

05-831-CD  
R. Blackburn et al vs. D. Rowles et al

Richard Blackburn et v. Dorothy Rowles  
2005-831-CD

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831 -C.D.

Type of Case: **Civil Action**

Type of Pleading: **Writ of Summons**

Filed on Behalf of: **Plaintiffs**

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

**FILED**

JUN 10 2005

0/3:45/w  
William A. Shaw  
Prothonotary/Clerk of Courts

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2 WRITS OF  
to SUPA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION—LAW

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

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vs.

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No. 2005-\_\_\_\_\_-C.D.

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Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

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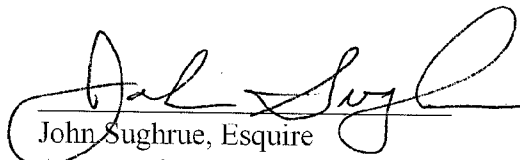
Defendants

\*

**PRAECIPE FOR WRIT OF SUMMONS**

TO: WILLIAM A. SHAW, PROTHONOTARY.

Kindly issue a Writ of Summons in a civil action in the above-captioned matter directed to RODGER R. ROWLES and DOROTHY V. ROWLES, Defendants. The amount in controversy is in excess of \$20,000. Certify the Writ of Summons to the Sheriff of Clearfield County with directions to serve the same on each Defendant at their residence, 578 Blackburn Road, Curwensville, Pennsylvania 16833.



John Sughrue, Esquire  
Attorney for Plaintiff(s)  
Attorney I. D. #01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

cc: Chester A. Hawkins, Sheriff

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

**SUMMONS**

**Richard F. Blackburn and  
Jane Blackburn, his wife**

**Vs.**

**NO.: 2005-00831-CD**

**Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly**

**TO: DOROTHY ROWLES  
RODGER R. ROWLES**

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: 6/10/2005

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William A. Shaw  
Prothonotary

Issuing Attorney:

John Sughrue  
23 North Second Street  
Clearfield, PA 16830

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

DOCKET # 100547  
NO: 05-831-CD  
SERVICE # 1 OF 2  
SUMMONS

PLAINTIFF: RICHARD E. BLACKBURN and JANE BLACKBURN

vs.

DEFENDANT: DOROTHY V. ROWLES and RODGER R. ROWLES,  
Individually & jointly

**SHERIFF RETURN**

NOW, June 20, 2005 AT 11:05 AM SERVED THE WITHIN SUMMONS ON DOROTHY ROWLES DEFENDANT AT 578 BLACKBURN ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DOROTHY ROWLES, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

**FILED**

013:0761  
AUG 17 2005

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 100547  
NO: 05-831-CD  
SERVICE # 2 OF 2  
SUMMONS

PLAINTIFF: RICHARD E. BLACKBURN and JANE BLACKBURN  
vs.  
DEFENDANT: DOROTHY V. ROWLES and RODGER R. ROWLES,  
Individually & jointly

**SHERIFF RETURN**

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NOW, June 20, 2005 AT 11:05 AM SERVED THE WITHIN SUMMONS ON RODGER R. ROWLES DEFENDANT AT 578 BLACKBURN ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROGER R. ROWLES, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100547  
NO: 05-831-CD  
SERVICES 2  
SUMMONS

PLAINTIFF: RICHARD E. BLACKBURN and JANE BLACKBURN

vs.

DEFENDANT: DOROTHY V. ROWLES and RODGER R. ROWLES,  
Individually & jointly

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	SUGHRUE	5409	20.00
SHERIFF HAWKINS	SUGHRUE	5409	59.60

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

RICHARD E. BLACKBURN *et al*

NO. 05-831-CD

-VS-

DOROTHY V. ROWLES *et al*

SUMMONS

AMENDED  
SHERIFF'S RETURN

NOW SEPTEMBER 28, 2005 AMEND SHERIFF COSTS FROM \$59.60 TO \$29.60.

SO ANSWERS,



CHESTER A. HAWKINS  
SHERIFF

SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 2005

\_\_\_\_\_

FILED  
09:26:00  
SEP 28 2005  
William A. Shaw  
Prothonotary/Clerk of Courts



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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

Type of Case: Civil Action

Type of Pleading: Complaint

Filed on Behalf of: Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Defendants, Pro Se

**FILED**  
JUL 19 2006  
Old: 3461  
SCC  
Amy Sughrue

William A. Shaw  
Prothonotary/Clerk of Courts

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

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No. 2005-831-CD

**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(s). 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.**

Court Administrator's Office  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830  
(814) 765-2641, Extension 5982

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

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No. 2005-831-CD

**COMPLAINT**

**AND NOW**, comes the Plaintiffs, Richard F. Blackburn and Jane Blackburn, his wife, by their attorney, John Sughrue, and files the within Complaint in a civil action against the above-named Defendants upon causes of action whereof the following are statements:

1. The Plaintiffs, Richard F. Blackburn and Jane Blackburn, his wife, are adult individuals who presently reside at 1133 Blackburn Rd., Curwensville, Clearfield County, PA 16833 and are hereafter individually and jointly referred to as "Plaintiffs".

2. The Defendant, Dorothy V. Rowles, single, is an adult individual who presently resides at or whose last known address was 578 Blackburn Rd., Curwensville, Clearfield County, PA 16833 and is hereinafter referred to as "Defendant-Owner".

3. The Defendant, Rodger R. Rowles, single, is an adult individual and son of Defendant-Owner who presently resides at or whose last known address was 578 Blackburn Rd., Curwensville, Clearfield County, PA 16833 and is hereinafter referred to as "Defendant-Agent".

4. The Plaintiffs are the owners of certain real property situate Jordan Township, Clearfield County, PA more particularly set forth and described on **Exhibit A** which is attached

hereto and incorporated herein by reference. Said property is hereinafter referred to as the "Blackburn Farm".

5. A part of the Blackburn Farm, more particularly described on **Exhibit B**, attached hereto and incorporated herein by reference is the subject of this civil action. Said parcel is hereinafter referred to as the "Disputed Premises".

6. The Disputed Premises are set forth and outlined in yellow on the topographical aerial photo that is attached hereto as **Exhibit C** and incorporated herein by reference.

7. The Plaintiffs are the owners in fee of the Blackburn Farm and such title vested in them by virtue of the following chain of title:

A. By virtue of deed dated 4/28/69 and recorded in the Recorder's Office of Clearfield County, Pennsylvania on 4/28/69 in DBV 546 page 577 whereby Richard H. Hipps et ux., Grantors, conveyed the property described in said Deed to the Plaintiffs as Grantees; a copy of said deed is attached hereto as **Exhibit D** and incorporated herein by reference.

B. Richard H. Hipps et ux., Grantees acquired title to the Blackburn Farm by virtue of a deed to them from Richard F. Blackburn et ux., Grantors, dated 3/9/68 and recorded in the Recorder's Office of Clearfield County, PA on 3/11/68 in DBV 536 Page112, the substance of which is incorporated herein by reference.

C. Richard F. Blackburn et ux., acquired title to the Blackburn Farm by virtue of deeds to them from Paul Curry, single, dated May 2, 1962, and recorded in Clearfield County's Recorder's Office on May 3, 1962 in DBV 495 page 241; from L. Paul Barrett, Executor of the Estate of Sannier "Sanner" Barrett, dated April 24, 1962, and recorded in Clearfield County's Recorder's Office on May 8, 1962, in DBV 495, page 301, (said property having previously been conveyed to Sanner Barrett by Paul Curry in Nineteen

Thirty-eight (1938) by deed recorded Clearfield County's Recorder's Office in DBV 323, page 221); and from Clark W. Smeal et ux., dated May 28, 1959 and recorded in Clearfield County Recorder's Office on May 28, 1959 in DBV 474, page 597.

8. At all times relevant hereto including the present, Defendant-Owner, was the owner of real property adjacent to the Blackburn Farm. Said Rowles property is hereinafter referred to as the "Rowles Farm".

9. The Rowles Farm is located generally along the Northwestern boundary of the Blackburn Farm and is identified and located on **Exhibit C** attached hereto.

10. At all times relevant hereto, Defendant-Agent, was the son of Defendant-Owner and on information received is believed to have acted at all times as an agent, representative, employee, servant, and/or partner of Defendant-Owner or as a joint venturer, and/or independent contractor with Defendant-Owner, acting at all times in such capacity and on behalf of Defendant-Owner and himself and within the scope of his authority.

11. On or about July 2003, Defendant-Agent entered the Disputed Premises without the consent or authority of the Plaintiffs and interfered with Plaintiffs' cultivation, and farming of the Blackburn Farm and caused damages to the crops then growing on the Blackburn Farm, in particular on the Disputed Premises.

12. At said time and place, Plaintiffs and their agent, Scott B. Blackburn, ousted Defendant-Agent from the Disputed Premises and directed him to refrain from further trespass on the Blackburn Farm, particularly the part constituting the Disputed Premises.

13. At said time and place, Defendant-Agent verbally alleged that Defendant-Owner owned the Disputed Premises.

14. Defendant-Agent, again in the Fall of 2003 and Spring of 2005, despite being warned and directed to refrain from trespassing, entered the Blackburn Farm without consent or right and

removed farm product from the premises and converted the same to his own use as more fully hereinafter set forth.

## COUNT I

### ACTION TO QUIET TITLE

15. The facts and averments set forth in paragraphs 1 through 14 above are incorporated herein by reference as though the same were set forth herein at length verbatim.

16. Plaintiffs are the owners in fee, absolutely, of the Blackburn Farm, including the Disputed Premises generally and for the following reasons:

A. By virtue of the deeds and chain of title referenced above;

B. The boundary lines between the Disputed Premises of the Blackburn Farm and the Rowles Farm are clearly marked, and have been recognized and honored as the common boundary between the Rowles Farm and the Blackburn Farm continuously for period in excess of twenty-one years.

C. In addition, and/or in the alternative, Plaintiffs and their predecessors in title have been in open, notorious, hostile, adverse, exclusive and continuous possession, dominion and control of the Disputed Premises for a period in excess of twenty-one years, specifically from on or about 1962 through the filing of this Complaint;

D. In particular, Plaintiffs have had exclusive dominion, possession, and control of the Disputed Premises and such dominion and control has been open, notorious, hostile, adverse, exclusive and continuous with respect to the Defendants for a period in excess of twenty-one years and during said period the Defendants and their predecessors in title recognized and honored the boundary lines of the Disputed Premises as the common boundary between the Rowles Farm and the Blackburn Farm and made no claim or allegation of any right, title, interest or claim of any kind in the Disputed Premises;

17. The purpose of this quiet title action is to cure any defect in the record of this title and to extinguish any estate, equity, right, claim or interest in the Disputed Premises which the Defendants, their heirs, successors and assigns may have or may allege in the Disputed Premises.

