

**05-1325-CD**  
**Timothy Bainey vs Erie Ins Group**

**Timothy Bainey Sr. et al vs Erie Insurance**  
**2005-1325-CD**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

TIMOTHY L. BAINES, SR. and  
DELORES BAINES, his wife,

\*  
\* No. 05-1325-CD  
\*

Plaintiffs  
vs.

ERIE INSURANCE GROUP

Defendant

\* TYPE OF CASE: Civil Action

\* TYPE OF PLEADING: Praeclipe  
\* For Issuance of Writ of  
\* Summons

\* FILED ON BEHALF OF:  
\* Plaintiffs

\* COUNSEL OF RECORD FOR THIS  
\* PARTY:

\* David C. Mason, Esquire  
\* Supreme Court I.D. 39180  
\* Attorney at Law  
\* P. O. Box 28  
\* Philipsburg, PA 16866  
\* (814) 342-2240

FILED Atty pd. 8500  
01/30/07 BPL/Clerk & Writ to  
AUG 29 2005 Atty Mason  
(M)

William A. Shaw  
Prothonotary/Clerk of Courts  
1 CC & 1 Writ  
to Staff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

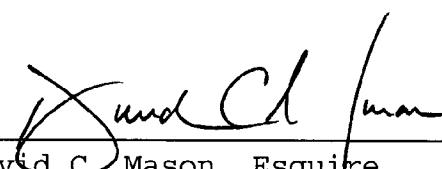
TIMOTHY L. BAINEY, SR. and	*
DELORES BAINEY, his wife.	* No.
* Plaintiffs	
vs.	*
* ERIE INSURANCE GROUP	
* Defendant	
	*

PRAECIPE FOR ISSUANCE OF

WRIT OF SUMMONS

TO THE PRACTICITIONER:

Kindly issue a Writ of Summons in the above captioned matter  
to the Defendant above named.

  
\_\_\_\_\_  
David C. Mason, Esquire

Attorney for Plaintiffs

**FILED**

**AUG 29 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

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

 COPY

**SUMMONS**

**Timothy L. Bainey Sr. and  
Delores Bainey, his wife**

**Vs.**

**NO.: 2005-01325-CD**

**Erie Insurance Group**

**TO: ERIE INSURANCE GROUP**

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: 08/29/2005

---

William A. Shaw  
Prothonotary

Issuing Attorney:

David C. Mason  
P.O. Box 28  
Philipsburg, PA 16866  
(814) 342-2240

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 1 Services

Sheriff Docket # **100770**

**TIMOTHY L. BAINEY S. AND DELORES BAINEY**

Case # **05-1325-CD**

VS.

**ERIE INSURANCE GROUP**

TYPE OF SERVICE SUMMONS

**SHERIFF RETURNS**

NOW December 07, 2005 RETURNED THE WITHIN SUMMONS "NOT SERVED, TIME EXPIRED" AS TO ERIE INSURANCE GROUP, DEFENDANT. NEVER RECD. ERIE CO. ADVANCE

SERVED BY: /

**FILED**  
01/08/2006  
DEC 08 2005  
William A. Shaw  
Prothonotary/Clerk of Courts

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MASON	2679	10.00
SHERIFF HAWKINS	MASON	2679	14.37

Sworn to Before me This

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

So Answers,

*Chester A. Hawkins  
by Marilyn Hawn*  
Chester A. Hawkins  
Sheriff

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

**SUMMONS**

**Timothy L. Bainey Sr. and  
Delores Bainey, his wife**

Vs.

