

05-430-CD
J.L.Pritchard et al vs. Ella Chick

2005-430-CD
Jason Pritchard et al vs. Ella Chick

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

vs.

ELLA P. CHICK

Defendant.

**PRAECIPE TO REISSUE WRIT OF
SUMMONS**

Filed on behalf of: PLAINTIFFS

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED

APR 25 2005

William A. Shaw
Prothonotary

1 CERT TO ATTY

WITH PREVIOUS WRIT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

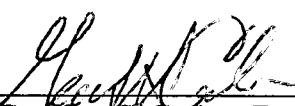
JASON L. PRITCHARD and : No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife :
Plaintiffs, : CIVIL DIVISION
vs. :
ELLA P. CHICK :
Defendant. :
:

PRAECIPE TO REISSUE A WRIT OF
SUMMONS IN A CIVIL ACTION

To: Clearfield County Prothonotary

Kindly reissue the Writ of Summons in a Civil Action in the within matter directed against the Defendant, Ella P. Chick.

EDGAR SNYDER & ASSOCIATES, LLC

By 
Geoffrey S. Casper, Esquire
Attorney for Plaintiffs

FILED

APR 25 2005

William A. Shaw
Prothonotary

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

SUMMONS

**Jason L. Pritchard
Billie Pritchard, husband and wife**

Vs.

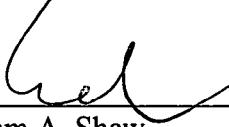
NO.: 2005-00430-CD

Ella P. Chick

TO: ELLA P. CHICK

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: 3/29/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Geoffrey S. Casher Esq
100 W. High Street
Ebensburg, PA 15931

April 25, 2005 Document
Reinstituted/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

PRAECIPE FOR WRIT OF SUMMONS

vs.

ELLA P. CHICK

Filed on behalf of: PLAINTIFFS

Defendant.

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

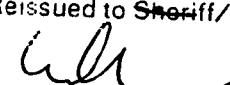
PA. I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Etensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED NO CC
m 19 35/01 1 Wnt to Shff
MAR 29 2005 Atty pd .85.00
William A. Shaw
Prothonotary.Clerk of Courts

April 25, 2005 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and	:	No.
BILLIE PRITCHARD, Husband and Wife	:	
	:	
Plaintiffs,	:	CIVIL DIVISION
	:	
vs.	:	
	:	
ELLA P. CHICK	:	
	:	
Defendant.	:	

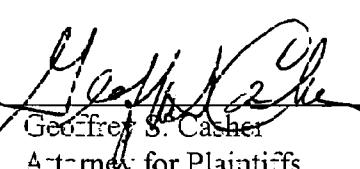
PRAECIPE FOR WRIT OF SUMMONS
IN A CIVIL ACTION

TO: Clearfield County Prothonotary

Kindly issue a Writ of Summons in a Civil Action in the within matter directed against the Defendant, ELLA P. CHICK, whose last known address is 519 Williams Street, Clearfield, Clearfield County, Pennsylvania 16830.

EDGAR SNYDER & ASSOCIATES, LLC

By


Geoffrey S. Casper

Attorney for Plaintiffs

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

COPY

SUMMONS

**Jason L. Pritchard
Billie Pritchard**

Vs.

NO.: 2005-00430-CD

Ella P. Chick

TO: ELLA P. CHICK

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: 03/29/2005

William A. Shaw
Prothonotary

Issuing Attorney:

Geoffrey S. Casher Esq
100 W. High Street
Ebensburg, PA 15931

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

100356

JASON L. PRITCHARD & BILLIE PRITCHARD

Case # 05-430-CD

vs.

ELLA P. CHICK

SHERIFF RETURNS

NOW April 29, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN SUMMONS "NOT FOUND" AS TO ELLA P. CHICK, DEFENDANT. MOVED TO DELAWARE OR NEW JERSEY AREA.

SERVED BY: /

cr **FILED**
02-39-A-1
MAY 02 2005

William A. Shaw
Prothonotary/Clerk of Courts

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	SNYDER	192963	10.00
SHERIFF HAWKINS	SNYDER	192963	20.00

Sworn to Before me This

Day of _____ 2005

So Answers,


Chester A. Hawkins
Sheriff

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

SUMMONS

**Jason L. Pritchard
Billie Pritchard**

Vs.

