

05-1348-CD

Gale Shaffer-Judy vs DuBois RMC

Gale Shaffer-Judy vs DuBois Regional et al
2005-1348-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

GALE SHAFFER-JUDY, ET AL.
(Plaintiff)

RT 1, Box 592
(Street Address)

Brockway, PA 15824
(City, State ZIP)

VS.

DUBOIS REGIONAL MEDICAL CENTER, ET AL (Plaintiff/Defendant)
(Defendant)

100 Hospital Avenue
(Street Address)

Dubois, PA 15801
(City, State ZIP)

CIVIL ACTION

No. 05-1348-CD

Type of Case: Civil

Type of Pleading: Praeclipe for Writ
of Summons

Filed on Behalf of:

Plaintiffs Gale Shaffer-Judy and Robert Judy

Jonathan B. Mack, Esquire

(Filed by)

Marcus & Mack, P.C.
57 South 6th Street, P. O. Box 1107
Indiana, PA 15701

(Address)

724-349-5602

(Phone)

(Signature)

FILED Dec 8 2005
m12:23pm
312005 to Shaff
Duty pd 85.00

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

PRAECIPE FOR WRIT OF SUMMONS

Filed on behalf of Plaintiffs

Jonathan B. Mack, Esquire
Counsel for Plaintiffs
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 38970

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No.

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY OF SAID COURT:

Please issue a Writ of Summons in the above-captioned action.

Respectfully submitted,

MARCUS & MACK, P.C.

By:


Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID #38970

August 30, 2005

FILED

AUG 3 1 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

 COPY

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

**TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

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: 08/31/2005

William A. Shaw
Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL
CENTER; HALLSTROM
CONSTRUCTION, INC.; HALLSTROM
CONSTRUCTION CO., INC. a/k/a
HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

CIVIL DIVISION

No. 2005-01348-CD

Issue No.

PRAECLYPE FOR APPEARANCE

Filed on behalf of DuBois Regional Medical
Center, one of the defendants.

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED NO
m/2/08/01
OCT 07 2005
William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR APPEARANCE

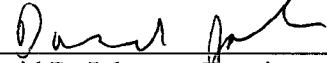
TO: PROTHONOTARY

Kindly enter our appearance on behalf of DuBois Regional Medical Center, one of the defendants.

JURY TRIAL DEMANDED.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.



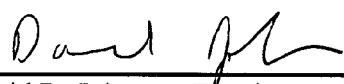
David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR APPEARANCE has been served upon the following counsel of record and same placed in the U.S. Mails on this 5th day of Oct., 2005:

Jonathan B. Mack, Esquire
Marcus & Mack
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

FILED

OCT 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL
CENTER; HALLSTROM
CONSTRUCTION, INC.; HALLSTROM
CONSTRUCTION CO., INC. a/k/a
HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

CIVIL DIVISION

No. 2005-01348-CD

Issue No.

PRAECLYPE FOR RULE FOR COMPLAINT

Filed on behalf of DuBois Regional Medical
Center, one of the defendants.

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED *no cc*
m120920
OCT 07 2005 *2* Rule to
Any
William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE FOR RULE FOR COMPLAINT

TO: PROTHONOTARY

Kindly issue a rule on plaintiffs to file their complaint within twenty days.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.



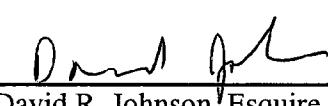
David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within PRAECIPE FOR RULE
FOR COMPLAINT has been served upon the following counsel of record and same
placed in the U.S. Mails on this 5th day of Oct., 2005:

Jonathan B. Mack, Esquire
Marcus & Mack
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

THOMSON, RHODES & COWIE, P.C.



David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

FILED

OCT 07 2005

William A. Shaw
Prothonotary/Clerk of Courts

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

 COPY

Gale Shaffer-Judy
Robert Judy

Vs.
DuBois Regional Medical Center
Hallstrom Construction, Inc.
Hallstrom Construction Co., Inc.
Hallstrom, Inc.
Turner Construction Company
Turner Corporation

Case No. 2005-01348-CD

RULE TO FILE COMPLAINT

TO: Gale Shaffer-Judy and Robert Judy

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

William A. Shaw, Prothonotary

Dated: October 7, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL
CENTER; HALLSTROM
CONSTRUCTION, INC.; HALLSTROM
CONSTRUCTION CO., INC. a/k/a
HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

CIVIL DIVISION

No. 2005-01348-CD

Issue No.

AFFIDAVIT OF SERVICE OF RULE FOR
COMPLAINT

Filed on behalf of DuBois Regional Medical
Center, one of the defendants.