**WHEREFORE**, Plaintiffs respectfully move the Honorable Court to enter an order granting the following relief:

A. Decree that the Plaintiffs are the true, lawful, and only owners of the Blackburn Farm, including the Disputed Premises described in the Complaint;

B. Enter a Decree barring the Defendants, Dorothy V. Rowles and/or Rodger R. Rowles, their heirs, executors, administrators, successors, and assigns from making any claim of right, title, interest or ownership in the Blackburn Farm, including the Disputed Premises as described in the foregoing paragraphs, and/or may be determined by the Court following trial;

C. Decree that Defendants within thirty days of receipt of this Complaint shall institute an action of ejectment against the Plaintiffs and that if they fail to do so the Defendants be perpetually enjoined from setting up any title or claim to the Blackburn Farm, including the Disputed Premises which are the subject of this action, from impeaching, denying, or any way attacking the Plaintiffs title to the Blackburn Farm including the Disputed Premises which are the subject of this action, from issuing or maintaining an ejectment from the said Blackburn Farm and the Disputed Premises and from encumbering, mortgaging, leasing, conveying, or otherwise attempting to transfer, allege, or suggest an interest in the Blackburn Farm, including the Disputed Premises or any part thereof;

D. Decree such other relief as the Court may determine to be necessary or equitable under the law and under the circumstances.

## COUNT II

### INJUNCTIVE RELIEF

18. The facts and averments set forth in paragraphs 1 through 17, above, are incorporated herein by reference as though the same were set forth herein at length verbatim.

19. For the reasons set forth above, Plaintiffs are the owner of the Blackburn Farm.

20. The Defendants have sporadically and arbitrarily, without Plaintiffs' consent, and in many cases surreptitiously, entered the Blackburn Farm, primarily the Disputed Premises and caused harm and loss to the Plaintiffs as follows:

- A. Caused damage to the surface of the Disputed Premises;
- B. Caused damage to and loss of crops located on the Disputed Premises;
- C. Caused confrontations with the Plaintiffs and their Agent, Scott Blackburn, resulting in tension and fear of physical violence;
- D. Harvested and converted for their own use, farm products raised on the Blackburn Farm by the Plaintiffs.

21. As indicated by the aerial photograph, **EXHIBIT C**, the Disputed Premises consist substantially of open farm fields which have been routinely cultivated, harvested, and cared for by the Plaintiffs since they first acquired the Blackburn Farm in 1962. Further, Plaintiffs peaceful use and enjoyment of the disputed premises was undisturbed until Defendant-Agent unilaterally and arbitrarily engaged in the disruptive and damaging conduct described above.

22. Plaintiffs have directed the Defendants to refrain from entering the Disputed Premises and the Defendants have failed or refused to do so. In particular, said notice was given by letter dated June 10, 2005 from Plaintiffs' attorney, John Sughrue, to Defendants, a copy of which is attached hereto as **EXHIBIT E**.



23. The Defendants entry and actions on the Disputed Premises as described above, are interfering with Plaintiffs' cultivation and farming of the Disputed Premises, causing damages to the Plaintiffs, including loss of crops and causing the Plaintiffs harm, specifically loss of revenues from farm product, damages to product, fear of assault and/or injury and the loss of peaceful use and enjoyment of the Blackburn Farm.

24. The Defendants have on at least one occasion, made an oral claim of ownership in the Disputed Premises but have not taken any action to demonstrate such ownership or to establish such ownership.

25. As a result of the foregoing, the Plaintiffs have each year suffered irreparable harm and will continue to suffer irreparable harm until such time as this litigation is resolved.

26. Plaintiffs do not have an adequate remedy at law.

27. Plaintiffs believe and therefore suggest that it is desirable and necessary to protect property and to assure personal safety that a preliminary injunction be entered pending resolution of this action, barring the Defendants from entering the Blackburn Farm, including the Disputed Premises, during the course of this action.

**WHEREFORE**, Plaintiffs respectfully move the Honorable Court to enter after hearing a preliminary injunction, barring the Defendants from entering the Disputed Premises until such time as this litigation is finally resolved or until further order of Court; and further, prior to the entry of said preliminary injunction to set a date and time for hearing on said request and to forthwith issue a RULE directed to the Defendants to appear and SHOW CAUSE, if any, why the prayer for a preliminary injunction should not be granted; and further, after trial in this matter, respectfully moves the Honorable Court to enter a permanent order barring the Defendants, their heirs and assigns from entering the Disputed Premises at any time.

### COUNT III

#### CONVERSION AND TRESPASS

28. The facts and averments set forth in paragraphs 1 through 27 above are incorporated herein by reference as though the same were set forth herein at length verbatim.

29. On or about June 2004 and thereafter from time to time, Defendant-Agent entered the Disputed Premises without permission or right.

30. At said time and place, Defendant-Agent cut and removed from the Disputed Premises hay, which was the property of the Plaintiffs and converted the same for Defendants' use or benefit, thereby depriving Plaintiffs permanently of the ownership and benefit of their property.

31. During said period and through the current time, Defendant-Agent has obstructed cultivation of the Disputed Premises thereby causing a loss of farm products to the Plaintiffs.

32. The hay removed and/or damaged and/or lost as aforesaid, had a fair market value of \$250.00. Corn product lost for the years of 2004 and 2005 had a fair market value of \$200.00 per year for a total of \$400.00.

33. As of the filing of this Complaint, Defendants are indebted to the Plaintiffs for the following losses:

1. Hay:           \$250.00
2. 2004 corn    \$200.00
3. 2005 corn    \$200.00
4. 2006 crop    open

34. On information received, Plaintiffs believe and thereof aver that the Defendants' conduct as aforesaid, was arbitrary, unlawful, intentional, without a reasonable basis, without legal advice, and so outrageous and such undesirable conduct that it is adverse to the public interest and

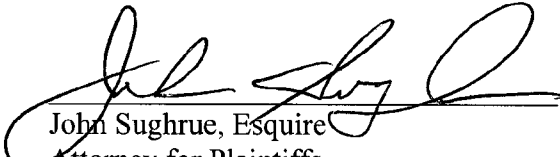
constitutes a basis for the awarding of punitive damages to both punish the Defendants for their conduct and to deter the Defendants and the public at large from such conduct in the future.

35. That the Defendant's conduct is such that it constitutes a basis for the awarding of reasonable attorney fees to Plaintiffs under the applicable Pennsylvania statutes.

**WHEREFORE**, Plaintiffs respectfully move the Honorable Court to enter judgment in their favor and against the Defendants in the following amounts:

- A. Compensatory damages in the amount of \$650.00 plus such additional damages and/or loss that may occur prior to the trial of this action;
- B. Puntive damages in excess of the sum of \$25,000;
- C. Reasonable attorney fees, taxed as costs in this action;
- D. Costs of this action.

Respectfully submitted:

  
John Sughrue, Esquire  
Attorney for Plaintiffs

## **Exhibit A**

To Complaint: Richard F. Blackburn et ux. vs. Dorothy V. Rowles et al.

### THE FIRST THEREOF:

**ALL** that certain parcel of land situate Ferguson Township, Clearfield County, PA bounded and described as follows:

BEGINNING at a post on line of Enoch Straw Estate, and being corner of Green one acre; thence North forty (40°) degrees West one hundred eighteen and seven tenths (118.7) perches to corner of Esther Moore; thence along line of Esther Moore, South fifty (50°) degrees West, one hundred thirty and five tenths (130.5) perches to post corner on Jas. Nolen line; thence by Nolen South forty (40°) degrees East, one hundred thirty and five tenths (130.5) perches to a Hemlock; thence by S. Curry and Nolen, North fifty (50°) degrees East, one hundred twenty (120) perches to Green lot; thence by same North sixty-seven (67°) degrees thirty (30') minutes West, thirteen and four tenths (13.4) perches, still by same, North fifty-three (53°) degrees East seventeen (17) perches to beginning. Containing one hundred (100) acres and allowance, more or less.

EXCEPTING AND RESERVING from the said above described tract of land two (2) acres on the Northwest corner of the said tract, together with the buildings erected thereon.

### THE SECOND THEREOF:

**ALL** that certain parcel of land situate Jordan township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a hemlock (gone) now a post corner of land of J. G. Williams and land of the aforesaid grantors on line of H. Barrett's land; thence along said line North thirty-eight (38°) degrees West ten (10) chains to a hemlock corner (gone) now a post; thence along other lands of the aforesaid Grantors North fifty-two (52°) degrees East eight and fifty-one hundredths (8.50) chains to a post (a new corner); thence continuing along said lands East three and eighty-three one hundredths (3.83) chains to a post by a birch ( a new corner); thence continuing along same lands South thirty-eight (38°) degrees East eight and five one-hundredths (8.05) chains to a post ( a new corner) on line of the aforesaid land of J. G. Williams; thence along said line South fifty-three and one-half (53 ½ °) degrees West eleven and fifty-seven one-hundredths (11.57) chains to the place of beginning. Containing eleven and one-half (11 ½) acres neat measure.

THE THIRD THEREOF:

**ALL** that certain parcel of land situate Jordan township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a post, said post being the Southwest corner of the tract of land of Blair Tubbs; thence in a Northeasterly direction along line of land, now or formerly of Blair Tubbs, fifty-two and one-half (52 ½ ) perches, more or less, to a post corner; thence in a Southeasterly direction along land, now or formerly of the Glenn Williams Estate ninety-five (95) perches, more or less, to a post corner; thence in a Southwesterly direction along land now or formerly of the Glenn Williams Estate fifty-eight (58) perches, more or less, to a post corner at the line of tract of Saner Barrett; thence in a Northwesterly directions along line of said of Saner Barrett tract thirty (30) perches to the post corner established by Sylvester Curry in the year Nineteen Hundred and Twenty-seven (1927); thence continuing in a Northwesterly direction across the Sylvester Curry

farm, (being the line established by Sylvester Curry in the year Nineteen Hundred and Twenty-seven (1927) showing the division of the Sylvester Curry Farm between Paul Cherry and John S. Solly), to the Southwestern corner of the Blair Tubbs tract and the place of beginning. Containing thirty (30) acres, more or less.