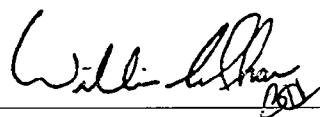
NO.: 2005-00430-CD

Ella P. Chick

TO: ELLA P. CHICK

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: 03/29/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Geoffrey S. Casher Esq
100 W. High Street
Ebensburg, PA 15931

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

vs.

ELLA P. CHICK

Defendant.

**PRAECIPE TO REISSUE WRIT OF
SUMMONS**

Filed on behalf of: PLAINTIFFS

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED @
MAY 26 2005 12:00 PM
William A. Shaw, Atty Pd.
Prothonotary/Clerk of Courts
7:00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

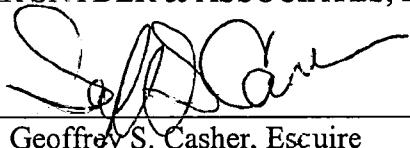
JASON L. PRITCHARD and	:	No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife	:	
	:	
Plaintiffs,	:	CIVIL DIVISION
	:	
vs.	:	
	:	
ELLA P. CHICK	:	
	:	
Defendant.	:	

PRAECIPE TO REISSUE A WRIT OF
SUMMONS IN A CIVIL ACTION

To: Clearfield County Prothonotary

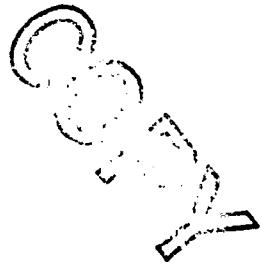
Kindly reissue the Writ of Summons in a Civil Action in the within matter directed against the Defendant, Ella P. Chick.

EDGAR SNYDER & ASSOCIATES, LLC

By 

Geoffrey S. Casher, Esquire
Attorney for Plaintiffs

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



SUMMONS

Jason L. Pritchard
Billie Pritchard, husband and wife

Vs.

NO.: 2005-00430-CD

Ella P. Chick

TO: **ELLA P. CHICK**

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: 3/29/2005



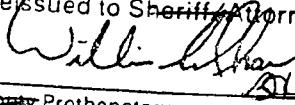
William A. Shaw
Prothonotary

Issuing Attorney:

Geoffrey S. Casher Esq
100 W. High Street
Ebensburg, PA 15931

April 25, 2005 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

5-26-05 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

AFFIDAVIT OF SERVICE

vs.

ELLA P. CEICK

Filed on behalf of: PLAINTIFFS

Defendant.

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED NO
11:12 AM
JUN 14 2005
62

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and	:	No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife	:	
Plaintiffs,		:
		CIVIL DIVISION
vs.		:
		:
ELLA P. CHICK	:	
Defendant.		:

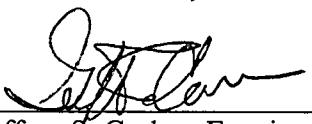
AFFIDAVIT OF SERVICE OF WRIT OF SUMMONS

COMMONWEALTH OF PENNSYLVANIA)
)
 COUNTY OF CAMBRIA)
)

I, Geoffrey S. Casher, Esquire, being duly sworn according to law, hereby state the following:

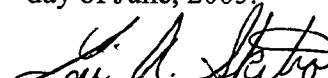
1. This action was commenced by Writ of Summons.
2. On or about June 6, 2005, Geoffrey S. Casher, Attorney for Plaintiffs, sent a true and correct copy of the Writ of Summons filed in the above matter to the Defendant by Certified Mail, Return Receipt Requested.
3. Attached hereto is a copy of the Certified Mail receipts signed by the Defendant, Ella P. Chick.
4. The postmark on the front of the Certified Mail receipts is marked June 8, 2005.

5. As evidenced by the receipts, attached hereto as Exhibit A, Defendant was served with a true and correct copy of the Writ of Summons on or about June 8, 2005.