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

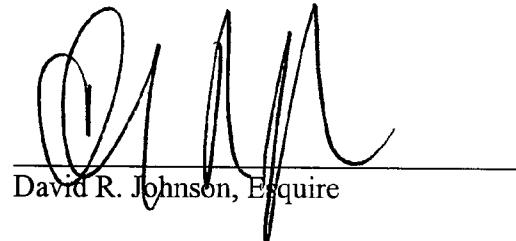
FILED NO CC
m 11:58 AM
OCT 24 2005
S

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared David R. Johnson, Esquire, who, being duly sworn, deposes and says that a true and correct copy of the Rule to File a Complaint in the above-captioned case was served upon plaintiff's counsel, Jonathan B. Mack, Esquire, Marcus & Mack, 57 S. 6th Street, Indiana, PA 15701, by certified mail, return receipt requested; and that the same was received on his behalf on 10/17/05 as shown by the return receipt attached hereto.

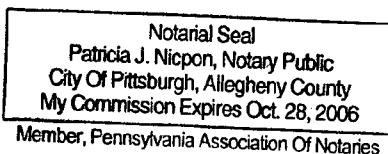
Respectfully submitted,



David R. Johnson, Esquire

Sworn to and subscribed before me
this 20th day of October, 2005.

Patricia J. Nicpon
Notary Public



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

Gale Shaffer-Judy
Robert Judy

Vs.
DuBois Regional Medical Center
Hallstrom Construction, Inc.
Hallstrom Construction Co., Inc.
Hallstrom, Inc.
Turner Construction Company
Turner Corporation

Case No. 2005-01348-CD

RULE TO FILE COMPLAINT

TO: Gale Shaffer-Judy and Robert Judy

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



William A. Shaw, Prothonotary

Dated: October 7, 2005

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:

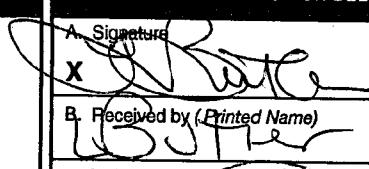
Jonathan B. Mack, Esq.
Marcus & Mack
57 S. 6th St.
Indiana, PA 15701

**2. Article Number
(Transfer from service label)**

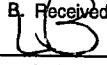
7003 00104009 8798 6095

COMPLETE THIS SECTION ON DELIVERY

A. Signature

 Agent
 Addressee

B. Received by (Printed Name)



C. Date of Delivery

01/17/05

D. Is delivery address different from item 1? Yes
if YES, enter delivery address below:

OCT
17
2005

3. Service Type

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

④ Restricted Delivery? (Extra Fee) Yes

PS Form 3811, August 2001

Domestic Return Receipt

2ACPRI-03-P-4081

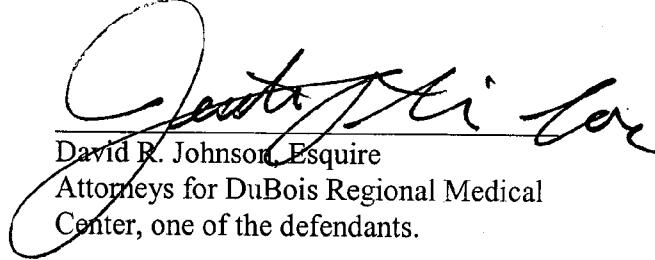
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the within AFFIDAVIT OF SERVICE OF RULE FOR COMPLAINT has been served upon the following counsel of record and same placed in the U.S. mails on this 20th day of Oct., 2005:

Jonathan B. Mack, Esquire
Marcus & Mack
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

FILED

OCT 24 2005

William A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Gale Shaffer-Judy et al
(Plaintiff)

Route 1, Box 592
(Street Address)

Brockway, PA 15824
(City, State ZIP)

VS.

DuBois Regional Medical Center,
et al

(Defendant)
100 Hospital Avenue
DuBois, PA
(Street Address)

(City, State ZIP)

CIVIL ACTION

No. 05-1348-CD

Type of Case: Civil

Type of Pleading: Complaint

Filed on Behalf of:

Plaintiffs
(Plaintiff/Defendant)

FILED

NOV 04 2005 *Rec*
M/2/10/05
William A. Shaw
Prothonotary/Clerk of Courts
1 CENT TO ATTY

Jason E. Matzus, Esquire

(Filed by)
57 S. 6th Street
Indiana, PA 15701

(Address)

(724) 349-5602
(Phone)

(Signature)

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Complaint was served upon
the following by U.S. First Class Mail, postage pre-paid this 3rd day of NOV., 2005:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499

James E. Matson

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

COMPLAINT IN CIVIL ACTION

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

Filed on behalf of Plaintiffs

Jason E. Matzus, Esquire
Counsel for Plaintiffs
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 76229

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

NOTICE TO PLEAD

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.; Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.; Hallstrom, Inc.; Turner Construction Company, and The Turner Corporation, Defendants

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 in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. 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 REDUCED FEE OR NO FEE.