THE FOURTH THEREOF:

**ALL** that certain parcel of land situate Jordan township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point situate on the Northern boundary line of Sawmill Road at the intersection of an existing tree line and common corner of other land of the Plaintiffs' and the Defendant-Owner; thence in a Northeasterly direction along said existing tree line to a point located at the end of said tree line, said point being a corner of the land herein described; thence in a Northerly direction along land of Defendant-Owner a distance of two hundred thirty feet (230') more or less to a Northeasterly corner of land of Defendant-Owner, presently marked by an existing pole; thence in a Westerly direction along line of Defendant-Owner a distance of one hundred twenty-five feet (125') more or less to a point located generally on a Western boundary of an existing farm road; thence in a Northerly direction along said farm road boundary and other land of the Defendant-Owner a distance of four hundred ten feet (410') more or less to an existing corner; thence in a Southeasterly direction through land of the Plaintiffs' a distance of five hundred eighty two feet (582') more or less to a point marked by an existing survey pin in the middle of Plaintiffs' farm field; thence in a Southwesterly direction through land of the Plaintiffs' a distance of two hundred eighty feet (280') more or less to a point located at the end of said tree

line, the place of the beginning. Said parcel being an irregularly shaped five sided parcel and being a part of Plaintiffs existing cultivated fields.

This conveyance includes all of the interest, including the right to receive rents and royalties due under any outstanding Oil and Gas Leases on any of the parcels of land hereinbefore described, including a certain Oil and Gas Lease between Ross G. Curry and Nora Curry, his wife, and Paul Curry, single, to T. W. Phillips Gas and Oil Company, dated July 24, 1951, and recorded in Clearfield County in Miscellaneous Book 80 page 461, which title is now vested in the Grantors herein.

BEING the same premises which vested in the Plaintiffs by Deed dated April 28, 1969 from Robert H. Hipps, et al., and recorded April 28, 1969 in the Clearfield County Recorder's Office in Deed Book 546, page 577; by Deed dated May 2, 1962 from Paul Curry, single, and recorded May 3, 1962 in the Clearfield County Recorder's Office, Deed Book 495, page 241; by Deed dated April 24, 1962 from L. Paul Barrett et ux., and recorded May 8, 1962 in the Clearfield County Recorder's Office in Deed Book 495, page 301; and by Deed dated May 28, 1959 from Clark W. Smeal et ux., and recorded May 28, 1959 in the Clearfield County Recorder's Office in Deed Book 474, page 597.

## **Exhibit B**

To Complaint: Richard F. Blackburn et ux. vs. Dorothy V. Rowles et al.

The Disputed Premises are more particularly bounded and described as follows:

BEGINNING at a point situate on the Northern boundary line of Sawmill Road at the intersection of an existing tree line and common corner of other land of the Plaintiffs' and the Defendant-Owner; thence in a Northeasterly direction along said existing tree line to a point located at the end of said tree line, said point being a corner of the land herein described; thence in a Northerly direction along land of Defendant-Owner a distance of two hundred thirty feet (230') more or less to a Northeasterly corner of land of Defendant-Owner, presently marked by an existing pole; thence in a Westerly direction along line of Defendant-Owner a distance of one hundred twenty-five feet (125') more or less to a point located generally on a Western boundary of an existing farm road; thence in a Northerly direction along said farm road boundary and other land of the Defendant-Owner a distance of four hundred ten feet (410') more or less to an existing corner; thence in a Southeasterly direction through land of the Plaintiffs' a distance of five hundred eighty two feet (582') more or less to a point marked by an existing survey pin in the middle of Plaintiffs' farm field; thence in a Southwesterly direction through land of the Plaintiffs' a distance of two hundred eighty feet (280') more or less to a point located at the end of said tree line, the place of the beginning. Said parcel being an irregularly shaped five sided parcel and being a part of Plaintiffs existing cultivated fields.





EXBIT C

BLACKBURN v. ROWLES



# This Deed

Made the 28th day of June, 1969, in the year of our Lord one thousand nine hundred and sixty-nine (1969).

Between ROBERT H. HIPPS and GRACE L. HIPPS, husband and wife, of Ferguson Township, Clearfield County, Pennsylvania, Grantors of the first part,

A.  
N.  
D.

RICHARD F. BLACKBURN and JANE BLACKBURN, husband and wife, as tenants by the entireties, of Ferguson Township, Clearfield County, Pennsylvania, Grantees of the second part.

Witnesseth, that in consideration of the sum of Nine Thousand Dollars (\$9,000.00) in hand paid, the receipt whereof is hereby acknowledged, the said Grantors do hereby grant and convey to the said Grantees and their Heirs and Assigns, as tenants by the entireties,

All the following described properties:

THE FIRST THEREOF: ALL that certain messuage and piece of land situate in the Township of Ferguson, County of Clearfield and State of Pennsylvania and being bounded and described as follows, to wit:

BEGINNING at a post on line of Enoch Straw Estate, and being corner of Green one acre; thence North forty (40°) degrees West one hundred eighteen and seven tenths (118.7) perches to corner of Esther Moore; thence along line of Esther Moore, South fifty (50°) degrees West, one hundred thirty and five tenths (130.5) perches to post corner on Jas. Nolen line; thence by Nolen South forty (40°) degrees East, one hundred thirty and five tenths (130.5) perches to a Hemlock; thence by S. Curry and Nolen, North fifty (50°) degrees East, one hundred twenty (120) perches to Green lot; thence by same North sixty-seven (67°) degrees thirty (30') minutes West, thirteen and four tenths (13.4) perches, still by same, North fifty-three (53°) degrees East seventeen (17) perches to beginning. Containing one hundred (100) acres and allowance, more or less.

EXCEPTING AND RESERVING from the said above described tract of land two (2) acres on the Northwest corner of the said tract, together with the buildings erected thereon.

THE SECOND THEREOF: ALL that certain piece or parcel of land situate in the Township of Jordan, County of Clearfield and State of Pennsylvania, being bounded and described as follows:

BEGINNING at a hemlock (gone) now a post corner of land of J. G. Williams and land of the aforesaid grantors on line of H. Barrett's land; thence along said line North thirty-eight

## EXHIBIT D

EXHIBIT D

(38°) degrees West ten (10) chains to a hemlock corner (gone) now a post; thence along other lands of the aforesaid Grantors North fifty-two (52°) degrees East eight and fifty-one hundredths (8.50) chains to a post (a new corner); thence continuing along said lands East three and eighty-three one hundredths (3.83) chains to a post by a birch (a new corner); thence continuing along same lands South thirty-eight (38°) degrees East eight and five one hundredths (8.05) chains to a post (a new corner) on line of the aforesaid land of J. G. Williams; thence along said line South fifty-three and one-half (53 1/2°) degrees West eleven and fifty-seven one hundredths (11.57) chains to the place of beginning. Containing eleven and one-half (11 1/2) acres neat measure.

THE THIRD WHEREOF, ALL that certain tract or parcel of land situate in the Township of Jordan, County of Clearfield, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a post, said post being the Southwest corner of the tract of land of Blair Tubbs; thence in a Northeasterly direction along line of land, now or formerly of Blair Tubbs, fifty-two and one-half (52 1/2) perches, more or less, to a post corner; thence in a Southeasterly direction along land, now or formerly of the Glenn Williams Estate ninety-five (95) perches, more or less, to a post corner; thence in a Southwesterly direction along land now or formerly of the Glenn Williams Estate fifty-eight (58) perches, more or less, to a post corner at the line of tract of Samer Barrett; thence in a Northwesterly direction along line of said Samer Barrett tract thirty (30) perches to the post corner established by Sylvester Curry in the year Nineteen Hundred and Twenty-seven (1927); thence continuing in a Northwesterly direction across the Sylvester Curry farm, (being the line established by Sylvester Curry in the year Nineteen Hundred and Twenty-seven (1927) showing the division of the Sylvester Curry farm between Paul Curry and John S. Solly), to the Southwestern corner of the Blair Tubbs tract and the place of beginning. Containing thirty (30) acres, more or less.

This conveyance includes all of the interest, including the right to receive rents and royalties due under any outstanding Oil and Gas Leases on any of the parcels of land hereinbefore described, including a certain Oil and Gas Lease between Ross G. Curry and Nora Curry, his wife, and Paul Curry, single, to T. W. Phillips Gas and Oil Company, dated July 24, 1951, and recorded in Clearfield County in Miscellaneous Book 80 page 451, which title is now vested in the Grantors herein.

BEING the same premises which vested in Robert H. Hipps, et ux, by deed from Richard F. Blackburn, et ux, dated March 7, 1968, and recorded in the Recorder's Office of Clearfield County in Deed Book 535 page 112.

WITNESSETH that I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the records of the County of Clearfield, Pennsylvania, and that the same is a true and correct copy of the original record as the same appears in the records of the County of Clearfield, Pennsylvania.



and the said Grantors Will Warrant Specially

the property hereby conveyed

In Witness Whereof, said Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered  
in the presence of

*Donald R. Mikesell*  
*Marylee Strong*

*Robert H. Hipps*  
Robert H. Hipps

*Grace L. Hipps*  
Grace L. Hipps

Commonwealth of Pennsylvania  
County of Clearfield

ss.

On this, the 28 day of April, A. D. 1969, before me the undersigned officer, personally appeared Robert H. Hipps and Grace L. Hipps, husband and wife, known to me or satisfactorily proven) to be the persons whose names subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained. In Witness Whereof, I hereunto set my hand and official seal.

*James B. Haffey*  
JAMES B. HAFFEY  
FIRST MONDAY IN JANUARY 1971  
RECORDER OF DEEDS  
Title of Officer

I Hereby Certify, that the precise residence of the Grantees is  
Kerrmoor, R.D. #2, Curwensville, Pennsylvania 16833.

Attorney for *Donald R. Mikesell*  
Donald R. Mikesell

# NOTICE

THE UNDERSIGNED GRANTEE OR GRANTEES IN THE FOREGOING DEED HEREBY ACKNOWLEDGE THAT HE OR THEY KNOW THAT HE OR THEY MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE OF THE PROPERTY CONVEYED IN THE FOREGOING DEED RESULTING FROM COAL MINING OPERATIONS, AND FURTHER ACKNOWLEDGE THAT THEY KNOW THAT THE PROPERTY CONVEYED MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTERESTS IN THE COAL.