**NO.: 2005-01325-CD**

**Erie Insurance Group**

TO: ERIE INSURANCE GROUP

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: 08/29/2005

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

Issuing Attorney:

David C. Mason  
P.O. Box 28  
Philipsburg, PA 16866  
(814) 342-2240

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

TIMOTHY L. BAINEY, SR. and  
DELORES BAINEY, his wife,  
Plaintiffs

-vs-

ERIE INSURANCE GROUP,  
Defendant

Type of Case: Civil Action

No. 05-1325-CD

Type of Pleading:

Praecipe for Entry of  
Appearance

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

Dated: December 7, 2005

FILED NO  
M111130  
DEC 08 2005 LN  
cc

J. William Shaw  
Prothonotary, Clerk of Courts

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

TIMOTHY L. BAINEY, SR. and  
DELORES BAINEY, his wife,  
Plaintiffs

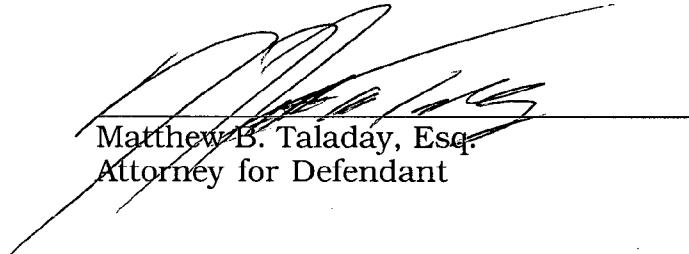
-vs- : No. 05-1325-CD

ERIE INSURANCE GROUP,  
Defendant

**PRAECIPE FOR ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Please enter my appearance on behalf of the Defendant,  
ERIE Insurance Group, in the above referenced matter.

  
Matthew B. Taladay, Esq.  
Attorney for Defendant

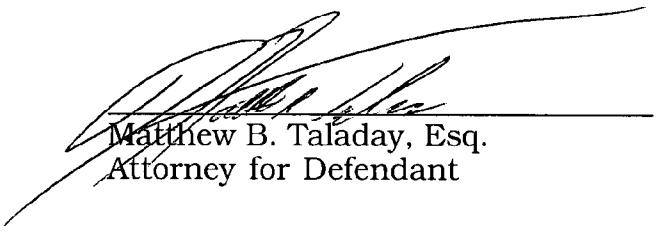
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

TIMOTHY L. BAINEY, SR. and	:	
DELORES BAINEY, his wife,	:	
Plaintiffs	:	
 -vs-		
	:	No. 05-1325-CD
ERIE INSURANCE GROUP,	:	
Defendant	:	

**CERTIFICATE OF SERVICE**

I certify that on the 7th day of December, 2005, a true and correct copy of the foregoing Praeclipe for Entry of Apperance was sent via first class mail, postage prepaid, to the following:

David C. Mason, Esq.  
Attorney for Plaintiffs  
P.O. Box 28  
Philipsburg, PA 16866

  
Matthew B. Taladay, Esq.  
Attorney for Defendant

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

TIMOTHY L. BAINEY, SR. and  
DELORES BAINEY, his wife,  
Plaintiffs

-vs-

ERIE INSURANCE GROUP,  
Defendant

Type of Case: Civil Action

No. 05-1325-CD

Type of Pleading:

Stipulation

Filed on Behalf of:

Defendant

Counsel of Record for This  
Party:

Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

(814) 371-7768

Date: January 23, 2006

FILED <sup>NO CC</sup>  
M 10:55 AM  
JAN 24 2006  
Q

William A. Shaw  
Prothonotary/Clerk of Courts

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

TIMOTHY L. BAINEY, SR. and  
DELORES BAINEY, his wife,  
Plaintiffs

-vs-

No. 05-1325-CD

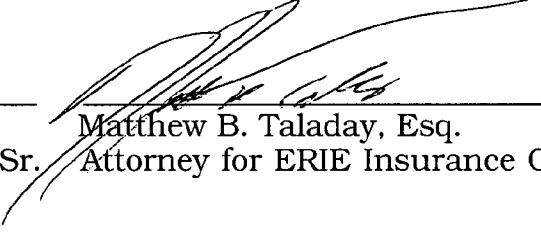
ERIE INSURANCE GROUP,  
Defendant

**STIPULATION**

The parties above captioned by their undersigned counsel  
do hereby stipulate and agree as follows:

1. ERIE Insurance Group, by its appropriate member company or companies waive the applicable Statute of Limitations for institution of underinsured motorist claim(s) stated or contemplated in the matter above captioned through appropriate arbitration proceedings.
2. Plaintiffs will execute for filing an appropriate Praeclipe for Discontinuance of the above captioned action. The parties will continue attempts to resolve pending underinsured motorist claim(s) through negotiations and/or appropriate arbitration proceedings as specified in the applicable policy/policies of insurance.