Clearfield County Court Administrator
2230 East Market Street
Clearfield, PA 16830
Telephone: (814) 765-2641

Respectfully submitted,

MARCUS & MACK, P.C.

By: Jason E. Matzus
Jason E. Matzus, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 76229

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

COMPLAINT

AND NOW come the Plaintiffs, Gale Shaffer-Judy and Robert Judy, her husband, by
their attorneys, MARCUS & MACK and Jason E. Matzus, Esquire, and file the following
Complaint:

COUNT I - NEGLIGENCE

1. The Plaintiffs are adult, married individuals who reside in Brockway, Jefferson
County, Pennsylvania.
2. The Defendant, DuBois Regional Medical Center, is a Pennsylvania corporation
with offices located at 100 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.
3. The Defendant, Hallstrom Construction, Inc. is a Pennsylvania corporation with
offices located at P.O. Box 648, Kiwanis Trail, DuBois, Clearfield County, Pennsylvania.
4. The Defendant, Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction

Company, Inc., is a Pennsylvania corporation with offices located at 101 E. Long Avenue, DuBois, Clearfield County, Pennsylvania.

5. The Defendant, Hallstrom, Inc., is a Pennsylvania corporation with offices located at 515 E. 5th Street, Clearfield, Clearfield County, Pennsylvania.

6. The Defendant, Turner Construction Company, is a Pennsylvania corporation with offices located at 1515 Market Street, Suite 1210, Philadelphia, Philadelphia County, Pennsylvania.

7. The Defendant, The Turner Corporation, is a Pennsylvania corporation with offices located at 1515 Market Street, Suite 1210, Philadelphia, Philadelphia County, Pennsylvania.

8. At all times relevant, the collective Defendants had under its exclusive care, control, custody, maintenance and supervision, a walkway entrance located at 100 Hospital Avenue, DuBois, Clearfield County, Pennsylvania.

9. At all times relevant, Defendants were acting by and through their authorized agents, servants and employees who were then and there acting within the course of their employment and the scope of their authority.

10. On or about September 1, 2003, Plaintiff Gale Shaffer-Judy was walking in a normal and prudent manner into the entrance of Defendant DuBois Regional Medical Center facility when she unknowingly encountered water on the floor, which caused her to slip and fall, injuring her left lower extremity.

11. At all times relevant, the Defendants had actual knowledge and/or constructive knowledge of the water on the floor which caused the Plaintiff to fall.

12. The aforesaid accident was caused by the negligence of the Defendants in general and in the following particulars:

- a. In failing to maintain a safe and sanitary condition of the area of the floor which was used by patients and/or visitors;
- b. In failing to remove the water from the temporary sidewalk which was used by patients and/or visitors;
- c. In failing to appropriately cover the temporary walkway so as to prevent rainwater from laying on it and causing a slippery condition to form;
- d. In failing to appropriately "weatherproof" the area of the temporary sidewalk where this fall occurred;
- e. In failing to apply and/or affix appropriate anti-slip material to the temporary sidewalk area where this fall occurred;
- f. In failing to remove the water from the area of the floor which was used by patients and/or visitors when the Defendants knew or should have known of the danger such condition created to the Plaintiff;
- g. In failing to inspect and/or properly inspect the premises so as to discover a gap in the plastic covering that was allowing rainwater to lay on the temporary sidewalk;
- h. In failing to warn or adequately warn the Plaintiff of the dangerous condition existing on the premises caused by the rainwater on the temporary walkway, when the Defendants knew, or should have known, of the danger that such condition presented to Plaintiff and that the Plaintiff would not discover the condition;
- i. In failing to place appropriate flooring materials and/or other anti-slip materials in the entranceway/temporary walkway including, but not limited to, rugs and/or matting to prevent slippery conditions from arising and/or absorb liquid substances;
- j. In failing to place appropriate flooring materials in the entranceway to prevent slippery conditions from arising and/or absorb liquid substances that may be tracked into the hospital facility by patients and/or visitors during inclement weather;
- k. In maintaining the entranceway in such a manner as to constitute a danger to persons lawfully thereon; and,

1. In maintaining the entranceway in an improper manner and/or in employing personnel who were not sufficiently qualified to maintain the entranceway in a proper manner.
13. As a result of the aforesaid accident, the Plaintiff Gale Shaffer-Judy suffered, among other things, the following injuries:
- a. Left ankle ligament tear requiring an open arthroscopy to repair the left ankle ligaments; and,
 - b. Left ankle sprain causing residual instability.
14. As a result of the aforesaid accident, the Plaintiff Gale Shaffer-Judy suffered, among other things, the following damages:
- a. She has incurred in the past, and will incur in the future, substantial medical expense;
 - b. She has sustained in the past, and will sustain in the future, substantial economic loss, including loss of wages;
 - c. She has suffered in the past, and will suffer in the future, substantial pain, suffering, and inconvenience and the loss of certain ordinary pleasures of life;
 - d. She has sustained in the past, and will sustain in the future, substantial scarring and disfigurement; and,
 - e. She has sustained in the past, and will sustain in the future, other emotional, economic and physical harm.