Richard L. Blackbe

Jan Blackburn

**JOHN SUGHRUE**  
**Attorney at Law**

---

Phone (814) 765-1704

23 North Second Street  
Clearfield, PA 16830

Fax (814) 765-6959

June 10, 2005

VIA CERTIFIED, RETURN RECEIPT &  
FIRST CLASS MAIL

Dorothy V. Rowles  
578 Blackburn Road  
Curwensville, PA 16833

Rodger R. Rowles  
578 Blackburn Road  
Curwensville, PA 16833

RE: Notice to cease trespassing on land of Richard and Jane Blackburn

Dear Mrs. Rowles and Mr. Rowles,

Please be advised that I have been retained by Mr. and Mrs. Richard Blackburn to represent them with respect to your trespassing on their property. I understand that there was a long established common boundary between your farms and that it was respected for many years by both you and the Blackburns.

Recently, without right or privilege, Roger has trespassed onto Blackburn land and taken crop to which he was not entitled. As I understand it, Rodger continues to enter, unlawfully, this land.

In the interest of economics and neighborliness, I urged the Blackburns to try to work this out with you. Apparently, Rodger is unwilling or unable to do so.

Accordingly, please accept this letter as formal notice to you that you are to refrain from trespassing onto the acreage in dispute and you are to compensate the Blackburns for the crop improperly taken. A civil action will be filed to resolve this matter permanently with you. In the meantime, if you trespass in the future, it will be treated as a criminally defiant trespass and I will advise my clients that they have the option of reporting it to the police for criminal action.

I understand that you recently had your property surveyed and you are relying on this new survey. It is my opinion that such a survey, whether it's accurate or not, does not determine this issue. I urge you to consult with the attorney of your choice to secure independent advice on this matter.

EXHIBIT E

I also advise each of you that I am handling this matter for my clients and if you have any further communications on the matter, it should be directed to me at my office and not to my clients. Thank you for considering these matters. If you would like to attempt to amicably resolve this issue, either you or your representative should contact me.

Very truly yours,

John Sughrue

JS/kg

cc: Mr. & Mrs. Richard F. Blackburn .

bcc: Scott Blackburn



## 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:

Mrs. Dorothy V. Rowles  
~~578~~ Blackburn Rd.  
 Curwensville, PA 16833

RECEIVED  
 JUN 13 2005

2. Article Number BY:-----

(Transfer from service label)

7004 1350 0004 9671 7943

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Dorothy V. Rowles* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

Dorothy Rowles

C. Date of Delivery

6/10/05

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

## 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:

Mr. Rodger R. Rowles  
~~578~~ Blackburn Rd.  
 Curwensville, PA 16833

RECEIVED  
 JUN 13 2005

BY:-----

2. Article Number

(Transfer from service label)

7004 1350 0004 9671 7936

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Dorothy V. Rowles* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

Dorothy Rowles

C. Date of Delivery

6/10/05

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service™

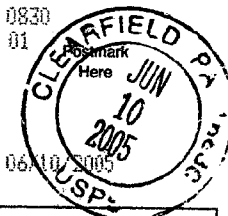
## CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

CURWENSVILLE PA 16833

Postage	\$ \$0.37
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ \$4.42

0830  
01

Sent To

Mr. Rodger Rowles  
 Street, Apt. No.,  
 or PO Box No. ~~578~~ Blackburn Rd. 578  
 City, State, ZIP+4  
 Curwensville, PA 16833

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal Service™

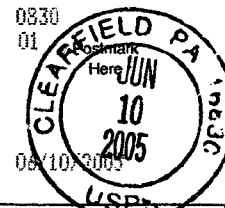
## CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

CURWENSVILLE PA 16833

Postage	\$ \$0.37
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ \$4.42

0830  
01

Sent To

Mrs. Dorothy V. Rowles  
 Street, Apt. No.,  
 or PO Box No. ~~578~~ Blackburn Rd.  
 City, State, ZIP+4  
 Curwensville, PA 16833

PS Form 3800, June 2002

See Reverse for Instructions

7004 1350 0004 9671 7936

7004 1350 0004 9671 7943

VERIFICATION

I, Richard F. Blackburn, Plaintiff, verify that the statements made in this COMPLAINT are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date:

June 2, 06

Richard F. Blackburn  
Richard F. Blackburn, Plaintiff

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

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\*

No. 2005-831-CD

**CERTIFICATE OF SERVICE**

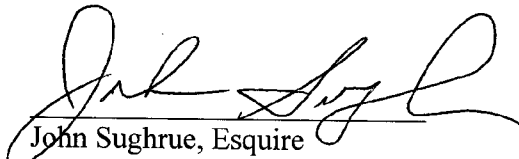
AND NOW, I do hereby certify that on July 19, 2006, I caused a true and correct copy of  
Plaintiff's COMPLAINT to be served on the following and in the manner indicated below:

By United States Mail, First Class, Postage Prepaid  
Addressed as Follows:

Rodger R. Rowles  
578 Blackburn Rd.  
Curwensville, PA 16833

Dorothy V. Rowles  
578 Blackburn Rd.  
Curwensville, PA 16833

Date: July 19, 2006

  
John Sughrue, Esquire  
Attorney for Plaintiffs

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

vs

DOROTHY V. ROWLES and  
RODGER R. ROWLES, individually  
and jointly,  
Defendants

No. 2005-831 -CD

Type of Case: Civil

Type of Pleading: Answer and  
New Matter

Filed on Behalf of: Defendants

Counsel of Record for this Party:  
Filed by:

Chris A. Pentz, Esquire  
207 East Market Street  
P. O. Box 552  
Clearfield, PA 16830  
814 765-4000

Filed by:

Chris A. Pentz, Esquire  
207 East Market Street  
P. O. Box 552  
Clearfield, PA 16830  
814 765-4000

FILED

SEP 26 2006

SCC

Atty Pentz

William A. Shaw  
Prothonotary/Clerk of Courts

Date: 9-26-06

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

vs

No. 2005-831 -CD

DOROTHY V. ROWLES and  
RODGER R. ROWLES, individually\*  
and jointly,  
Defendants

To: Richard F. Blackburn and Jane Blackburn

c/o John Sighrue, Esquire

You are hereby notified to file a written response to the  
enclosed Answer and New Matter within twenty (20) days from  
the service hereof or a judgment may be entered against you.



Chris A. Pentz, Esquire  
I. D. # 39232  
Attorney for Defendants  
Dorothy and Rodger Rowles

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

vs

No. 05-831-C.D.

DOROTHY V. ROWLES and  
RODGER R. ROWLES, individually  
and jointly,  
Defendants

ANSWER AND NEW MATTER

1. Paragraph 1 is admitted.
2. Paragraph 2 is admitted.
3. Paragraph 3 is admitted except that "Rodger" should be spelled "Roger."
4. Paragraph 4 is denied. After reasonable investigation, the Defendants are without sufficient knowledge or information to form a belief as to the averment.
5. Paragraph 5 is denied. "The disputed premises" is owned solely by Defendant, Dorothy V. Rowles.
6. Paragraph 6 is admitted in part and denied in part. It is admitted that Exhibit "C" generally sets forth the area referred to as the "disputed premises". It is denied that Exhibit "C" is accurate as to exact distances and that Exhibit "C" is not to scale.
7. Paragraph 7 is denied. After reasonable investigation, the Defendants are without sufficient knowledge or information to form a

belief as to the averment.

8. Paragraph 8 is admitted.

9. Paragraph 9 is admitted.

10. Paragraph 10 is denied. There is no other relationship between Defendant/owner and Defendant's agent other than of mother and son.

11. Paragraph 11 is admitted in part and denied in part. It is admitted that on or about June, 2003, the Defendant, Roger R. Rowles, entered upon the "disputed premises" and mowed hay. The Defendants did not believe that the area mowed belonged to the Plaintiffs or was located on the Blackburn farm. By way of further answer, Defendant Roger R. Rowles spoke with Plaintiff, Richard F. Blackburn, prior to mowing the hay and discussed boundary lines and was specifically advised by Plaintiff, Richard F. Blackburn, that the property in question belonged to Defendant Dorothy V. Rowles and that Defendant Roger R. Rowles should do what he wanted to with the property.

12. Paragraph 12 is denied. Plaintiff's agent Scott B. Blackburn questioned Defendant Rodger R. Rowles and was advised by Defendant Rodger R. Rowles that he had talked with Plaintiff Richard F. Blackburn and that Plaintiff Richard F. Blackburn agreed that the Defendants could do what they wanted with their property. Plaintiff's agent Scott V. Blackburn never at any time ousted Defendant Roger R. Rowles or directed him to refrain further trespass.

13. Paragraph 13 is admitted.

14. Paragraph 14 is denied. Defendant Roger R. Rowles never at any time entered the Blackburn Farm.

COUNT I

ACTION QUIT TITLE

15. Paragraphs 1 through 14 of the above Answer are incorporated herein by reference as though set forth in full.

16. Paragraph 16(a) is denied. After reasonable investigation the Defendants are without sufficient knowledge or information to form a belief as to the averment concerning the chain of title. It is further denied that the chain of title includes the "disputed premises."

Paragraph 16(b) is admitted in part and denied in part. It is denied that any part of the "disputed premises" is part of the Blackburn Farm. All other averments in this Paragraph not inconsistent with the denial are admitted.

Paragraph 16(c) is a conclusion of law to which no response is required. To the extent that a response is required it is denied that any use of the "disputed premises" by the Plaintiff was anything other than consensual.

Paragraph 16(d) is denied in part and admitted in part. The answers set forth in Paragraph 16 (a), 16(b) and 16(c) above are incorporated herein by reference as though set forth in full.

17. Paragraph 17- No response required.

WHEREFORE, the Defendants respectfully request Your Honorable Court to enter an Order denying relief sought by Plaintiffs.



## COUNT II

### INJUNCTIVE RELIEF

18. Paragraphs 1 through 17 of the above Answer are incorporated herein by reference as though set forth in full.

19. Paragraph 19 is admitted in part and denied in part. The Defendants believe and therefore aver that the Plaintiffs are the owners of the Blackburn Farm. It is denied that any part of the Blackburn Farm includes the "disputed premises."