Geoffrey S. Casher, Esquire
Attorney for Plaintiffs

Sworn to and subscribed
before me, this 13th
day of June, 2005.

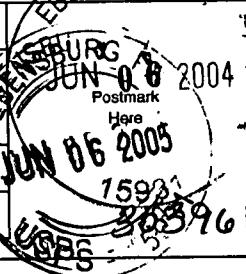


Notary Public

NOTARIAL SEAL
LORI A. SKIBO, Notary Public
Ebensburg Boro Cambria County, PA
My Commission Expires July 9, 2007

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ 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. 		<p>A. Signature <input checked="" type="checkbox"/> Ella Chick</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery <input checked="" type="checkbox"/> 6.8</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to: Ella Chick 13265 McIntyre Rd. Prince Anne, MD 21853</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input checked="" type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) 7003 3110 0001 9546 6158</p>		<p>Domestic Return Receipt 102595-02-M-1340</p>	

PS Form 3811, February 2004

<p>U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)</p>											
<p>For delivery information visit our website at www.usps.com</p>											
<p>OFFICIAL USE ONLY</p>											
<p>6158 9546 0001 3110 7003</p>	<table border="1"> <tr> <td>Postage</td> <td>\$ 37</td> </tr> <tr> <td>Certified Fee</td> <td>2.30</td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td>1.75</td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td>3.50</td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$ 7.92</td> </tr> </table>	Postage	\$ 37	Certified Fee	2.30	Return Receipt Fee (Endorsement Required)	1.75	Restricted Delivery Fee (Endorsement Required)	3.50	Total Postage & Fees	\$ 7.92
	Postage	\$ 37									
	Certified Fee	2.30									
	Return Receipt Fee (Endorsement Required)	1.75									
	Restricted Delivery Fee (Endorsement Required)	3.50									
	Total Postage & Fees	\$ 7.92									
											
<p>15921 303961</p>											
<p>15921 303961</p>											
<p>15921 303961</p>											
<p>15921 303961</p>											
<p>Sent To Ella Chick Street, Apt. No.; or PO Box No. City, State, ZIP+4 13265 McIntyre Rd. Prince Anne, MD 21853</p>											
<p>PS Form 3800, June 2002 See Reverse for Instructions</p>											

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

COMPLAINT IN CIVIL ACTION

vs.

ELLA P. CHICK

Filed on behalf of: PLAINTIFFS

Defendant.

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED *WRC*
7/1/03
JUL 01 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and : No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife :
Plaintiffs, : CIVIL DIVISION
vs. :
ELLA P. CHICK :
Defendant. :
:

NOTICE TO DEFEND

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 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]. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER..

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE

Court Administrator's Office
1 North Second Street
Clearfield, PA 16830

Telephone (814) 765-2641, Ext. 50

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and	:	No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife	:	
	:	
Plaintiffs,	:	CIVIL DIVISION
	:	
vs.	:	
	:	
ELLA P. CHICK	:	
	:	
Defendant.	:	

COMPLAINT IN CIVIL ACTION

AND NOW, comes the Plaintiffs, JASON L. PRITCHARD and BILLIE PRITCHARD, by and through their attorneys, EDGAR SNYDER & ASSOCIATES, LLC, and GEOFFREY S. CASHER, ESQUIRE and sets forth the following Complaint in Civil Action.

1. The Plaintiff, Jason L. Pritchard, is an adult individual who resides at 200 Valley View Drive, D-4, Clearfield, Clearfield County, Pennsylvania 16830.

2. The Plaintiff, Billie Pritchard, is an adult individual and former spouse of Jason L. Pritchard who currently resides at 85 Wallaceton Road, Morrisdale, Clearfield County, Pennsylvania 16858.

2. The Defendant is Ella P. Chick, an adult individual, whose last known address is 13265 McIntyre Road, Prince Anne, Maryland 21853.

3. The events complained of occurred on or about June 19, 2003 in or about the Township of Lawrence, Clearfield County, Pennsylvania, along State Route 879 which generally runs in an East and West direction.