WHEREFORE, the Plaintiff Gale Shaffer-Judy demands judgment against Defendants in an amount in excess of the jurisdictional limits of a Board of Arbitrators of this Court.

COUNT II - LOSS OF CONSORTIUM

15. As a result of the injuries to his spouse, the husband-plaintiff, Robert Judy, has lost the society, comfort, and services of his spouse.

WHEREFORE, the Plaintiff, Robert Judy, demands judgment against Defendant in an amount in excess of the jurisdictional limits of a Board of Arbitrators of this Court.

JURY TRIAL DEMANDED.

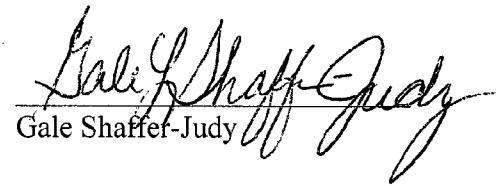
Respectfully submitted,

MARCUS & MACK, P.C.

By: Jason E. Matzus
Jason E. Matzus, Esquire
Sup. Ct. ID 76229
Marcus & Mack, P.C.
57 S. 6th Street
Indiana, PA 15701
(724) 349-5602

VERIFICATION

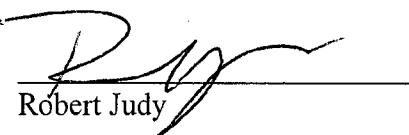
I, Gale Shaffer-Judy, verify that the averments of the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.



Gale Shaffer-Judy

VERIFICATION

I, Robert Judy, verify that the averments of the foregoing document are true and correct to the best cf my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.



Robert Judy

FILED

NOV 04 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100773
NO: 05-1348-CD
SERVICE # 1 OF 6
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY AND ROBERT JUDY

VS.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SHERIFF RETURN

NOW, September 21, 2005 AT 11:35 AM SERVED THE WITHIN SUMMONS ON DUBOIS REGIONAL MEDICAL CENTER DEFENDANT AT 100 HOSPITAL AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LISA BATSON, SECRETARY RISK MANAGEMENT A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

FILED
13:30PM
DEC 27 2005
WAS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100773
NO: 05-1348-CD
SERVICE # 2 OF 6
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY AND ROBERT JUDY

VS.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SHERIFF RETURN

NOW, September 21, 2005 AT 11:55 AM SERVED THE WITHIN SUMMONS ON HALLSTROM CONSTRUCTION, INC. DEFENDANT AT 101 E. LONG AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BRIAN GANOE, PROJECT MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100773
NO: 05-1348-CD
SERVICE # 3 OF 6
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY AND ROBERT JUDY

VS.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SHERIFF RETURN

NOW, September 21, 2005 AT 11:55 AM SERVED THE WITHIN SUMMONS ON HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC. DEFENDANT AT 101 E. LONG AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BRIAN GANOE, PROJECT MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / COUDRIET

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 4 of 6 Services

Sheriff Docket # **100773**

GALE SHAFFER-JUDY AND ROBERT JUDY

Case # **05-1348-CD**

vs.

DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION
INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM

TYPE OF SERVICE SUMMONS

SHERIFF RETURNS

NOW December 27, 2005 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN SUMMONS
"NOT FOUND" AS TO HALLSTROM, INC., DEFENDANT. NOT HALLSTROM, INC. ADDRESS OF DAVE
HALLSTROM.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100773
NO: 05-1348-CD
SERVICE # 5 OF 6
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY AND ROBERT JUDY

vs.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SHERIFF RETURN

NOW, September 20, 2005, SHERIFF OF PHILADELPHIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON TURNER CONSTRUCTION COMPANY c/o CT Corporation System.

NOW, October 10, 2005 ATTEMPTED TO SERVE THE WITHIN SUMMONS ON TURNER CONSTRUCTION COMPANY c/o CT Corporation System, DEFENDANT. THE RETURN OF PHILADELPHIA COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "**NOT SERVED**"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100773
NO: 05-1348-CD
SERVICE # 6 OF 6
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY AND ROBERT JUDY

vs.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SHERIFF RETURN

NOW, September 20, 2005, SHERIFF OF PHILADELPHIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON THE TURNER CORPORATION c/o CT Corporation System.