20. Paragraph 20 is denied. The Defendants never at any time entered any property belonging to the Plaintiffs.

21. Paragraph 21 is admitted in part and denied in part. It is admitted that the "disputed premises" is substantially an open farm field. It is denied that the Plaintiffs routinely cultivated harvested and cared for the property in question. Any use that may have occurred by the Plaintiffs was consensual and by agreement of the parties or their predecessors in title. The Defendants further deny that they have caused any damage or interfered with the peaceful use and enjoyment of any property owned by the Plaintiffs.

22. Paragraph 22 is admitted.

23. Paragraph 23 is admitted in part and denied in part. It is admitted that the Defendants are not permitting the Plaintiffs to enter on property owned by the Defendants. As to the remainder of the averments, the Defendants are without

sufficient knowledge and information to form a belief as to the averment.

24. Paragraph 24 is admitted in part and denied in part. It is admitted that the Defendants claim ownership of the "disputed premises." It is denied that the Defendants failed to take action demonstrate ownership, in that the Defendants have continuously maintained possession and control of the property in question. By way of further answer, the Defendants have placed boundary markers along the line of the "disputed premises" and the Blackburn Farm, caused the property to be surveyed, and have paid the realty taxes.

25. Paragraph 25 is a conclusion of law to which no response is required.

26. Paragraph 26 is a conclusion of law to which no response is required.

27. Paragraph 27 -No response required.

WHEREFORE Defendants respectfully request Your Honorable Court to deny Injunctive Relief.

### **COUNT III**

#### **CONVERSION AND TRESPASS**

28. Paragraphs 1 through 27 of the above Answer are incorporated herein by reference as though set forth in full.

29. Paragraph 29 is denied in part and admitted in part.

It is admitted that the Defendant Roger R. Rowles has entered the "disputed premises". It is denied that he entered without permission of the owner, Defendant Dorothy D. Rowles.

30. Paragraph 30 denied. The Defendant Roger R. Rowles denied taking any property which belonged to the Plaintiffs.

31. Paragraph 31 is denied in part and admitted in part. It is admitted that the Defendants have not permitted the Plaintiffs to enter upon the property. It is denied that this has caused a loss which is recognizable by law.

32. Paragraph 32 is denied. Paragraphs 30 and 31 above are incorporated herein by reference as though set forth in full.

33. Paragraph 33 is denied. Paragraphs 30 and 31 above are incorporated herein by reference as though set forth in full.

34. Paragraph 34 is a conclusion of law to which no response is required.

35. Paragraph 35 is a conclusion of law to which no response is required.

WHEREFORE, Defendants respectfully request Your Honorable Court to enter judgment in their favor and against the Plaintiffs.

#### **COUNT IV**

#### **NEW MATTER**

36. Paragraphs 1 through 35 are incorporated by reference as though set forth in full.

37. The Plaintiffs, as well as their predecessors in title, and the Defendants have always agreed to the "squaring of the field" in the area referred to as the "disputed premises".

38. This agreement concerning cultivating of the "disputed premises" has been done annually for a period from the 1950's through 2002 when an agreement could not be reached.

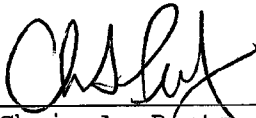
39. The Defendant, Roger R. Rowles, has caused a survey to be performed on the disputed premises by Curry and Associates of 207 South Third Street, Clearfield, Pennsylvania.

40. The Defendant, Roger R. Rowles, in June 2003 discussed the "disputed premises" with the Plaintiff, Richard F. Blackburn.

41. During the discussion, Richard F. Blackburn, acknowledged that the "disputed premises" belonged to the Defendant, Dorothy V. Rowles, and that the Defendant should do what she wished with the property.

WHEREFORE, the Defendants respectfully requests Your Honorable Court to enter an Order denying the relief sought by the Plaintiffs.

Respectfully submitted this 21 day of Sept, 2006.

  
Chris A. Pentz  
Attorney for Defendants

VERIFICATION

I, Roger R. Rowles, verify that the statements made in this Answer and New Matter are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

9-21-06  
Date

Roger R. Rowles  
Roger R. Rowles

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

Type of Case: Civil Action

Type of Pleading: Reply to New Matter

Filed on Behalf of: Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

**FILED** 4cc Atty  
0/12:10 um Sughrue  
**OCT 23 2006** (5)

William A. Shaw  
Prothonotary/Clerk of Courts

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

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No. 2005-831-CD

**REPLY TO NEW MATTER**

AND NOW, come Plaintiffs, by their attorney, John Sughrue, and responds to  
Defendant's New Matter as follows:

36. Denied. On the contrary, facts and matters are as set forth in paragraphs 1 through 35 of the original Complaint, all of which are incorporated herein by reference as though the same were set forth herein at length verbatim.

37. Denied. The Defendants never entered into any agreement annually or otherwise for the "squaring of the field" in the area referred to as the Disputed Premises. On the contrary, the Plaintiffs did not enter into any agreement except the explicit and/or implicit agreement to recognize and honor as a common boundary between the Rowles Farm and the Blackburn Farm that boundary line that is clearly marked and is between the Disputed Premises and the Rowles Farm as alleged in Count I of the Complaint, the facts and averments of which are incorporated herein by reference.

38. Denied. There has been no annual agreement concerning cultivating from the 1950's through 2002. There never was a cultivating agreement and certainly no agreement was made

and implemented annually. On the contrary, facts and matters are as set forth in the Complaint, all of which are incorporated herein by reference.

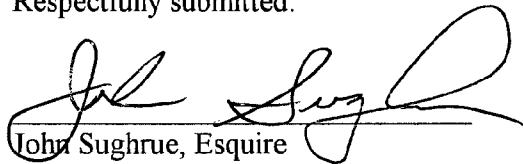
39. Plaintiffs are without knowledge or information sufficient to form a belief as to the averment of whether or not the survey has been completed and strict proof of the same, if relevant, is demanded at trial of this action.

40. Plaintiffs admit that on or about June 2003, there was a discussion between parties.

41. Denied. At no time did Plaintiff, Richard F. Blackburn, acknowledge, agree or any way imply that the Disputed Premises belonged to Defendant, Dorothy V. Rowles, and that she could do what she wished with the property. On the contrary, Plaintiffs at all times claimed, utilized, and possessed the Disputed Premises and stated in discussions that the Disputed Premises belonged to the Plaintiffs and was part of the Blackburn Farm for the reasons set forth in the Complaint, all of which is incorporated herein by reference.

WHEREFORE, Plaintiffs move the Honorable Court to enter judgment in their favor and against the Defendants in accordance with the prayers for relief set forth in the original Complaint with costs of this action taxed to the Defendants.

Respectfully submitted:

  
John Sughrue, Esquire  
Attorney for Plaintiffs



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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants


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\*

No.

**VERIFICATION**

I, Richard F. Blackburn, Plaintiff, verify that the statements made in this REPLY  
TO NEW MATTER are true and correct to the best of my knowledge, information and  
belief. I understand that false statements herein are made subject to the penalties of 18  
Pa.C.S. §4904 relating to unsworn falsification to authorities.

Date: October 20, 2006

  
Richard F. Blackburn


**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on October 23, 2006, I caused a true and correct copy of Plaintiff's REPLY TO NEW MATTER to be served on the following and in the manner indicated below:

By United States Mail, First Class, Postage Prepaid  
Addressed as Follows:

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Date: October 23, 2006

  
John Sughrue, Esquire  
Attorney for Plaintiffs

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

Type of Case: Civil Action

Type of Pleading: Motion for Status Conference

Filed on Behalf of: Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

FILED <sup>SCC</sup>  
011:0631  
MAR 16 2007  
Atty Sughrue  
(6P)

William A. Shaw  
Prothonotary/Clerk of Courts

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

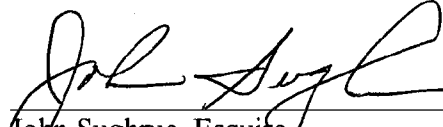
Defendants

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No. 2005-831-CD

**MOTION FOR STATUS CONFERENCE**

AND NOW, come Plaintiffs, Richard F. Blackburn and Jane Blackburn, by their attorney,  
John Sughrue, and requests that a status conference be scheduled in the above-captioned matter  
pursuant to Local Rule 212.1., 46 J.D.R.C.P. 212.1.

  
John Sughrue, Esquire  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

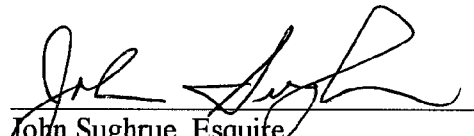
AND NOW, I do hereby certify that on March 16, 2007, I caused a true and correct copy of Plaintiffs' MOTION FOR A STATUS CONFERENCE to be served on the following and in the manner indicated below:

By United States Mail, First Class, Postage Prepaid  
Addressed as Follows:

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Date: March 16, 2007

  
\_\_\_\_\_  
John Sughrue, Esquire  
Attorney for Plaintiffs

UA

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

No. 2005-831-CD

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

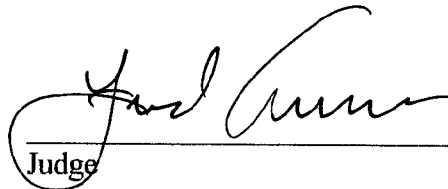
Defendants

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**ORDER FOR STATUS CONFERENCE**

AND NOW, to wit, this 19 day of March, 2007, upon motion of Plaintiffs, a status conference in accordance with Local Rule 46 J.D.R.C.P. 212.1 is hereby scheduled for the 13<sup>th</sup> day of April, 2007 at 10:00, A. m. in Courtroom No. 1 of the Clearfield County Courthouse, 1 North Second Street, Clearfield, Pennsylvania before the Honorable Fredric J. Ammerman.

BY THE COURT:

  
\_\_\_\_\_  
Judge

FILED <sup>ice</sup>  
01311481 Atty Sughrue  
MAR 19 2007  
William A. Shaw  
Prothonotary/Clerk of Courts

FILED

MAR 19 2007

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 3/19/07

☒ 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:

CA

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

Type of Case: Civil Action

Type of Pleading: Plaintiffs' Status Conference  
General Statement

Filed on Behalf of: Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

FILED 5cc  
012/12/07  
APR 03 2007 Amy Sughrue

William A. Shaw  
Prothonotary/Clerk of Courts



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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

**PLAINTIFFS' STATUS CONFERENCE GENERAL STATEMENT**

AND NOW, comes the Plaintiffs pursuant to local Rule 212.1 and files the following General Statement with respect to the Status Conference scheduled in this matter for April 13, 2007.

