

2005-997-CD  
S. Brazinski v. R. Contorchick

05-997-CD  
Steven Brazinski vs Robert Contorchick

To David Hopkins  
Search Contarchide

THIS REPORT HAS BEEN COMPLETED WITH DUE DILIGENCE AND IS SUBJECT TO THE  
ACCURACY OF THE PUBLIC RECORD. SHOULD ANY MATERIAL LOSS OCCUR AS A RESULT  
OF AN ERROR OR OMISSION IN THIS REPORT, THE LIMIT OF MY LIABILITY SHALL BE THE  
CONSIDERATION PAID FOR MY WORK.

05997-CD  
CP

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
CIVIL TRIAL LISTING

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

CASE NUMBER	TYPE	TRIAL REQUESTED	DATE PRESENTED
			ESTIMATED TRIAL TIME
997 CD 2005			
Date Complaint Filed: 7/8/2005	(X) Jury ( ) Non-Jury ( ) Arbitration		1 Days

PLAINTIFF(S)

Steven Brazinski

( )

DEFENDANT(S)

Robert Contorchick

Check Block if  
a Minor is a  
Party to the  
Case

( )

ADDITIONAL DEFENDANT(S)

( )

JURY DEMAND FILED BY:

DATE JURY DEMAND FILED:

Plaintiff

7/8/2005

FILED  
07/08/2005

AMOUNT AT ISSUE

CONSOLIDATION

DATE CONSOLIDATION ORDERED 07/08/2006

more than

\$ 25,000.00

( ) yes (X) no

William A. Shaw  
Prothonotary/Clerk of Courts  
cc Atty Bowers

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

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

  
S. Casey Bowers

FOR THE PLAINTIFF

S. Casey Bowers, Esq.

TELEPHONE NUMBER

814-371-7768

FOR THE DEFENDANT

Dennis J. Stofko, Esq.

TELEPHONE NUMBER

814-262-0064

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

Date: 05/17/2006

Time: 08:38 AM

Page 1 of 1

**Clearfield County Court of Common Pleas**

User: PUBLIC

**ROA Report**

Case: 2005-00997-CD

Current Judge: No Judge

Steven Brazinski vs. Robert Contorchick

**Civil Other**

Date		Judge
07/08/2005	New Case Filed. Filing: Complaint in Conversion Paid by: Hanak, Guido & Taladay Receipt number: 1904548 Dated: 07/08/2005 Amount: \$85.00 (Check) 2 Cert. to Atty.	No Judge
09/21/2005	Defendant's Answer and New Matter filed by s/ James B. Alexander Esq. No CC.	No Judge
10/03/2005	Reply to New Matter, filed by s/ S. Casey Bowers Esq. 1CC Atty.	No Judge
10/13/2005	Sheriff Return, July 25, 2005 served the within Complaint in Conversion on Robert Contorchick. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by atty for plff \$89.93	No Judge
03/17/2006	Entry of Appearance and Demand For Jury Trial, on behalf of Defendant, filed by s/ Dennis J. Stofko, Esquire. No CC	No Judge
04/25/2006	Certificate of Readiness for Jury Trial, filed by s/ S. Casey Bowers, Esquire. 1CC Atty. Bowers	No Judge

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

STEVEN BRAZINSKI,  
Plaintiff

vs.

ROBERT CONTORCHICK,  
Defendant

No. 2005-997-CV

Type of Pleading:

**COMPLAINT IN  
CONVERSION**

Filed on Behalf of:  
**PLAINTIFF**

Counsel of Record for  
This Party:  
S. Casey Bowers, Esq.  
Supreme Court No. 89032  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801  
814-371-7768

**FILED**

Date: July 8, 2005

JUL 08 2005  
011:55 PM  
William A. Shaw  
Prothonotary/Clerk of Courts

2 CENTS TO ATTY

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI,  
Plaintiff

vs.

No. \_\_\_\_\_

ROBERT CONTORCHICK,  
Defendant

**NOTICE**

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

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

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

(814) 765-2641 Ext. 1300

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI,  
Plaintiff

vs.