NOW, October 10, 2005 ATTEMPTED TO SERVE THE WITHIN SUMMONS ON THE TURNER CORPORATION c/o CT Corporation System, DEFENDANT. THE RETURN OF PHILADELPHIA COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT SERVED"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100773
NO: 05-1348-CD
SERVICES 6
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY AND ROBERT JUDY

vs.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SHERIFF RETURN

RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|------------------|---------|---------|----------|
| SURCHARGE | MARCUS | 34845 | 60.00 |
| SHERIFF HAWKINS | MARCUS | 34845 | 76.43 |
| PHILADELPHIA CO. | MARCUS | 34846 | NO COSTS |

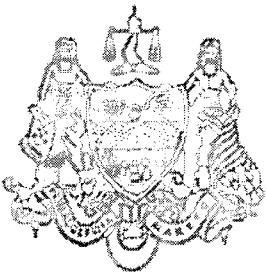
Sworn to Before Me This

____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff



Sheriff John D. Green
Philadelphia Sheriff's Office
100 South Broad Street, 5th Floor
Philadelphia, PA 19110

Date: 10/10/05

THE ATTACHED WAS RETURNED FOR THE FOLLOWING REASONS

Required Fee: \$ _____ Amount Sent: \$ _____

- Check must be signed
 Copies of Writ needed _____
 Sets of writ package needed (see attached for proper forms) _____
 Complete address of defendant is needed on the back of writ (include Apt #)
 Need envelope addressed to:
 Defendant with _____ postage
 Plaintiff with _____ postage
 Attorney with _____ postage
 Writ must be sent to Prothonotary's Office for
 Court & Term/Claim Number
 Raised Seal
 Re-Issuance
 Attorney's name, address and telephone are needed on all copies of the writ.
 A Sheriff's Return of Service Form is needed for each Defendant/Garnishee
 Wrong County
Other *We were unable to process in time for service*

NOTE: Please keep this Notice attached to Expedite Service

Any Questions, please feel free to contact us.

Acceptable forms of payment included Attorney's Check, Cashier's Check, Certified Check, or Money Order **ONLY**. Cash, credit cards, personal checks and business checks are **NOT** accepted!

THANK YOU

Kathleen Zera
Philadelphia Sheriff's Office
(215) 686-3559
(215) 686-3560

Common Pleas Court (215) 686-8864
Municipal Court (215) 686-7334



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 100773

TERM & NO. 05-1348-CD

GALE SHAFFER-JUDY AND ROBERT JUDY

SUMMONS

VS.

DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SERVE BY: 09/30/05

MAKE REFUND PAYABLE TO MARCUS & MACK, ESQ.

SERVE: THE TURNER CORPORATION c/o CT Corporation System

ADDRESS: 1515 MARKET ST., SUITE 1210, PHILADELPHIA, PA 19102

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF PHILADELPHIA COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, September 20, 2005.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office

Clearfield County

OFFICE (814) 765-2641 EXT. 5986

AFTER 4:00 P.M. (814) 765-1533

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM

DEPT. CLERK

CCOPY

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

CYNTHIA AUGHENBAUGH

OFFICE MANAGER

PETER F. SMITH

SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 100773

TERM & NO. 05-1348-CD

GALE SHAFFER-JUDY AND ROBERT JUDY

SUMMONS

VS.

DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SERVE BY: 09/30/05

MAKE REFUND PAYABLE TO MARCUS & MACK, ESQ.

SERVE: THE TURNER CORPORATION c/o CT Corporation System

ADDRESS: 1515 MARKET ST., SUITE 1210, PHILADELPHIA, PA 19102

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF PHILADELPHIA COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, September 20, 2005.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No.

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

SHERIFF'S DIRECTIONS

TO THE SHERIFF OF PHILADELPHIA COUNTY:

Please serve Writ of Summons on Defendant, THE TURNER CORPORATION, at c/o
CT Corporation System, 1515 Market Street, Suite 1210, Philadelphia, Philadelphia County,
Pennsylvania 19102.

Please return proof of service.

Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID #38970

August 30, 2005



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE

1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533

FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 100773

TERM & NO. 05-1348-CD

GALE SHAFFER-JUDY AND ROBERT JUDY

SUMMONS

VS.

DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SERVE BY: 09/30/05

MAKE REFUND PAYABLE TO MARCUS & MACK, ESQ.

SERVE: TURNER CONSTRUCTION COMPANY c/o CT Corporation System

ADDRESS: 1515 MARKET ST., SUITE 1210, PHILADELPHIA, PA 19102

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF PHILADELPHIA COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, September 20, 2005.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

COURTHOUSE
1 NORTH SECOND STREET, SUITE 110
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK
CYNTHIA AUGHENBAUGH
OFFICE MANAGER
PETER F. SMITH
SOLICITOR

COPY

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 100773

TERM & NO. 05-1348-CD

GALE SHAFFER-JUDY AND ROBERT JUDY

SUMMONS

vs.

DUBOIS REGIONAL MEDICAL CENTER; HALLSTROM CONSTRUCTION INC; HALLSTROM CONSTRUCTION CO. INC. aka HALLSTROM CONSTRUCTION COMPANY INC.; HALLSTROM INC. TURNER CONSTRUCTION COMPANY; AND THE TURNER CORPORATION

SERVE BY: 09/30/05

MAKE REFUND PAYABLE TO MARCUS & MACK, ESQ.