**I. REQUESTED ACTION:**

The Plaintiffs seek to secure the following as a result of the Status Conference:

1. Resolution of the case by settlement;
2. Setting a timetable for conclusion of Discovery;
3. A trial date for a bench trial;
4. Identification of such stipulations as are possible to simplify matters at trial.

**II. GENERAL STATEMENT OF ALLEGED FACTS:**

Plaintiffs, Richard and Jane Blackburn, (hereafter Blackburn) and Dorothy V. Rowles, surviving spouse, (hereafter Rowles) own adjacent farms located in Jordan Township, Clearfield County, PA. Rodger Rowles (hereafter Rowles) is the son of Dorothy Rowles and acts on her behalf, including farm tasks.

Blackburn is in possession of a farm field (hereafter Blackburn Field) that is readily recognized as a single field by virtue of tree lines, plow lines, surface observation and a bordering tractor way, which separates the Blackburn Farm from the Rowles Farm. The boundary line between the said Blackburn Field and the adjacent Rowles Farm is clearly marked and identifiable. It has been recognized and honored as a common boundary between the farms since at least 1962. In addition, Blackburn and their predecessors in title have been in open, notorious, hostile, adverse, exclusive and continuous possession, dominion and control of the Blackburn Field from on or about 1962 through the present.

On or about July 2003, Rowles apparently caused her farm to be surveyed. Said surveyor placed a corner post in the middle of the Blackburn Field and indicated that said stake represented the corner of the Rowles Farm as opposed to the long recognized boundary line and corner referenced above. As a result of said survey, Rowles claimed ownership over a small part of the Blackburn Field (hereafter Disputed Premises), as set forth on the diagram attached hereto as **Exhibits A and B**. Apparently in reliance upon said survey, Rowles now alleges an ownership claim in the Disputed Premises. The parties were unable to resolve the matter between them.

As a result of the foregoing, Plaintiffs, on July 19, 2006, filed an Action to Quiet Title for the disputed premises, injunctive relief and a claim for compensatory damages.

### **III. BRIEF STATEMENT OF LEGAL THEORIES:**

The primary issue before the Court is the current ownership of the Disputed Premises in the Blackburn Field.

Blackburns rely upon the fact that the existing boundary was recognized and honored as a common boundary between the farms for a period in excess of twenty-one years and in the alternative, that the Blackburns are the owners by virtue of adverse possession having satisfied the

requirements of that theory since on or about 1962 at the earliest and 1969 at the very latest.

In contrast, the Defendants apparently rely upon the description of the property in their deed and the survey referenced above which was prepared on or about 2003. Rowles also alleges that any use or cultivation of the disputed premises by Blackburn "was consensual and by agreement of the parties or their predecessors in title." Rowles further alleges in New Matter that the parties and predecessors always had an agreement to the "squaring of the field" and made such an annual agreement from the 1950's through 2002 after which no agreement was made. Plaintiffs deny any such understanding or agreement, explicit or implied.

**IV. PROPOSED STIPULATIONS:**

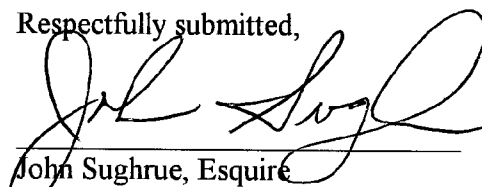
Plaintiffs propose that the parties stipulate to the following:

1. Identification of the disputed premises based upon the survey of Curry & Associates secured by Rowles, subject to Plaintiffs having an opportunity to examine the same prior to trial;
2. Authenticity and admissibility of certified copies of the deeds in each parties chain of title;
3. Authenticity and admissibility of copies of aerial maps of the Disputed Premises presently existing and in the custody of the Clearfield County Tax Assessment office;

**V. ESTIMATED TIME OF TRIAL:**

One full day-nonjury.

Respectfully submitted,



John Sughrue, Esquire  
Attorney for Plaintiffs



A

RICHARD AND  
JANE BLACKBURN  
546/577

0°05'E

TOWNSHIP

3/4" REBAR  
(SET)

41'80.6  
S42°17'27"E  
STAKE (SET)

STAKE (SET)

908.14'  
N42°17'27"W

STAKE (SET)

AREA THAT WAS  
UTILIZED AS FARM LAND  
BY BLACKBURNS

3/4" REBAR  
(SET)

911.44'  
STAKE  
N49°43'00"E  
N49°43'00"E

RICHARD R. BLACKBURN  
AND  
JANE BLACKBURN  
546/577

IPS

STAKE



28" OAK TREE

1554.94'  
1554.94'

715.52'

N40°35'07"W

1 1/2" PIN  
(FOUND)

B

**CERTIFICATE OF SERVICE**

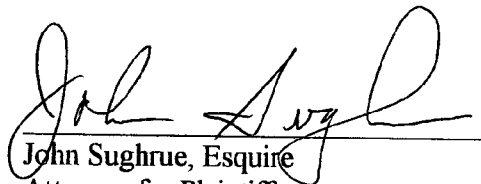
AND NOW, I do hereby certify that on April 3, 2007, I caused a true and correct copy of Plaintiffs' PLAINTIFFS' STATUS CONFERENCE GENERAL STATEMENT to be served on the following and in the manner indicated below:

By United States Mail, First Class, Postage Prepaid  
Addressed as Follows:

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Date: April 3, 2007

  
John Sughrue, Esquire  
Attorney for Plaintiffs

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

Type of Case: Civil Action

Type of Pleading: Court's Order

Filed on Behalf of: Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

FILED

APR 03 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

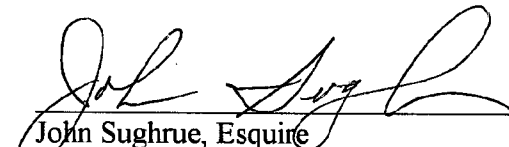
**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on March 23, 2007, I caused a true and correct copy  
of the COURT'S ORDER dated March 19, 2007 setting a Status Conference for April 13, 2007 at  
10:00 a.m. to be served on the following and in the manner indicated below:

By United States Mail, First Class, Postage Prepaid  
Addressed as Follows:

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Date: March 23, 2007

  
John Sughrue, Esquire  
Attorney for Plaintiffs



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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

vs.

DOROTHY V. ROWLES and RODGER  
R. ROWLES, individually and jointly,  
Defendants

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NO. 05-831-CD

ORDER

NOW, this 13<sup>th</sup> day of April, 2007, following status conference with counsel for the parties as set forth above, it is the ORDER of this Court as follows:

1. Non-jury trial is scheduled for August 27, 2007 commencing at 9:00 a.m. in Courtroom No. 1 of the Clearfield County Courthouse, Clearfield, Pennsylvania.
2. All discovery shall be completed no later than July 30, 2007.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

FILED  
APR 13 2007

100 Atty's:  
Sughrue  
Pentz

William A. Shaw  
Prothonotary/Clerk of Courts

GA

FILED

APR 13 2007

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 4/13/07

     You are responsible for serving all appropriate parties.

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

     Plaintiff(s)   X   Plaintiff(s) Attorney      Other

     Defendant(s)   X   Defendant(s) Attorney

     Special Instructions:

CA

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife

-vs-

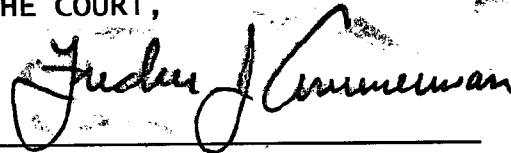
No. 05-831-CD

DOROTHY V. ROWLES and  
RODGER R. ROWLES,  
individually and jointly

O R D E R

AND NOW, this 21st day of August, 2007,  
following the conclusion of non-jury trial, it is the ORDER  
of this Court that counsel for both parties supply the  
Court with appropriate brief within no more than thirty  
(30) days from this date.

BY THE COURT,



President Judge

FILED  
014:45:51  
AUG 29 2007

William A. Shaw  
Prothonotary/Clerk of Courts

2cc  
Augs. Bentz  
Sughrue  
CR

FILED

AUG 29 2007

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 8/29/07

       You are responsible for serving all appropriate parties.

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

       Plaintiff(s) X Plaintiff(s) Attorney        Other

       Defendant(s) X Defendant(s) Attorney

       Special Instructions:

CA

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife

-VS-

No. 05-831-CD

DOROTHY V. ROWLES and  
RODGER R. ROWLES,  
individually and jointly

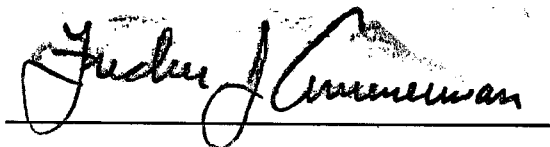
O R D E R

AND NOW, this 30th day of August, 2007, the  
Order filed on August 29, 2007, is hereby amended as  
follows:

O R D E R

AND NOW, this 27th day of August, 2007,  
following the conclusion of non-jury trial, it is the ORDER  
of this Court that counsel for both parties supply the  
Court with appropriate brief within no more than thirty  
(30) days from this date.

BY THE COURT,



President Judge

FILED

0/11:03/07  
AUG 30 2007

2cc Atty's:  
Sughrue  
Pentz

William A. Shaw  
Prothonotary/Clerk of Courts

CA

**FILED**

**AUG 30 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 8/30/07

       You are responsible for serving all appropriate parties.

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

       Plaintiff(s)   X   Plaintiff(s) Attorney        Other

       Defendant(s)   X   Defendant(s) Attorney

       Special Instructions:

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

**Type of Case:** Civil Action

**Type of Pleading:** Motion for Extension of  
Time within which to file  
Trial Briefs

**Filed on Behalf of:** Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

FILED

013:09/31  
SEP 25 2007

4cc  
Amy Sughrue

William A. Shaw  
Prothonotary/Clerk of Courts

@K

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

**MOTION FOR EXTENSION OF TIME WITHIN**  
**WHICH TO FILE TRIAL BRIEFS**

To the Honorable Fredric J. Ammerman, President Judge of said Court.