4. The Plaintiff, Jason L. Pritchard, was stopped at a red light at the intersection of T-106, commonly called Industrial Park Road, when the Defendant, Ella P. Chick, failed to stop her vehicle behind that of the Plaintiff, causing her vehicle to strike the rear-end of the Plaintiff's vehicle. The Plaintiff's vehicle then was forced forward striking a vehicle driven by Donald B. Lucas of Karthaus, Pennsylvania.

COUNT I
JASON PRITCHARD vs. ELLA P. CHICK

5. The Plaintiffs incorporate herein by reference, paragraphs 1 through 5, inclusive as if the same were fully set forth at length herein.

6. The aforesaid accident was a direct and proximate result of the negligence, the carelessness and the recklessness of the Defendant, Ella P. Chick as follows:

- a. in traveling at an excessive and dangerous rate of speed under the circumstances then and there existing;
- b. in failing to keep a safe, careful and adequate look out for the other vehicles on the roadway, including that of the Plaintiff, Jason L. Pritchard;
- c. in operating her vehicle in a direction towards the Plaintiff's vehicle when she knew or should have known that to do so would result in a collision;
- d. in failing to honk, warn, signal, flash her lights or in any other way notify the Plaintiff, Jason L. Pritchard, of the impending collision;
- e. in failing to inspect, repair, service or otherwise maintain her vehicle in a safe and proper working condition, such her failure to do so resulted in the vehicle being a hazard and unsafe;
- f. in operating her vehicle in such a mental or physical condition that it was unsafe to do so;

g. in failing to maintain the assured clear distance and/or in operating her vehicle at such a rate of speed that she was unable to bring her vehicle to a stop within her assured clear distance ahead;

- h. in failing to observe the vehicle of the Plaintiff, Jason L. Pritchard;
- i. in failing to yield the right-of-way and
- j. in violating one or more provisions of the Motor Vehicle Code.

7. As a direct and proximate result of the aforesaid accident, the Plaintiff, Jason L. Pritchard, suffered the following injuries, some of all which are permanent in nature:

- a. left forearm pain and tingling;
- b. headaches;
- c. low back pain/spasms and abrasions;
- d. mid back pain;
- e. neck pain and stiffness;
- f. disc protrusion and/or herniation at the L5/S1 area with facet arthropathy at L4-5 and L3-4;
- g. left knee pain;
- h. left S1 lumbar radiculopathy;
- i. surgery and discectomy with fusion at L5/S1 and
- j. scarring and disfigurement.

8. The Plaintiff, Jason L. Pritchard, is entitled to non-economic damages under Pennsylvania Law in that he is entitled to the full tort option under the Pennsylvania Motor Vehicle Code.

9. As a direct and proximate result of the aforesaid accident, the Plaintiff, Jason L. Pritchard, will be required to and obliged to receive and undergo medical attention and care, and to expend various sums of money for the surgical and medical attention, surgical supplies, medical supplies, hospital and medical expenses, nurse's and doctor's care and services which expenses have or may exceed the sums recoverable under the Pennsylvania Motor Vehicle Code and the Pennsylvania Financial Responsibility Act and may be obliged to expend such sums or to incur such expenditures for an indefinite time into the future.

10. As a further result of the accident, the Plaintiff, Jason L. Pritchard, has suffered severe pain, mental anguish, inconvenience, humiliation, embarrassment, loss of enjoyment of life, loss of vitality, vigor, health, and/or strength, disfigurement and scarring and may continue to suffer the same for an indefinite time into the future.

11. As a further direct and proximate result of the aforesaid accident, the Plaintiff has suffered a loss earnings or earning capacity and power.

WHEREFORE, the Plaintiff, Jason L. Pritchard, demands judgment in his favor against the Defendant, Ella P. Chick, in an amount in excess of the statutory arbitration limits.

A jury trial is demanded.

COUNT II
BILLIE PRITCHARD vs. ELLA P. CHICK

12. The Plaintiffs herein incorporate 1 through 12 of this Complaint as though were fully set forth at length herein

13. At all times relevant hereto, the Plaintiffs, Jason L. Pritchard and Billie Pritchard were and at the time of the accident were husband and wife.