  
\_\_\_\_\_  
David C. Mason, Esq.  
Attorney for Timothy L. Bainey, Sr.  
and Dolores Bainey

  
\_\_\_\_\_  
Matthew B. Taladay, Esq.  
Attorney for ERIE Insurance Group

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

TIMOTHY L. BAINEY, SR. and  
DELORES BAINEY, his wife,  
Plaintiffs

-vs-

ERIE INSURANCE GROUP,  
Defendant

Type of Case: Civil Action

No. 05-1325-CD

Type of Pleading:

Praecipe to Discontinue

Filed on Behalf of:

Plaintiffs

Counsel of Record for This  
Party:

David C. Mason, Esq.  
Supreme Court No. 39180  
P.O. Box 28  
Philipsburg, PA 16866

(814) 342-2240

Dated: February 6, 2006

FILED  
m/11:41 am  
FEB 07 2006  
No CC  
Cert of disc issued to  
Atty Mason &  
Copy to C/A

William A. Shaw  
Prothonotary

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

TIMOTHY L. BAINEY, SR. and  
DELORES BAINEY, his wife,  
Plaintiffs

-vs-

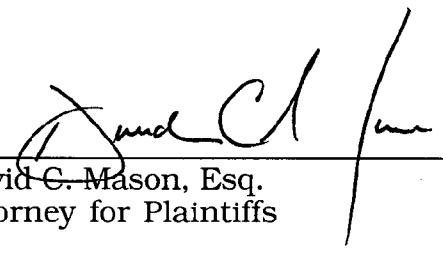
No. 05-1325-CD

ERIE INSURANCE GROUP,  
Defendant

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Kindly mark the above referenced matter settled and  
discontinued.

  
\_\_\_\_\_  
David C. Mason, Esq.  
Attorney for Plaintiffs

FILED

FEB 07 2006

William A. Shaw  
Prothonotary

**HANAK, GUIDO and TALADAY**  
**Attorneys at Law**

Robert M. Hanak  
Anthony S. Guido  
Matthew B. Taladay

Nicole Hanak Bankovich  
S. Casey Bowers

Telephone: (814) 371-7768  
Fax: (814) 371-1974

498 Jeffers Street  
P.O. Box 487  
DuBois, PA 15801

[mbtaladay@verizon.net](mailto:mbtaladay@verizon.net)

February 6, 2006

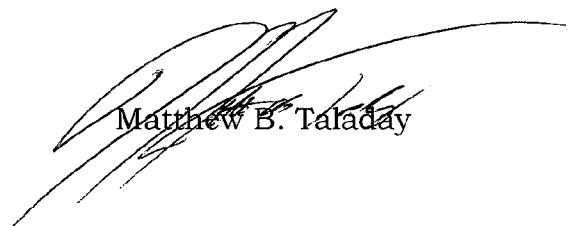
William A. Shaw  
Prothonotary  
P.O. Box 549  
Clearfield, PA 16830

Re: Bainey vs. Erie Insurance Group  
No. 2005-1325-CD

Dear Mr. Shaw:

Enclosed for filing is a Praeclipe for Discontinuance in the above referenced matter. If you have any questions concerning the enclosed, please contact me.

Sincerely,

  
Matthew B. Taladay

MBT:kam

Enc.

cc: David C. Mason, Esq.  
Steven Terry  
Claim No. 010110406084 & 010110439237

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

Timothy L. Bainey Sr. and  
Delores Bainey, his wife

Vs.  
Erie Insurance Group

No. 2005-01325-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on February 7, 2006, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by David C. Mason Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 7th day of February A.D. 2006.

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William A. Shaw, Prothonotary