AND NOW, Plaintiffs, Richard F. Blackburn and Jane Blackburn, by their Counsel, John Sughrue, respectfully requests a thirty day extension of time within which to file Trial Briefs and in support thereof represents the following:

1. Trial Briefs are due to be filed by both parties to this action on or before September 26, 2007.
2. Plaintiff Counsel and Defense Counsel have discussed and are in the process of determining in consultation with their clients whether or not it would be beneficial to have the testimony in this matter transcribed.
3. As of the filing of this Motion, a decision has not been made and the transcript has not been ordered.
4. Plaintiffs' Counsel is a sole practitioner and has been deterred from the preparation of the required Brief due to other mandatory and pressing matters in his office over which he had no control.



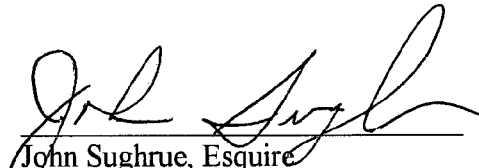
5. Defense Counsel has recently had a serious illness in his family, which has interfered with the conduct of business in due course.

6. Plaintiffs' Counsel has contacted Defense Counsel's office on this matter and spoke with staff. As a result of that conversation, Plaintiffs' Counsel believes that Defense Counsel does not have any opposition to the granting of this request.

7. As a result of the foregoing, Plaintiffs' Counsel respectfully requests an extension of thirty days within which to file Trial Briefs in this matter.

8. The delay in the filing of Trial Briefs will not prejudice the rights of any party to this action.

WHEREFORE, Plaintiffs' Counsel moves the Honorable Court to forthwith execute the attached Order for an extension of time.

  
John Sughrue, Esquire  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on September 25, 2007, I caused a true and correct copy of the MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE TRIAL BRIEFS to be served on the following and in the manner indicated below:

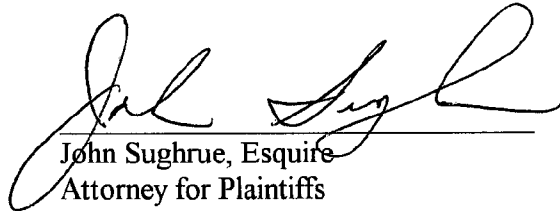
**By Personal Service Upon:**

Chris A. Pentz, Esq.  
Clearfield County Courthouse  
207 East Market Street  
Clearfield, PA 16830

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Honorable Fredric J. Ammerman  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Date: September 25, 2007

  
\_\_\_\_\_  
John Sughrue, Esquire  
Attorney for Plaintiffs

LA

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

No. 2005-831-CD

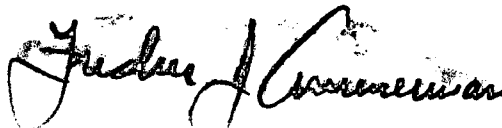
Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

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**ORDER**

AND NOW, this 26<sup>th</sup> day of September, 2007, upon request and with  
agreement of counsel, it is ORDERED that the time for the filing of Trial Brief by both parties is  
hereby extended to October 26, 2007.

BY THE COURT:



Judge

FILED

SEP 26 2007

0/3:00/0  
William A. Shaw  
Prothonotary/Clerk of Courts

4 cents to Amy

Suzanne

(62)

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

No. 2005-831-CD

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

**Type of Case:** Civil Action

**Type of Pleading:** Certificate of Service

**Filed on Behalf of:** Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esq.  
Supreme Court No. 01037  
23 North Second Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

**FILED** 4cc Atty  
01/11/32cm Sughrue  
OCT 29 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on October 26, 2007, I caused a true and correct copy  
of the PLAINTIFFS/BLACKBURN TRIAL BRIEF to be served on the following and in the  
manner indicated below:

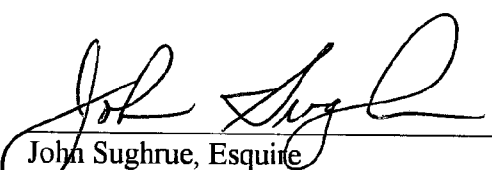
**By Personal Service Upon:**

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

Chris A. Pentz, Esq.  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Date: October 26, 2007

  
John Sughrue, Esquire  
Attorney for Plaintiffs

2cc  
Atty Pentz  
GK

William A. Shaw  
Prothonotary/Clerk of Courts

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

VS

No. 2005-831 -CD

DOROTHY V. ROWLES and \*  
RODGER R. ROWLES, individually\*  
and jointly, \*  
Defendants \*

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\* No. 2005-831 -CD  
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\* Type of Case: Adverse Possession  
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\* Type of Pleading: Petition to  
\* Extend Time to File Brief and  
\* Order  
\*  
\* Filed on Behalf of: Defendants  
\*  
\*  
\* Counsel of Record for this Party:  
\* Filed by:

\* Chris A. Pentz, Esquire  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield, PA 16830  
\* 814 765-4000

\* Filed by:

\* Chris A. Pentz, Esquire  
\* 207 East Market Street  
\* P. O. Box 552  
\* Clearfield, PA 16830  
\* 814 765-4000

Date: 11-18-07

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

vs

No. 05-831-C.D.

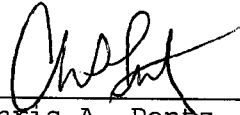
DOROTHY V. ROWLES and  
RODGER R. ROWLES, individually  
and jointly,  
Defendants

Petition to Extend Time to File Brief

1. The Petitioner is the Attorney for the Defendants.
2. The Petitioner has not complied with the briefing schedule established by the Court.
3. Petitioner's failure is due to surgery of the elbow of his dominate arm on October 23, 2007.
4. Petitioner has advised opposing counsel of this Petition and he does not oppose it.
5. This request will not cause harm to the litigants.

WHEREFORE, the Counsel for Defendants respectfully requests Your Honorable Court to enter an Order extending the time to file his brief for an additional thirty days.

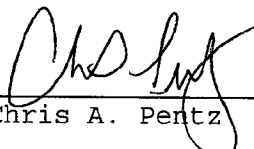
Respectfully submitted this 15<sup>th</sup> day of November, 2007.

  
Chris A. Pentz  
Attorney for Defendants

VERIFICATION

I, Chris A. Pentz, verify that the statements made in this  
Petition are true and correct. I understand that false statements  
herein are made subject to the penalties of 18 Pa.C.S. §4904 relating  
to unsworn falsification to authorities.

11-15-67  
Date

  
Chris A. Pentz



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

RICHARD F. BLACKBURN and  
JANE BLACKBURN, his wife,  
Plaintiffs

vs

No. 05-831-C.D.

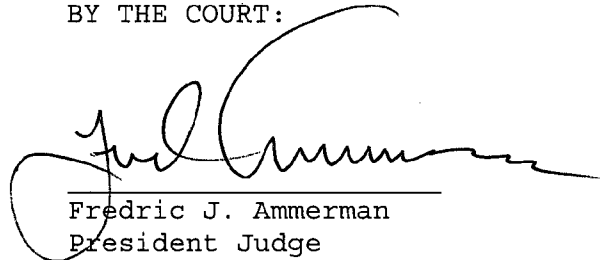
DOROTHY V. ROWLES and  
RODGER R. ROWLES, individually  
and jointly,  
Defendants

ORDER

AND NOW, this 15<sup>th</sup> day of November, 2007 upon consideration of the Petition to Extend Time for Filing Brief filed by Attorney for the Defendants and relying upon the averment that an extension will not cause harm to the litigants, it is hereby ORDERED and DECREED that the Petition is granted and Counsel for Defendants shall have no more than 25 days from the date of this Order to file his brief.

1-3A

BY THE COURT:

  
Fredric J. Ammerman  
President Judge

FILED <sup>2cc</sup>  
01318304 Atty Pentz  
NOV 15 2007  
William A. Shaw  
Prothonotary/Clerk of Courts  
(6K)

DATE: 11/5/07

☒ 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:

**FILED**

NOV 15 2007

William A. Shaw  
Prothonotary/Clerk of Courts

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

RICHARD F. BLACKBURN and  
JANE BLACKBURN,  
Plaintiffs

vs.

DOROTHY V. ROWLES and  
RODGER R. ROWLES,  
Defendants

NO. 05-831-CD

FILED

DEC 20 2007

012:20/144  
William A. Shaw  
Prothonotary/Clerk of Courts

sent to Atty's

J. SUGARMAN  
+  
C. PENTH

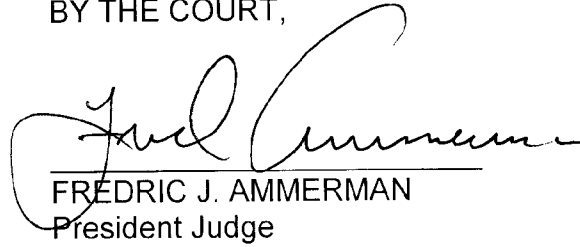
ORDER

NOW, this 19<sup>th</sup> day of December, 2007, following non-jury trial held August 27, 2007 and subsequent receipt of the parties' briefs, it is the Findings and Order of this Court as follows:

1. Plaintiffs have met their burden of proof in establishing the existence of a consentable boundary line by recognition and acquiescence.
2. The Defendants claim that the parties had an agreement from year to year that the Plaintiffs could use the area in dispute is found to be not credible.
3. The location of the consentable boundary line between the Blackburn Farm and the Rowles Farm is the western boundary of the red outline as set forth on the survey map admitted during trial as Plaintiffs' Exhibit 1. A partial copy of the said survey map is attached to this Order with the boundary line marked in red.
4. Plaintiffs' request for a permanent injunction is hereby granted. The Defendants, their agents and assigns are enjoined and barred from entering onto the property herein determined to belong to Plaintiffs.
5. Compensatory damages in the amount of \$1,050.00 are hereby awarded to the Plaintiffs.