No. \_\_\_\_\_

ROBERT CONTORCHICK,  
Defendant

**COMPLAINT IN CONVERSION**

AND NOW, comes the Plaintiff, STEVEN BRAZINSKI, by and through his attorneys, HANAK, GUIDO AND TALADAY, and brings the within Complaint averring as follows:

1. Plaintiff, STEVEN BRAZINSKI, is an adult individual, with a business address of 212 Main Street, P. O. Box 507, Ridgway, Elk County, Pennsylvania, 15853.
2. Defendant, ROBERT CONTORCHICK is an adult individual residing at 1177 Treasure Lake, DuBois, Clearfield County, Pennsylvania, 15801.
3. At all times pertinent hereto, Plaintiff owned and continues to own a certain parcel of real estate in Sandy Township, Clearfield County, Pennsylvania, described as Section 5, Lot 12 in the Treasure Lake Subdivision.
4. At all times pertinent hereto, Defendant owned and continues to own real property adjacent to that of Plaintiff.
5. On or about July 26, 2003, Defendant entered on to Plaintiff's real property and cut or removed some 39 trees belonging to Plaintiff.

6. The market value of Plaintiff's trees cut or removed by Defendant is Twelve Thousand Four Hundred Seventy-five and 00/100 (\$12,475.00) Dollars.

7. Plaintiff will also be forced to obtain a survey of his real property.

8. Defendant's acts described herein were deliberate or at least negligent as defined in 42 Pa.C.S.A. §8311. As such, Plaintiff is entitled to double or treble statutory damages in accordance with 42 Pa.C.S.A. §8311(a).

WHEREFORE, Plaintiff demands judgment in his favor and against the Defendants in an amount in excess of Twenty-five Thousand and 00/100 (\$25,000.00) Dollars, together with interest, cost of suit and any further relief this Court deems just and equitable.

JURY TRIAL DEMANDED.



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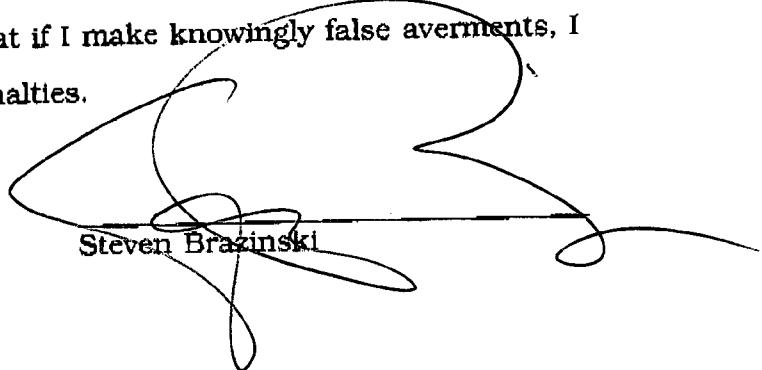
S. Casey Bowers  
Attorney for Plaintiffs

VERIFICATION

I, STEVEN BRAZINSKI, verify that the statements in the foregoing COMPLAINT IN CONVERSION are true and correct to the best of my knowledge, information and belief.

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

DATE: 7/1/05



Steven Brazinski

A handwritten signature in black ink, appearing to read "Steven Brazinski", is written over a large, stylized, looping cursive line that starts from the date and extends towards the right.

**IN THE COURT OF COMMON PEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION- EQUITY**

## NOTICE

TO: Steven Brazinski

You are hereby notified to file a written response to the enclosed **ANSWER & NEW MATTER** within twenty (20) days from service hereof or a judgment may be entered against you.

James B. Alexander  
Attorney for Defendant

FILED NO cc  
M 10 52 AD  
SEP 2 1 2005 (un)

William A. Shaw  
Prothonotary/Clerk of Courts

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

<b>STEVEN BRAZINSKI,</b>	:	<b>No. 997 C.D. 2005</b>
<b>Plaintiff</b>	:	
	:	<b>Type of Pleading:</b>
	:	<b>ANSWER &amp; NEW MATTER</b>
<b>vs.</b>	:	
	:	<b>Filed on behalf of: DEFENDANT</b>
<b>ROBERT CONTORCHICK,</b>	:	
<b>Defendant</b>	:	

**ANSWER & NEW MATTER**

**AND NOW**, comes the Defendant, Robert Contorchick, by and through his Attorneys, Alexander, Garbarino, Neely & Hindman, L.L.P., and files the following Answer & New Matter.