SERVE: TURNER CONSTRUCTION COMPANY c/o CT Corporation System

ADDRESS: 1515 MARKET ST., SUITE 1210, PHILADELPHIA, PA 19102

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF PHILADELPHIA COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, September 20, 2005.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No.

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

SHERIFF'S DIRECTIONS

TO THE SHERIFF OF PHILADELPHIA COUNTY:

Please serve Writ of Summons on Defendant, TURNER CONSTRUCTION
COMPANY, at c/o CT Corporation System, 1515 Market Street, Suite 1210, Philadelphia,
Philadelphia County, Pennsylvania 19102.

Please return proof of service.

Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID #38970

August 30, 2005

T.

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

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

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

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

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

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

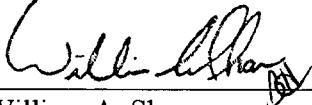
NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

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

COPY

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

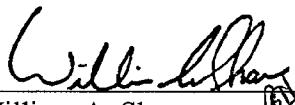
NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

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

COPY

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348 CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

**PRAECIPE TO REISSUE
WRIT OF SUMMONS**

Filed on behalf of Plaintiffs

Jonathan B. Mack, Esquire
Counsel for Plaintiffs
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 38970

FILED No CC

10/18/06 Atty pd. 7.00
JAN 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

6 wnts to Shff

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348 CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

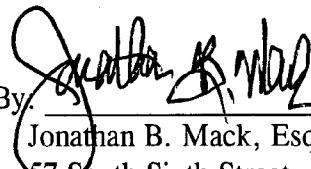
PRAECIPE TO REISSUE WRIT OF SUMMONS

TO THE PROTHONOTARY OF SAID COURT:

Please reissue a Writ of Summons in the above-captioned action.

Respectfully submitted,

MARCUS & MACK, P.C.

By: 

Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID #38970

January 3, 2006

FILED

JAN 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

COPY

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

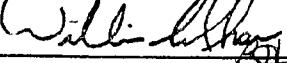
**TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

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: 08/31/2005



William A. Shaw
Prothonotary

1-6-06 Document
Reprinted/Reissued to Sheriff, Attorney
for service. 

Deputy Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Gale Shaffer-Judy and
(Plaintiff)

Robert Judy, her husband
(Street Address)
Route 1, Box 592
Brockway, pa 15824
(City, State ZIP)

VS.

DuBois Regional Medical center,
et al (Defendant)
100 Hospital Avenue
(Street Address)
DuBois, PA 15801
(City, State ZIP)

CIVIL ACTION

No. 05-1348 CD

Type of Case: Civil

Type of Pleading: Interrogatories
(Discovery)

Filed on Behalf of:

Plaintiffs
(Plaintiff/Defendant)

Jason E. Matzus, Esquire

(Filed by)
57 S. 6th Street
Indiana, PA 15701

(Address)

(724) 349-5602

(Phone)

Jason E. Matzus
(Signature)

FILED NO CC
M 15364
JAN 17 2006
WM
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **INTERROGATORIES TO**
DEFENDANT DUBOIS REGIONAL MEDICAL CENTER was served upon the following
by U.S. First Class Mail, postage pre-paid this 13th day of Jan, 2006:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499

Joseph Matus

198786 01/17/06

FILED

JAN 17 2006

William A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Gale Shaffer-Judy and
Robert Judy, her husband
(Plaintiff)

Route 1, Box 592
Brockway, PA 15824
(Street Address)

(City, State ZIP)

CIVIL ACTION

No. 05-1348-CD

Type of Case: Civil

Type of Pleading: Request for Production
(discovery)

Filed on Behalf of:

Plaintiffs
(Plaintiff/Defendant)

VS.

DuBois Regional Medical Center,
et al (Defendant)
100 Hospital Avenue
DuBois, PA 15801
(Street Address)

(City, State ZIP)

Jason E. Matzus, Esquire

(Filed by)

57 S. 6th Street
Indiana, PA 15701
(Address)

(724) 349-5602

(Phone)

Jason Matzus
(Signature)

FILED
M 1/15/06
NO CC
JAN 17 2006
W
W
W

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **REQUEST FOR
PRODUCTION OF DOCUMENTS TO DEFENDANT DUBOIS REGIONAL MEDICAL
CENTER** was served upon the following by U.S. First Class Mail, postage pre-paid this 13th day
of Jan, 2006:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499

Jan E. Matysik Jr.

FILED
JAN 17 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,
Route 1, Box 592
Brockway, PA 15824

CIVIL ACTION

No. 05-1348- CD

Type of case:

Plaintiffs,

VS.