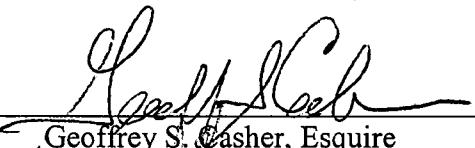
14. As a direct and proximate result of the aforesaid injuries sustained by the Plaintiff husband, wife Plaintiff has been damaged as follows:

a. in that he has lost and will loose comfort, society, companionship and the services of his wife.

WHEREFORE, Plaintiff, Billie Pritchard, respectfully requests this Honorable Court to enter judgment in her favor against the Defendant, Ella P. Chick, in an amount in excess of the statutory arbitration limits, together with interest and associated costs.

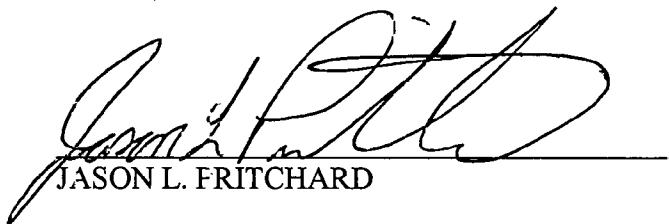
Respectfully submitted,

EDGAR SNYDER & ASSOCIATES, LLC

By 
Geoffrey S. Casher, Esquire
Attorney for Plaintiffs

VERIFICATION

I, JASON L. PRITCHARD, Plaintiff herein, hereby verify that the averments of fact contained in the foregoing CCMPLAINT IN CIVIL ACTION are true and correct and based upon my personal knowledge, information or belief. I understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.



JASON L. PRITCHARD

Date: 6-16-05

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and	:	No. 05-430-CD
EILLIE PRITCHARD, Husband and Wife	:	
	:	
Plaintiffs,	:	CIVIL DIVISION
	:	
vs.	:	
	:	
ELLA P. CHICK	:	
	:	
Defendant.	:	

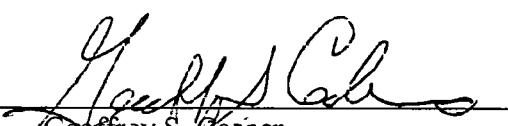
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **Complaint in Civil Action** was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 30th day of, June, 2005:

**Christopher M. Fleming, Esquire
JACOBS & ASSOCIATES
35 North Main Street, Second Floor
Greensburg, PA 15601-2401**

EDGAR SNYDER & ASSOCIATES, LLC

By:


Geoffrey S. Casner
Attorney for Plaintiffs

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and wife,

NO. 2005-00430-CD

vs

ELLA P. CHICK,

Defendant(s).

Type of Pleading:
PRAECIPE FOR APPEARANCE

Filed on behalf of the Defendant,
Ella P. Chick

Counsel of Record for this Party:

Christopher M. Fleming
PA I.D. #29300

Jacobs & Associates
35 N. Main Street, Second Floor
Greensburg, PA 15601-2401
(724) 837-8484

JURY TRIAL DEMANDED

FILED NO
3/11/05 BY CC
JUN 30 2005 (W)

William A. Shaw
Prothonotary/Clerk of Courts

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and wife,

NO. 2005-00430-CD

Plaintiff(s),

vs.

ELLA P. CHICK,

Defendant(s).

PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

Please enter my appearance on behalf of Defendant Ella P. Chick in reference to the above-captioned matter.

JURY TRIAL DEMANDED.

JACOBS & ASSOCIATES

BY:


CHRISTOPHER M. FLEMING, ESQUIRE
35 N. Main Street, Second Floor
Greensburg, PA 15601-2401
(724) 837-8484

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

NOTICE OF SERVICE

vs.

ELLA P. CHICK

Filed on behalf of: PLAINTIFFS

Defendant.