**ANSWER**

1. Admitted.
2. Admitted.
3. Defendant admits that Plaintiff owns a parcel of real estate in Sandy Township, Clearfield County, Pennsylvania, but denies that Plaintiff's property is described as Section 5, Lot 12 in the Treasure Lake Subdivision. To the contrary, Defendant's property, which adjoins Plaintiff's property, is described as Section 5, Lot 12, in the Treasure Lake Subdivision.
4. Admitted.

5. Admitted in part and denied in part. Reference is made to Paragraphs 2, 4, 5 and 6 of New Matter set forth below. Specifically, Defendant entered upon Plaintiff's property prior to July 8, 2003, as set forth in Paragraph 2 of New Matter below, and Defendant entered upon property owned by Treasure Lake property Owners Association, Inc., as set forth in Paragraphs 4, 5, and 6 of New Matter below. Those Paragraphs under New Matter are incorporated herein.

6. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 6.

7. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 6.

8. Denied. On the contrary, regarding Defendant's entry upon Plaintiff's property prior to July 8, 2005, Plaintiff reasonably believed the trimming and clearing he did was on his own property, based upon the description of the property to him by his predecessors in title. Accordingly, Defendant avers that any action committed by him upon Plaintiff's property was neither deliberate nor negligent. Further, defendant specifically denies that any action by him upon Plaintiff's property entitles Plaintiff to any relief under title 42 Pa. C.S.A. § 8311 in that nothing that was cut constituted "timber" as defined therein.

#### **NEW MATTER**

Defendant, by his undersigned counsel, raises the following affirmative defenses:

#### **I. STATUE OF LIMITATIONS**

1. Plaintiff commenced this action by filing his complaint on July 8, 2005.

2. Prior to July 8, 2003, Defendant, relying on the location of the line between his property and the adjoining property of Plaintiff as indicated to Defendant by Defendant's predecessors in title, entered upon Plaintiff's property and cut brush, branches and saplings.

3. Plaintiff's action as to those events is barred by the Statute of Limitations, Title 42 Pa. C.S. §5524.

## II. PRIOR REMEDY

4. On or before July 26, 2003, Plaintiff filed a Property Control Complaint with the Treasure Lake Property Owners Association, Inc., (The "Association") regarding Plaintiff's claim that Defendant had cut several trees on Association property.

5. The Association owns property between Treasure Lake itself, and the lots owned by Plaintiff and Defendant.

6. After an inspection of the property, with participation by both the Plaintiff and Defendant, the Association determined that Defendant had improperly cut trees on that Association property, and required the Defendant to plant replacement trees.

7. By agreement between the parties hereto and the Association, the determination by the Association of actions to be taken by Defendant constituted the sole remedy for the Plaintiff and the Association for any action taken by Defendant.

**WHEREFORE**, Defendant demands judgment in his favor and against Plaintiff, and other such relief as this Court deems appropriate.

Respectfully submitted,  
Alexander, Garbarino, Neely & Hindman, L.L.P.



---

James B. Alexander, Esquire

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION – EQUITY

<b>STEVEN BRAZINSKI,</b>	:	<b>No. 997 CD 2005</b>
<b>Plaintiff</b>	:	
	:	<b>Type of Pleading:</b>
	:	<b>ANSWER &amp; NEW MATTER</b>
<b>vs.</b>	:	
	:	
	:	<b>Filed on behalf of: DEFENDANT</b>
<b>ROBERT CONTORCHICK,</b>	:	
<b>Defendant</b>	:	

**CERTIFICATE OF SERVICE**

I, James B. Alexander, hereby certify that a true and correct copy of the foregoing Answer & New Matter was served via both First Class Regular Mail, postage prepaid, upon the following party at the following address on September 16, 2005:

**Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
Dubois, PA 15801**

  
\_\_\_\_\_  
James B. Alexander  
Attorney for Defendant

SEP 14 2005 1:01PM ALEX GARIB NEEL HIND

NO. 324

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

**STEVEN BRAZINSKI,  
Plaintiff**

**No. 997 CD 2005**

**Type of Pleading:  
ANSWER & NEW MATTER**

**vs.**

**ROBERT CONTORCHICK,  
Defendant**

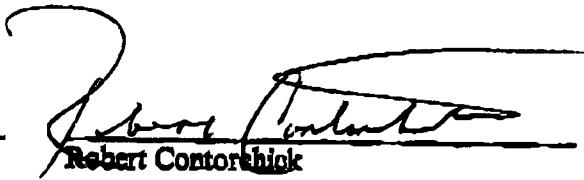
**Filed on behalf of: DEFENDANT**

**VERIFICATION**

I hereby verify that the statement made in the foregoing Answer & New Matter are true and correct. I understand that false statements herein made are subject to the penalties of 18 PA. C.S. §4904 relating to unsworn falsification to authorities.

Date:

9/14/2005

  
\_\_\_\_\_  
Robert Contorchick

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

STEVEN BRAZINSKI,  
Plaintiff

vs.

ROBERT CONTORCHICK,  
Defendant

: No. 997 C.D. 2005

: Type of Pleading:

: **REPLY TO NEW MATTER**

: Filed on Behalf of:  
PLAINTIFF

: Counsel of Record for  
This Party:  
S. Casey Bowers, Esq.  
Supreme Court No. 89032  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801  
814-371-7768

Date: September 30, 2005

FILED  
no 191341 4th  
OCT 03 2005  
LW

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI, :  
Plaintiff :  
vs. : No. 996 C.D. 2005  
ROBERT CONTORCHICK, :  
Defendant :  
:

**REPLY TO NEW MATTER**

AND NOW, comes the Plaintiff, STEVEN BRAZINSKI, by and through his attorneys, HANAK, GUIDO AND TALADAY, files this Reply to New Matter averring as follows:

**I. STATUTE OF LIMITATIONS**

1. Admitted.
2. Admitted and denied. Plaintiff admits that Defendant entered onto to Plaintiff's real property and cut trees on said real property. After reasonable investigation, Plaintiff is without knowledge sufficient to form a belief as to the remaining averments in Paragraph 2 of Defendant's New Matter. As such, said averments are denied and strict proof is demanded at trial.
3. Denied. Paragraph 3 of Defendant's New Matter sets forth a conclusion of law. Therefore, no response is required. To the extent a response is required, said allegations are denied.

## II. PRIOR REMEDY

4. Denied as stated. On July 26, 2005, immediately after discovering Defendant's unlawful activity, Plaintiff reported this matter to Treasure Lake security.

5. Admitted.

6. Admitted.

7. Denied. Plaintiff vehemently denies that any agreement regarding limitation of remedies ever existed between the parties and/or the Property Owner Associations.

WHEREFORE, Plaintiff demands judgment against Defendant in favor of Plaintiff in an amount in excess of Twenty-five Thousand and 00/100 (\$25,000.00) Dollars, together with interest, cost of suit and any further relief this Court deems just and equitable.



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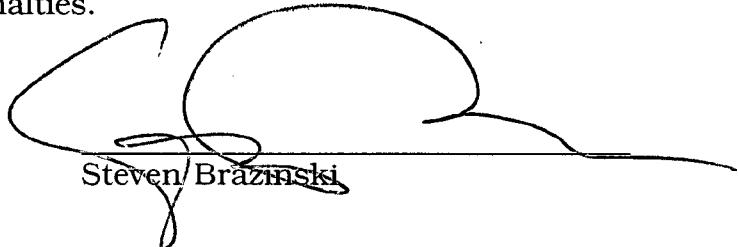
S. Casey Bowers  
Attorney for Plaintiff

**VERIFICATION**

I, STEVEN BRAZINSKI, verify that the statements in the foregoing REPLY TO NEW MATTER are true and correct to the best of my knowledge, information and belief.