DUBOIS REGIONAL MEDICAL
CENTER; HALLSTROM
CONSTRUCTION, INC.; HALLSTROM
CONSTRUCTION CO., INC, a/ka/
HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CONSTRUCTION
CORPORATION

100 Hospital Avenue
Dubois, PA 15801.

Defendants.

**Type of Pleading: PLAINTIFFS'
ANSWERS TO INTERROGATORIES**
(to defendant Dubois Regional Medical
Center)

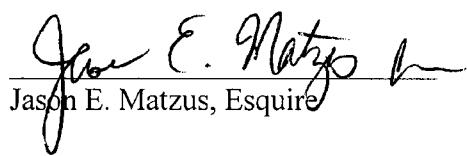
FILED ON BEHALF OF:

Gale Shaffer-Judy and Robert Judy, her
husband, Plaintiffs

COUNSEL OF RECORD FOR THIS
PARTY:

Jason E. Matzus, Esquire
Sup. Ct. ID 76229
MARCUS & MACK, P.C.
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701

Telephone: (724) 349-5602



Jason E. Matzus, Esquire

FILED NO CC
JAN 17 2006
S

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PLAINTIFFS' ANSWERS**
TO DEFENDANT DUBOIS REGIONAL MEDICAL CENTER'S INTERROGATORIES

were served upon the following by U.S. First Class Mail, postage pre-paid this 13th day of
Jan, 2006:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499

John E. Matye Jr.

FILED

JAN 17 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,
Route 1, Box 592
Brockway, PA 15824

CIVIL ACTION

No. 05-1348- CD

Type of case:

Plaintiffs,

VS.

DUBOIS REGIONAL MEDICAL
CENTER; HALLSTROM
CONSTRUCTION, INC.; HALLSTROM
CONSTRUCTION CO., INC, a/ka/
HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CONSTRUCTION
CORPORATION

100 Hospital Avenue
Dubois, PA 15801.

Defendants.

**Type of Pleading: PLAINTIFFS'
RESPONSE TO REQUEST FOR
PRODUCTION OF DOCUMENTS**
(to defendant Dubois Regional Medical
Center)

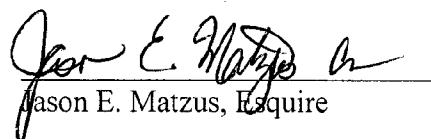
FILED ON BEHALF OF:

Gale Shaffer-Judy and Robert Judy, her
husband, Plaintiffs

COUNSEL OF RECORD FOR THIS
PARTY:

Jason E. Matzus, Esquire
Sup. Ct. ID 76229
MARCUS & MACK, P.C.
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701

Telephone: (724) 349-5602



Jason E. Matzus, Esquire

FILED NO
m 11/5/2008
JAN 17 2008
2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing PLAINTIFFS' RESPONSES
TO DEFENDANT DUBOIS REGIONAL MEDICAL CENTER'S REQUEST FOR
PRODUCTION OF DOCUMENTS were served upon the following by U.S. First Class Mail,
postage pre-paid this 13th day of Jan, 2006:

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219-3499

Jason E. Mather

FILED
JAN 17 2006

William A. Shaw
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION;

Defendants.

CIVIL ACTION - LAW

Number 2005 - 01348 C.D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on behalf of: Hallstrom Construction,
Inc., Hallstrom Construction Co., Inc., a/k/a
Hallstrom Construction Company, Inc., and
Hallstrom, Inc.

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED *No cc*
M 11:53 A
FEB 09 2006
LS

William A. Shaw
Prothonotary/Clerk of Courts

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

VS.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION;

Defendants.

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

*

* Civil Division

*

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*

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* Number 2005 - 1348 C.D.

APPEARANCE

TO WILLIAM A. SHAW, CLEARFIELD COUNTY PROTHONOTARY:

Enter our Appearance on behalf of the Defendants, HALLSTROM CONSTRUCTION, INC.; HALLSTROM CONSTRUCTION CO., INC., a/k/a HALLSTROM CONSTRUCTION COMPANY, INC.; and HALLSTROM, INC., in regard to the above-captioned matter.

DENNISON, DENNISON, & HARPER
By 
Troy J. Harper
Attorneys for Defendants, Hallstrom
Construction, Inc., Hallstrom
Construction Co., Inc., a/k/a Hallstrom
Construction Company, Inc., and
Hallstrom, Inc.

Dated: February 8, 2006

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Appearance was served on the
8th day of February, 2006, by United States Mail, First Class, Postage Prepaid, addressed to
the following:

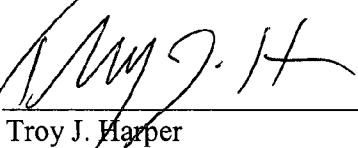
Jonathan B. Mack, Esquire
57 South 6th Street
Indiana, PA 15701
(Attorney for Plaintiffs)

David R. Johnson, Esquire
1010 Two Chatham Center
Pittsburgh, Pa 15219
(Attorney for Defendant, DuBois
Regional Medical Center)

Turner Construction Company
The Turner Corporation
1515 Market Street
Suite 1210
Philadelphia, PA 19102
(Defendant)

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for Hallstrom
Construction, Inc., Hallstrom
Construction Co., Inc., a/k/a Hallstrom
Construction Company, Inc., and
Hallstrom, Inc.