6. Plaintiffs' claims for punitive damages and attorney's fees are hereby dismissed.
7. Opinion to be filed in the event of an appeal.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

JOSE  
E

TREE LINE / HUMP LINE  
N48°59'55"E  
00'91.71

828.25'  
15.97'  
1/2" PIPE O  
(FOUND)

RICHARD R. BLACKBURN  
AND  
JANE BLACKBURN  
546/577

S41°00'05"E

TOW

WOODED AREA

WOODED AREA

3/4" REBAR  
(SET)  
S42°17'27"E  
41'80.6  
STAKE (SET)

S83°34'15"E  
111.21'

Location of field lines as shown  
on the ariel of April 23, 1982

woods line based on the 1951, 1982, 1997, 2004, 2006 ariel i

Location of field line as shown on  
the ariel of July 16, 1951

AREA THAT WAS  
UTILIZED AS FARM LAND  
BY BLACKBURNS

STAKE (SET)

S00°00'00"E  
75.21'

FIELDS

FIELDS

N03°33'50"W  
412.47'

3/4" REBAR  
(SET)

PRESENT DAY  
CONTOURED FIELDS

N23°12'37"W  
111.89'

S49°43'00"E  
111.44'

TAX MAP NO 120-F14-3  
RICHARD R. BLACKBURN  
AND  
JANE BLACKBURN  
546/577

N49°43'00"E

STAKE

28" OAK TREE

FIELD LINE  
1452.00'

7722.79'

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

**Type of Case:** Civil Action

**Type of Pleading:** Praecipe to Enter  
Final Judgment

**Filed on Behalf of:** Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esquire  
Supreme Court No. 01037  
225 East Market Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esquire  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

FILED

01/24/08  
JAN 08 2008

5

William A. Shaw  
Prothonotary/Clerk of Courts

Notice to  
Atty Pentz

Atty pd.  
\$20.00

4CC, Notice, and 1 Statement to Atty Sughrue

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

**PRAECIPE TO ENTER FINAL JUDGMENT**

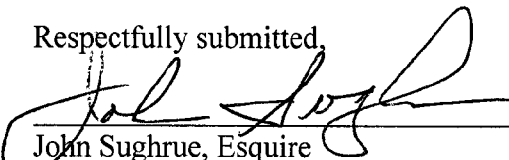
To: William A. Shaw, Prothonotary

Pursuant to Pa.R.Civ.P. 227.4, no Defendants having filed timely post-trial motions, kindly enter Final Judgment on the Court's Decision and Order dated December 19, 2007, docketed in the above captioned matter on December 20, 2007, in favor of Plaintiffs, Richard F. Blackburn and Jane Blackburn, his wife, and against the Defendants, Dorothy V. Rowles and Rodger R. Rowles, individually and jointly; Further, include the following:

1. Final Judgment for said Plaintiffs and against said Defendants in the amount of the Court's verdict, \$1,050.00, plus interest from the docket date, December 20, 2007 at the legal rate of 6%;
2. Tax all costs of this action to said Defendants.

All Defendants in this matter are represented by Chris A. Pentz, Esquire, whose appearance is of record. Certificate of Mailing of Notice to all parties in the action of the filing of this Praecipe pursuant to Pa.R.Civ.P. 237 is attached hereto.

Respectfully submitted,

  
John Sughrue, Esquire  
Attorney for Plaintiffs

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

**CERTIFICATE OF MAILING PURSUANT TO Pa.R.CIV.P. 237**

AND NOW, this 8<sup>th</sup> day of January, 2009, in accordance with Pennsylvania Rule of  
Civil Procedure No. 237, John Sughrue, Attorney for all Plaintiffs, hereby certifies the following:

1. That all of the Defendants, above named, are represented in this matter by Chris A.  
Pentz, Esquire, 207 East Market Street, PO Box 552, Clearfield, PA, 16830; and that his  
appearance is of record on the Prothonotary's Docket of this action;

2. That on January 8, 2009, by letter, the undersigned in accordance with said Rule 237,  
mailed to Chris A. Pentz, Esquire a true and correct copy of the Praeipce for Final Judgment  
which the undersigned intends to file on January 8, 2009;

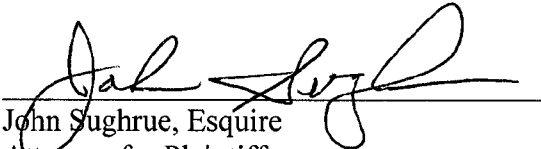
3. That a true and correct copy of the undersigned's letter to Chris A. Pentz, providing a  
copy of said Praeipce for Final Judgment is attached hereto;

4. Further, on January 8, 2009, the undersigned caused a true and correct copy of  
Praeipce for Final Judgment and letter giving notice of intent to file the same on January 8, 2009



to be personally served on Chris A. Pentz, Esquire, by delivering the same to his primary law office located at 207 East Market Street, Clearfield, PA, 16830.

IN WITNESS WHEREOF, the undersigned hereby has set his hand and seal this 8<sup>th</sup>  
day of January, 2009.

  
\_\_\_\_\_  
John Sughrue, Esquire  
Attorney for Plaintiffs

**JOHN SUGHRUE**  
**Attorney at Law**

---

Phone: (814) 765-1704  
Fax: (814) 765-6959

225 East Market Street  
Clearfield, PA 16830

Email  
jsughrue@sughruelaw.com

January 8, 2009

**VIA HAND DELIVERY AND  
US MAIL, FIRST CLASS**

Chris A. Pentz, Esquire  
207 East Market Street  
PO Box 552  
Clearfield, PA 16830

**RE: Richard F. Blackburn & Jane Blackburn v. Dorothy V. Rowles & Rodger Rowles**  
**No. 2005-831-CD**  
**Request for Entry of Final Judgment**

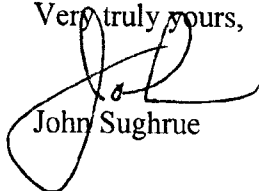
Dear Mr. Pentz,

Enclosed herewith, please find a true and correct copy of Praecipe for Entry of Final Judgment and Certificate of Mailing which I intend to file today in the above captioned matter with the Prothonotary.

This letter and enclosures is being mailed to you today in accordance with the Rules of Civil Procedure. A second copy of this letter together with enclosures is being hand delivered to your office as a courtesy.

I expect that the Prothonotary will, in response to the filing of this Praecipe, enter Final Judgment in the above captioned matter today. I also expect that the Prothonotary will forward Notice of the Final Judgment to you as required by the Rules.

Very truly yours,

  
John Sughrue

JS/aw

Enclosures

cc: Mr. and Mrs. Richard F. Blackburn  
Mr. Scott Blackburn

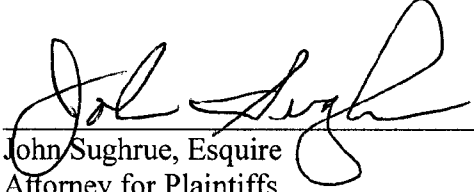
**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on January 8, 2009, I caused a true and correct copy of the PRAECIPE TO ENTER FINAL JUDGMENT to be served on the following and in the manner indicated below:

**By Personal Service and United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

Chris A. Pentz, Esquire  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Date: January 8, 2009

  
John Sughrue, Esquire  
Attorney for Plaintiffs

COPY

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,

Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,

Defendants

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No. 2005-831-CD

**NOTICE OF ENTRY OF FINAL JUDGMENT**

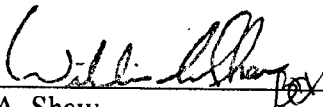
To: Chris A. Pentz, Attorney for All Defendants

**Take Notice** that on the 8<sup>th</sup> day of January, 2009, upon Praecept of the Plaintiffs, and pursuant to Pa.R.Civ.P. 227.4, Final Judgment was entered in favor of the Plaintiffs, Richard F. Blackburn and Jane Blackburn, his wife, and against the Defendants, Dorothy V. Rowles and Rodger R. Rowles, individually and jointly on Decision and Order dated December 19, 2007, docketed in the above captioned matter on December 20, 2007, issued by the Court of Common Pleas of Clearfield County, Pennsylvania;

Further, a Judgment was entered in favor of the said Plaintiffs and against the said Defendants, individually and jointly, pursuant to said Decision and Order in the amount of \$1,050.00 together with interest from December 20, 2007, at the legal rate of 6% per annum simple;

Costs of this action were taxed to the said Defendants, individually and jointly.

By the Prothonotary of Clearfield County, PA

  
\_\_\_\_\_  
William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

COPY

Richard F. Blackburn  
Jane Blackburn  
Plaintiff(s)

No.: 2005-00831-CD

Real Debt: \$1,050.00

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Dorothy V. Rowles  
Rodger R. Rowles  
Defendant(s)

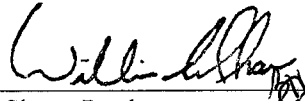
Entry: \$20.00

Instrument: Final Judgment on Verdict

Date of Entry: January 8, 2009

Expires: January 8, 2014

Certified from the record this 8th day of January, 2009.



William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

FILED

FEB 19 2009

07:15:15

William A. Shaw  
Prothonotary/Clerk of Courts

3 chanc to Att

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

No. 2005-831-CD

**Type of Case:** Civil Action

**Type of Pleading:** Praecipe for Bill of Cost

**Filed on Behalf of:** Plaintiffs

**Counsel of Record for this Party:**

John Sughrue, Esquire  
Supreme Court No. 01037  
225 East Market Street  
Clearfield, PA 16830  
Phone: (814) 765-1704  
Fax: (814) 765-6959

**Other Counsel of Record:**

Chris A. Pentz, Esquire  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830  
Phone: (814) 765-4000

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

Richard F. Blackburn and  
and Jane Blackburn, his wife,  
Plaintiffs

vs.

Dorothy V. Rowles and  
Rodger R. Rowles, individually and  
jointly,  
Defendants

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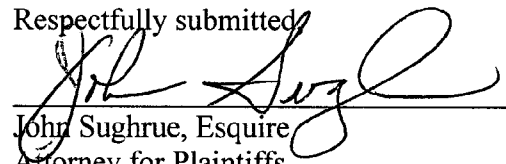
No. 2005-831-CD

**PRAECIPE FOR BILL OF COST**

To the Prothonotary, William A. Shaw,

Kindly issue a Bill of Cost in the above captioned matter, including satisfaction fees and  
direct the same to the undersigned Attorney for the Defendant.

Respectfully submitted

  
John Sughrue, Esquire  
Attorney for Plaintiffs

cc: Chris Pentz, Attorney for Defendant

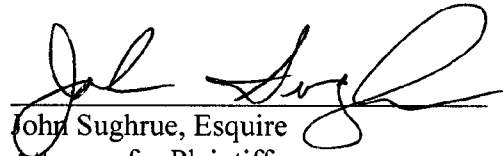
**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on February 19, 2009, I caused a true and correct copy of the PRAECIPE FOR BILL OF COST to be served on the following and in the manner indicated below:

**By Personal Service and United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

Chris A. Pentz, Esquire  
207 East Market Street  
P.O. Box 552  
Clearfield, PA 16830

Date: February 19, 2009

  
John Sughrue, Esquire  
Attorney for Plaintiffs