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED
7/12/2005 NO
JUL 11 2005 CC
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

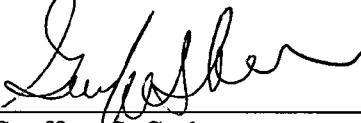
JASON L. PRITCHARD and	:	No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife	:	
	:	
Plaintiffs,	:	CIVIL DIVISION
	:	
vs.	:	
	:	
ELLA P. CHICK	:	
	:	
Defendant.	:	

NOTICE OF SERVICE OF INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS DIRECTED TO DEFENDANT

I hereby certify that on this 8th day of July, 2005, the original INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO THE DEFENDANT, and one (1) copy of NOTICE OF SERVICE were mailed by First Class Mail, postage prepaid, to counsel for Defendant at the following address:

**Christopher M. Fleming, Esquire
JACOBS & ASSOCIATES
35 North Main Street, 2nd Floor
Greensburg, PA 15601-2401**

EDGAR SNYDER & ASSOCIATES, LLC

By 
Geoffrey S. Casher
Attorney for Plaintiffs

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and wife,

NO. 2005-00430-CD

Plaintiff(s),
vs.

Type of Pleading:
NOTICE OF SERVICE

ELLA P. CHICK,

Defendant(s).

Filed on behalf of the Defendant,
Ella P. Chick

Counsel of Record for this Party:

Christopher M. Fleming
PA I.D. #29300

Jacobs & Associates
35 N. Main Street, Second Floor
Greensburg, PA 15601-2401
(724) 837-8484

JURY TRIAL DEMANDED

FILED *no cc*
MJ:1:54/01
JUL 11 2005 *BS*

William A. Shaw
Prothonotary/Clerk of Courts

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and wife,

NO. 2005-00430-CD

Plaintiff(s),

vs.

ELLA P. CHICK,

Defendant(s).

NOTICE OF SERVICE

TO THE PROTHONOTARY:

COMES NOW, the Defendant, Ella P. Chick, by and through her counsel, Christopher M. Fleming, Esquire, and certify that Interrogatories and Request for Production of Documents were served upon all counsel in accordance with the Pennsylvania Rules of Civil Procedure, by United States mail, postage prepaid on this 8th day of July, 2005.

Dated: July 7, 2005

By:

Christopher M. Fleming
Christopher M. Fleming, Esquire
JACOBS & ASSOCIATES
35 N. Main Street
Greensburg, PA 15601
(724) 837-8484

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and wife,

NO. 2005-00430-CD

Plaintiff(s),
vs.
ELLA P. CHICK,

Defendant(s).

Type of Pleading:
ANSWER AND NEW MATTER

Filed on behalf of the Defendant,
Ella P. Chick

Counsel of Record for this Party:

Christopher M. Fleming
PA I.D. #29300

Jacobs & Associates
35 N. Main Street, Second Floor
Greensburg, PA 15601-2401
(724) 837-8484

JURY TRIAL DEMANDED

You are hereby notified to file written
response to the enclosed NEW MATTER
within 20 days from service hereof or a
judgement may be entered against you.

By: Christopher M. Fleming, Esquire

FILED

AUG 08 2005
0/2:20/05
William A. Shaw
Prothonotary 60
No C/C

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and wife,

NO. 2005-00430-CD

Plaintiff(s),

vs.

ELLA P. CHICK,

Defendant(s).

ANSWER AND NEW MATTER

AND NOW, Comes the Defendant, Ella P. Chick, by and through her attorneys, JACOBS & ASSOCIATES, per Christopher M. Fleming, and files the following Answer and New Matter and states as follows:

1. Paragraphs 1 through 3 of Plaintiff's Complaint are admitted.
4. In accordance with amended Pa. R.C.P. 1029, effective September 1, 1994, the Defendant, Ella P. Chick, denies the factual averments contained in Paragraphs 4 through 14 and all of their subparagraphs of the Plaintiff's Complaint.

WHEREFORE, Defendant Ella P. Chick demands judgment in her favor and against the Plaintiff.

NEW MATTER

15. In accordance with amended Pa. R.C.P. 1030, the Defendant raises the affirmative defenses of contributory/comparative negligence and assumption of the risk.

16. Plaintiff's cause of action is barred by the applicable statute of limitations and/or Plaintiff's failure to prosecute the present action.

17. The Defendant also raises the affirmative defense of the Pennsylvania Motor Vehicle Financial Responsibility Act 75 Pa. C.S.A. 1701 et. seq. and its amendments known as Act 6, which preclude, among other things, the introduction and recovery of medical bills by the Plaintiffs at the time of trial and any limited tort option which may be applicable to the Plaintiff.