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

DATE: Sept 28, 2005



A handwritten signature in black ink, appearing to read "Steven Brazinski", is written over a large, roughly drawn outline of a head profile facing left. The signature is located near the bottom of the head outline.

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 30th day of September, 2005, a copy of the within Reply to New Matter was served upon the following by first class mail, postage prepaid:

James B. Alexander, Esq.  
415 Wood Street  
P. O. Box 766  
Clarion, PA 16214

  
\_\_\_\_\_  
S. Casey Bowers

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100623  
NO: 05-997-CD  
SERVICE # 1 OF 1  
COMPLAINT IN CONVERSION

PLAINTIFF: STEVEN BRAZINSKI  
vs.  
DEFENDANT: ROBERT CONTORCHICK

**SHERIFF RETURN**

NOW, July 25, 2005 AT 10:45 AM SERVED THE WITHIN COMPLAINT IN CONVERSION ON ROBERT CONTORCHICK DEFENDANT AT 1177 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT CONTORCHICK, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN CONVERSION AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

**FILED**

0194481  
OCT 13 2005

William A. Shaw  
Prothonotary/Clerk of Courts  
*LM*

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	HANAK	14241	10.00
SHERIFF HAWKINS	HANAK	14241	79.93

Sworn to Before Me This

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

So Answers,

*Chester A. Hawkins*  
*by Marilyn Harris*

Chester A. Hawkins  
Sheriff

# COPY

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

STEVEN BRAZINSKI,  
Plaintiff

vs.

ROBERT CONTORCHICK,  
Defendant

: No. 2005-997-C0

: Type of Pleading:

: **COMPLAINT IN  
CONVERSION**

: Filed on Behalf of:  
PLAINTIFF

: Counsel of Record for  
This Party:  
S. Casey Bowers, Esq.  
Supreme Court No. 89032  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801  
814-371-7768

Date: July 8, 2005

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

**JUL 08 2005**

Attest.

*William B. Ritter*  
Prothonotary/  
Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI,  
Plaintiff

vs.

No. \_\_\_\_\_

ROBERT CONTORCHICK,  
Defendant

**NOTICE**

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

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

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

(814) 765-2641 Ext. 1300

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI, :  
Plaintiff :  
: vs. : No. \_\_\_\_\_  
: :  
ROBERT CONTORCHICK, :  
Defendant :  
:

**COMPLAINT IN CONVERSION**

AND NOW, comes the Plaintiff, STEVEN BRAZINSKI, by and through his attorneys, HANAK, GUIDO AND TALADAY, and brings the within Complaint averring as follows:

1. Plaintiff, STEVEN BRAZINSKI, is an adult individual, with a business address of 212 Main Street, P. O. Box 507, Ridgway, Elk County, Pennsylvania, 15853.
2. Defendant, ROBERT CONTORCHICK is an adult individual residing at 1177 Treasure Lake, DuBois, Clearfield County, Pennsylvania, 15801.
3. At all times pertinent hereto, Plaintiff owned and continues to own a certain parcel of real estate in Sandy Township, Clearfield County, Pennsylvania, described as Section 5, Lot 12 in the Treasure Lake Subdivision.
4. At all times pertinent hereto, Defendant owned and continues to own real property adjacent to that of Plaintiff.
5. On or about July 26, 2003, Defendant entered on to Plaintiff's real property and cut or removed some 39 trees belonging to Plaintiff.

6. The market value of Plaintiff's trees cut or removed by Defendant is Twelve Thousand Four Hundred Seventy-five and 00/100 (\$12,475.00) Dollars.

7. Plaintiff will also be forced to obtain a survey of his real property.

8. Defendant's acts described herein were deliberate or at least negligent as defined in 42 Pa.C.S.A. §8311. As such, Plaintiff is entitled to double or treble statutory damages in accordance with 42 Pa.C.S.A. §8311(a).

WHEREFORE, Plaintiff demands judgment in his favor and against the Defendants in an amount in excess of Twenty-five Thousand and 00/100 (\$25,000.00) Dollars, together with interest, cost of suit and any further relief this Court deems just and equitable.

