

Kevin R. O'Malley, Esq.  
Pa I.D. #65976

Stephen J. Magley, Esq.  
Pa I.D. #59990

Annabelle L. Carone, Esq.  
Pa I.D. #83178

O'Malley & Magley, L.L.P.  
5280 Steubenville Pike  
Pittsburgh, PA 15205

(412) 788-1200

FILED NO  
M10:56AM  
DEC 03 2007  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

WADE A. MAINES  
DARLENE A. MAINES  
JOHNATHAN MAINES,

CIVIL DIVISION  
NO. 2005-00403-CD

Plaintiffs,

vs.

DOUGLAS S. PERKINS,

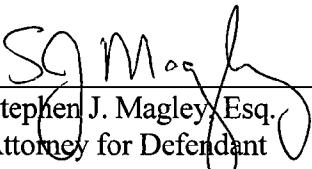
Defendant.

NOTICE OF SERVICE OF DEFENDANT'S SUPPLEMENTAL REQUEST  
FOR PRODUCTION OF DOCUMENTS DIRECTED TO THE PLAINTIFFS

TO: PROTHONOTARY

AND NOW, comes the Defendant, DOUGLAS S. PERKINS, by and through his attorneys, O'MALLEY and MAGLEY, LLP and certifies that Defendant's Supplemental Requests for Production of Documents Directed to the Plaintiffs were served upon counsel for Plaintiff, James A. Naddeo, Esquire, P.O. Box 552, Clearfield, PA 16830, by United States mail, postage pre-paid this 29<sup>th</sup> day of November, 2007.

O'MALLEY AND MAGLEY, L.L.P.

By: 

Stephen J. Magley, Esq.  
Attorney for Defendant

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

HEATHER L. MAINES, an individual, \*  
Plaintiff, \*  
vs. \* No. 05 - 402 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \* Consolidated with

---

WADE A. MAINES and DARLENE A. MAINES, \*  
Husband and Wife, and Parents and \*  
Natural Guardians of JONATHAN MAINES, \*  
a minor, \*  
Plaintiffs \*  
vs. \* No. 05 - 403 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \* Consolidated with

---

WADE A. MAINES and DARLENE A. MAINES, \*  
Husband and Wife, and Parents and \*  
Natural Guardians of HARLEY MAINES, \*  
a minor, \*  
Plaintiffs \*  
vs. \* No. 05 - 404 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \* Consolidated with

---

WADE A. MAINES and DARLENE A. MAINES, \*  
Husband and Wife, \*  
Plaintiffs \*  
vs. \* No. 05 - 405 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \*

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a copy of Plaintiff's Answers to Defendant's Supplemental Request for Production of Documents Directed to Plaintiffs were served on the following and in the following manner on the 19th day of December, 2007:

*COPIED NOCC  
01/31/08  
DEC 19 2007 Orig. to  
05-402-CD*  
William A. Shaw  
Prothonotary/Clerk of Courts

First-Class Mail, Postage Prepaid

Kevin R. O'Malley, Esquire  
O'Malley and Magley, LLP  
5280 Steubenville Pike  
Pittsburgh, PA 15205

*James A. Naddeo*  
James A. Naddeo  
Attorney for Plaintiffs

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

HEATHER L. MAINES, an individual, \*  
Plaintiff, \*  
vs. \* No. 05 - 402 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \* Consolidated with

WADE A. MAINES and DARLENE A. MAINES, \*  
Husband and Wife, and Parents and \*  
Natural Guardians of JONATHAN MAINES, \*  
a minor, \*  
Plaintiffs \*  
vs. \* No. 05 - 403 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \* Consolidated with

WADE A. MAINES and DARLENE A. MAINES, \*  
Husband and Wife, and Parents and \*  
Natural Guardians of HARLEY MAINES, \*  
a minor, \*  
Plaintiffs \*  
vs. \* No. 05 - 404 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \* Consolidated with

WADE A. MAINES and DARLENE A. MAINES, \*  
Husband and Wife, \*  
Plaintiffs \*  
vs. \* No. 05 - 405 - CD  
DOUGLAS S. PERKINS, \*  
Defendant \*  
\* \* **PRAECIPE TO SETTLE AND  
DISCONTINUE**  
\* Filed on behalf of:  
\* Plaintiffs  
\* Counsel of Record for  
this party:  
\* James A. Naddeo, Esq.  
\* Pa I.D. 06820  
\* 207 East Market Street  
\* P.O. Box 552  
\* Clearfield, PA 16830  
\* (814) 765-1601

**FILED** 1cc & 2 Cert.  
01/10/2008 of Disc. to  
JUN 02 2008 Atty Naddeo

William A. Shaw  
Prothonotary/Clerk of Courts

(GK)

Dated: June 2, 2008

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

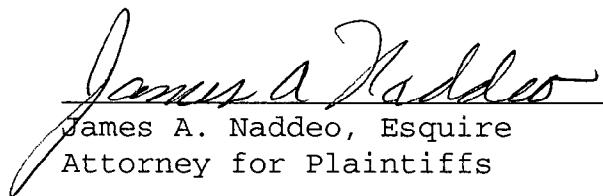
HEATHER L. MAINES, an individual, Plaintiff,	*	
vs.	*	
DOUGLAS S. PERKINS, Defendant	*	No. 05 - 402 - CD
	*	Consolidated with
-----		
WADE A. MAINES and DARLENE A. MAINES, Husband and Wife, and Parents and Natural Guardians of JONATHAN MAINES, a minor,	*	
Plaintiffs	*	
vs.	*	No. 05 - 403 - CD
DOUGLAS S. PERKINS, Defendant	*	Consolidated with
-----		
WADE A. MAINES and DARLENE A. MAINES, Husband and Wife, and Parents and Natural Guardians of HARLEY MAINES, a minor,	*	
Plaintiffs	*	
vs.	*	No. 05 - 404 - CD
DOUGLAS S. PERKINS, Defendant	*	Consolidated with
-----		
WADE A. MAINES and DARLENE A. MAINES, Husband and Wife,	*	
Plaintiffs	*	
vs.	*	No. 05 - 405 - CD
DOUGLAS S. PERKINS, Defendant	*	

**PRAECIPE TO SETTLE AND DISCONTINUE**

TO THE PROTHONOTARY:

Dear Sir:

Please mark the above-captioned cases settled and discontinued.

  
James A. Naddeo, Esquire  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

**Wade A. Maines and Darlene A. Maines,  
Husband and Wife, and Parents and Natural  
Guardians of Jonathan Maines, a minor**

Vs.  
**Douglas S. Perkins**

**No. 2005-00403-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 June 2, 2008, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of June A.D. 2008.

  
\_\_\_\_\_  
William A. Shaw, Prothonotary