WHEREFORE, it is requested that this Honorable Court enter judgment for the Defendant and against the Plaintiff.

Respectfully submitted,

JACOBS & ASSOCIATES

By:


Christopher M. Fleming
Attorney for Defendant Chick

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
)
 COUNTY OF WESTMORELAND) SS:

I verify that the statements made in this ANSWER AND NEW MATTER are true and correct; that the attached ANSWER AND NEW MATTER are based upon information which I have furnished to my counsel and information which has been gathered by my counsel in the preparation of the lawsuit. The language of the ANSWER AND NEW MATTER are that of counsel and not of Defendant. I have read the ANSWER AND NEW MATTER and to the extent that the ANSWER AND NEW MATTER are based upon information which I have given to my counsel, it is true and correct to the best of my knowledge, information and belief. To the extent that the content of the ANSWER AND NEW MATTER are that of counsel, I have relied upon counsel in making this Verification. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to unsworn falsifications to authorities.

Date: 7-15-05

Ella P. Chick
Ella P. Chick

CERTIFICATE OF SERVICE

I, Christopher M. Fleming, Esquire, hereby certify that a true and correct copy of the foregoing ANSWER AND NEW MATTER was served on the following via First-Class, U.S. mail, on this 21st day of July, 2005:

Geoffrey S. Casher, Esquire
Edgar Snyder & associates
100 West High Street
Ebensburg PA 15931



Christopher M. Fleming, Esquire

FILED
AUG 08 2005
William A. Chaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. FRITCHARD and
BILLIE PRITCHARD, Husband and Wife

No. 05-430-CD

Plaintiffs,

REPLY TO NEW MATTER

vs.

ELLA P. CHICK

Defendant.

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC
100 West High Street
Ebensburg, PA 15931-1539

(814) 472-9000

JURY TRIAL DEMANDED

FILED

AUG 11 2005
m-301
William A Shaw
Prothonotary/Clerk of Courts
No 4/C

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and	:	No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife	:	
	:	
Plaintiffs,	:	CIVIL DIVISION
	:	
vs.	:	
	:	
ELLA P. CHICK	:	
	:	
Defendant.	:	

REPLY TO NEW MATTER

AND NOW, comes the Plaintiffs, JASON L. PRITCHARD and BILLIE PRITCHARD, by and through their attorneys, EDGAR SNYDER & ASSOCIATES and GEOFFREY S. CASHER, ESQUIRE and files the following Reply to New Matter and states as follows:

15. Denied. This is a conclusion of law to which no response is required. To the extent a response is required, it is asserted that Jason L. Pritchard and/or Billie Pritchard are not contributory or comparative negligent in this action, nor did they assume any known risk for which the Doctrine of Assumption of Risk applies and therefore all allegations are denied and strict proof is required and demanded at trial.

16. Denied. This is a conclusion of law to which no response is required. This action was filed well within the applicable Statute of Limitations and therefore, the Plaintiff's action is not barred by the Statute of Limitations or any other equitable doctrine.

17. Denied. This is a conclusion of law to which no response is required. To the extent a response is required, all allegations as set forth in paragraph 17 are denied, except that it is admitted that the Plaintiff has the limited tort option on their applicable insurance policy but further asserts that there is an exception to the limited tort option and

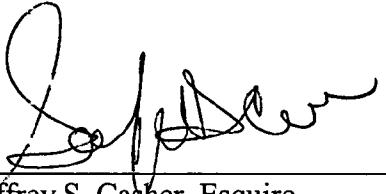
therefore the Plaintiff is entitled to a full recovery for any and all damages as set forth in the Pennsylvania Motor Vehicle Financial Responsibility Law or Pennsylvania Common Law.

WHEREFORE, as requested this Honorable Court enter judgment for the Plaintiffs and against the Defendant.

Respectfully submitted,

EDGAR SNYDER & ASSOCIATES, LLC

By _____


Geoffrey S. Casher, Esquire
Attorney for Plaintiffs

VERIFICATION

I, JASON L. PRITCHARD, Plaintiff herein, hereby verify that the averments of fact contained in the foregoing REPLY TO NEW MATTER are true and correct and based upon my personal knowledge, information or belief. I understand that these averments of fact are made subject to the penalties of 18 Purdon's Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.