JURY TRIAL DEMANDED.



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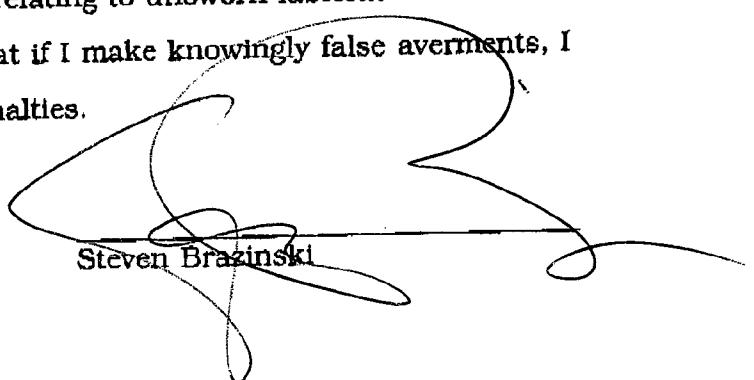
S. Casey Bowers  
Attorney for Plaintiffs

VERIFICATION

I, STEVEN BRAZINSKI, verify that the statements in the foregoing COMPLAINT IN CONVERSION are true and correct to the best of my knowledge, information and belief.

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

DATE: 7/1/05

  
Steven Brazinski

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

STEVEN BRAZINSKI,

Plaintiff

vs.

No. 997 CD 2005

ROBERT CONTORCHICK,

Defendant

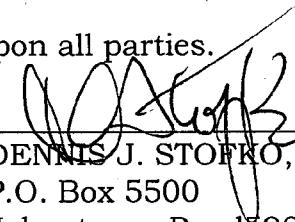
ENTRY OF APPEARANCE

Please enter my appearance for Defendant in the above matter. Papers may be served at the address listed below.

DEMAND FOR JURY TRIAL

Pursuant to Rule 1007.1 of the Pennsylvania Rules of Civil Procedure, as amended, a Jury Trial is demanded on all issues raised by the pleadings in this action.

I certify this Entry of Appearance and Demand for Jury Trial shall be served forthwith by ordinary mail upon all parties.

  
DENNIS J. STOFKO, ESQUIRE  
P.O. Box 5500  
Johnstown, Pa. 15904  
814 262-0064  
ID 27638

FILED NO  
12-22-06  
MAR 17 2006  
cc  
©

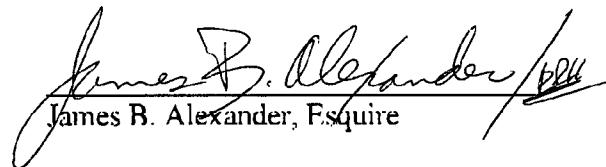
William A. Shaw  
Prothonotary/Clerk of Courts

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

STEVEN BRAZINSKI, : No. 997 CD 2005  
: :  
Plaintiff, : :  
: :  
vs. : :  
: :  
ROBERT CONTORCHICK, : :  
: :  
Defendant : :  
: :

**PRAECIPE TO WITHDRAW APPEARANCE**

Please, with consent of Robert Contorchick, withdraw the appearance of James B. Alexander, Esquire, the Law Offices of Alexander, Garbarino, Neely & Hindman, L.L.P., with respect to the proceedings relative to the above-captioned matter. Request is hereby made that the Court authorize such withdrawal to which client has consented.



James B. Alexander, Esquire

**PRAECIPE FOR APPEARANCE**

Please enter the appearance of Richard M. Corcoran, Esq. as counsel for the Defendant, Robert Contorchick, relative to the above captioned matter.

Date: \_\_\_\_\_

Richard M. Corcoran, Esquire  
Counsel for Robert Contorchick  
106 North Center Street  
Ebensburg, PA 15931  
Telephone: (814) 472-1243  
PA I.D. No. 75280

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

STEVEN BRAZINSKI,  
Plaintiff

No. 997 C.D. 2005

vs.