JASON L. PRITCHARD

Date: 8-10-05

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JASON L. PRITCHARD and : No. 05-430-CD
BILLIE PRITCHARD, Husband and Wife :
:
Plaintiffs, : CIVIL DIVISION
:
vs. :
:
ELLA P. CHICK

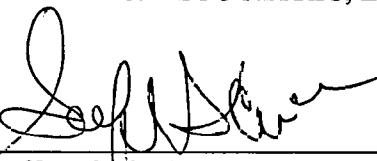
Defendant.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **REPLY TO NEW MATTER** was served on all Counsel listed below, by First Class Mail, postage prepaid, on this 10th day of, August, 2005:

**Christopher M. Fleming, Esquire
JACOBS & ASSOCIATES
35 North Main Street, Second Floor
Greensburg, PA 15601-2401**

EDGAR SNYDER & ASSOCIATES, LLC

By: 
Geoffrey S. Casper
Attorney for Plaintiffs

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

JASON L. PRITCHARD
BILLIE PRITCHARD, husband and
wife,

NO. 2005-00430-CD

Plaintiff(s),

vs.

ELLA P. CHICK,

Defendant(s).

PRAECIPE TO SETTLE AND DISCONTINUE

TO: THE PROTHONOTARY

Kindly settle, discontinue, satisfy and end the above-captioned case.

Respectfully submitted:

Geoffrey S. Casher
Geoffrey S. Casher, Esquire

FILED

5/11/06 1:38 PM Cert of
disc issued to
MAY 15 2006 G. Casher Esq.
Copy to CJA

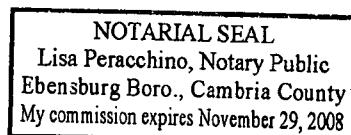
SWORN TO AND SUBSCRIBED

BEFORE ME THIS 8th DAY OF

May, 2006.

Lisa Peracchino

Notary Public



William A. Shaw
Prothonotary

LAW OFFICE OF
SNYDER & FLEMING

LAW OFFICE OF JILL R. SNYDER
Bethlehem, PA 18017

Employees of Nationwide Mutual Insurance Company®
Not a Partnership

SNYDER & ANDREWS
Westord, PA 15090

SNYDER & D'ANNUNZIO
Philadelphia, PA 19102

35 NORTH MAIN STREET
GREENSBURG, PENNSYLVANIA 15601

SNYDER & ASSOCIATES
Plains, PA 18705

SNYDER & VERBEKE
Conshohocken, PA 19428

(724) 837-8484
(FAX) (724) 837-8312

SNYDER & SHAFFER
Doylestown, PA 18901

SNYDER & DORER
Camp Hill, PA 17011

REPLY TO:
GREENSBURG

CHRISTOPHER M. FLEMING

PARALEGAL
BERNADETTE M. THOMPSON

May 10, 2006

Prothonotary's office
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Re: Pritchard v. Chick
No. 2005-00430-CD

Dear Sir/Madam:

Enclosed please find a Praeclipe to Settle and Discontinue for filing as well as an additional copy to be returned with the date and time stamp reflected on it. I am also enclosing a self-addressed stamped envelope for its return.

Thank you for your cooperation in this matter.

Very truly yours,


Bernadette Thompson
Paralegal

Enclosure

cc: Geoffrey Casher, Esquire
Tanya Carpenter Finneran

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Jason L. Pritchard
Billie Pritchard

Vs.
Ella P. Chick

No. 2005-00430-CD

CERTIFICATE OF DISCONTINUATION

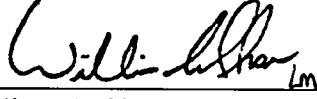
Commonwealth of PA
County of Clearfield

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 May 15, 2006, marked:

Settled, discontinued, satisfied and ended.

Record costs in the sum of \$99.00 have been paid in full by Geoffrey S. Casher Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 15th day of May A.D. 2006.



William A. Shaw, Prothonotary