ROBERT CONTORCHICK,  
Defendant

Type of Pleading:

**CERTIFICATE OF  
SERVICE**

Filed on Behalf of:  
PLAINTIFF

Counsel of Record for  
This Party:  
S. Casey Bowers, Esq.  
Supreme Court No. 89032  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801  
814-371-7768

Date: July 10, 2006

**FILED**

IN 11:00 AM 6K  
JUL 11 2006

NO CC  
CK

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI,  
Plaintiff

vs. : No. 997 C.D. 2005

ROBERT CONTORCHICK,  
Defendant

**CERTIFICATE OF SERVICE**

I do hereby certify that on the 10th day of July, 2006, an original Notice of Deposition, copy of which is attached hereto, was served upon the following by first class mail, postage prepaid:

Matthew C. Moore, Esq.  
Attorney for Defendant  
969 Eisenhower Boulevard, Suite E  
P.O. Box 5500  
Johnstown, PA 15904



---

S. Casey Bowers, Esq.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

STEVEN BRAZINSKI, :  
Plaintiff :  
: :  
vs. : No. 997 C.D. 2005  
: :  
ROBERT CONTORCHICK, :  
Defendant :  
:

**NOTICE OF DEPOSITION**

TO: ROBERT CONTORCHICK  
c/o Matthew C. Moore, Esq.  
969 Eisenhower Boulevard, Suite E  
Johnstown, PA 15904

TAKE NOTICE that your deposition by oral examination will be taken at the office of Sargent's Court Reporting, 106 North Second Street, Clearfield, Pennsylvania, on **Tuesday, July 25, 2006, at 11:00 a.m.** This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding discovery. Please bring with you any plats, maps, surveys or sketches of the properties in question together with any and all documents related to the above matter.

  
\_\_\_\_\_  
S. Casey Bowers  
Attorney for Plaintiff

cc: Sargent's Court Reporting

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

STEVEN BRAZINSKI

:

-vs-

: No. 05-997-CD

ROBERT CONTORCHICK

:

O R D E R

NOW, this 27th day of July, 2006, this being the date set for Civil Call for the Fall Term of Court; upon agreement of the parties, it is the ORDER of this Court that the matter be and is hereby continued to the Winter Term of Court, with Civil Call being January 2, 2007.

BY THE COURT,

Paul E Cherry

Judge

FILED

09-26-06  
AUG 01 2006

Atty: Bowers  
Stofko

William A. Shaw  
Prothonotary/Clerk of Courts

(610)

**FILED**

AUG 01 2006

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 8/1/06

You are responsible for serving all appropriate parties.

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

Plaintiff(s)  Plaintiff(s) Attorney  Other

Defendant(s)  Defendant(s) Attorney

Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

STEVEN BRAZINSKI,  
Plaintiff  
-vs-  
ROBERT CONTORCHICK,  
Defendant

No. 997-2005-CD  
Type of Case: Civil Action  
Type of Pleading: Praeclipe  
for Discontinuance  
Filed on Behalf of: Plaintiff  
Counsel of Record for This  
Party:  
S. CASEY BOWERS, Esq.  
Supreme Court No. 89032  
Hanak, Guido and Taladay  
P.O. Box 487  
DuBois, PA 15801  
(814) 371-7768

FILED  
DEC 14 2006  
012:20/w  
William A. Shaw  
Prothonotary/Clerk of Courts

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

STEVEN BRAZINSKI,	:	No. 997-2005-CD
Plaintiff	:	
:		
-vs-	:	
ROBERT CONTORCHICK,	:	
Defendant	:	
:		

**PRAECIPE FOR DISCONTINUANCE**

TO THE PROTHONOTARY OF SAID COURT:

Kindly mark the above referenced matter settled and discontinued.

  
\_\_\_\_\_  
S. Casey Bowers  
Attorney for Plaintiff

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

## CIVIL DIVISION

## Steven Brazinski

VS. No. 2005-00997-CD  
**Robert Contorchick**

**CERTIFICATE OF DISCONTINUATION**

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on December 14, 2006, marked:

### Settled and Discontinued

Record costs in the sum of \$\$174.93 have been paid in full by Hanak, Guido and Taladay.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 14th day of December A.D. 2006.

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William A. Shaw, Prothonotary

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