FILED
FEB 09 2006
William A. Shaw
Prothonotary/Clerk of Courts

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

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER,
HALLSTROM CONSTRUCTION, INC.
HALLSTROM CONSTRUCTION CO., INC.
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

CIVIL DIVISION

No. 05-1348-CD

PRAECIPE FOR APPEARANCE

Filed on Behalf of Defendants,
TURNER CONSTRUCTION COMPANY
And THE TURNER CORPORATION

Counsel of Record for this Party:

GERALD J. HUTTON
PA I.D. No. 23098

BASHLINE & HUTTON
Suite 3500 One Oliver Plaza
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 434-0201

JURY TRIAL DEMANDED

FILED
m112:40/06
FEB 27 2006
WM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

CIVIL DIVISION

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER,
HALLSTROM CONSTRUCTION, INC.
HALLSTROM CONSTRUCTION CO., INC.
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

PRAECIPE FOR APPEARANCE

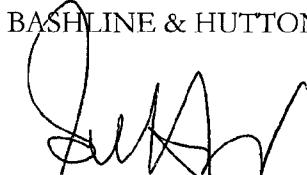
TO: William A. Shaw, Sr., Prothonotary
Clearfield County Courthouse

You are hereby directed to enter my appearance on behalf of TURNER CONSTRUCTION
COMPANY and THE TURNER CORPORATION, two of the Defendants in the afore-captioned
case.

JURY TRIAL DEMANDED.

BASHLINE & HUTTON

BY:



GERALD J. HUTTON, ESQUIRE
Attorney for Defendants
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing PRAECIPE FOR APPEARANCE was served via U.S. First Class Mail, postage pre-paid, on this 24th day of February, 2006, upon the following counsel of record:

Jason E. Matzus, Esquire
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

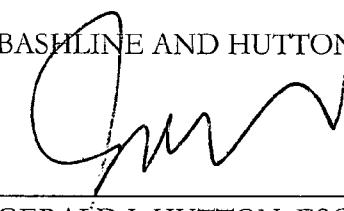
(Attorney for Plaintiff)

David R. Johnson, Esquire
Thomson, Rhodes & Cowie P.C.
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219

(Attorney for DuBois Regional Medical Center)

BASHLINE AND HUTTON

BY:



GERALD J. HUTTON, ESQUIRE
Attorney for Defendants,
TURNER CONSATRUCUTION COMPANY
And the TURNER CORPORATION

FILED

FEB 27 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101133
NO: 05-1348-CD
SERVICE # 1 OF 3
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY and ROBERT JUDY

VS.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER, HALLSTROM CONSTRUCTION INC. al

SHERIFF RETURN

NOW, January 11, 2006 AT 2:04 PM SERVED THE WITHIN SUMMONS ON HALLSTROM, INC. DEFENDANT AT 512 DAISY ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO AMBER HIPPS, MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

FILED
01/24/2006
MAR 16 2006
S

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101133
NO: 05-1348-CD
SERVICE # 2 OF 3
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY and ROBERT JUDY

vs.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER, HALLSTROM CONSTRUCTION INC. al

SHERIFF RETURN

NOW, January 09, 2006, SHERIFF OF PHILADELPHIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON TURNER CONSTRUCTION COMPANY c/o CT Corporation System.

NOW, January 30, 2006 AT 1:54 PM SERVED THE WITHIN SUMMONS ON TURNER CONSTRUCTION COMPANY c/o CT Corporation System, DEFENDANT. THE RETURN OF PHILADELPHIA COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101133
NO: 05-1348-CD
SERVICE # 3 OF 3
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY and ROBERT JUDY
vs.
DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER, HALLSTROM CONSTRUCTION INC. al

SHERIFF RETURN

NOW, January 09, 2006, SHERIFF OF PHILADELPHIA COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON THE TURNER CORPORATION c/o CT Corporation System.

NOW, January 30, 2006 AT 1:54 PM SERVED THE WITHIN SUMMONS ON THE TURNER CORPORATION c/o CT Corporation System, DEFENDANT. THE RETURN OF PHILADELPHIA COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101133
NO. 05-1348-CD
SERVICES 3
SUMMONS

PLAINTIFF: GALE SHAFFER-JUDY and ROBERT JUDY

vs.

DEFENDANT: DUBOIS REGIONAL MEDICAL CENTER, HALLSTROM CONSTRUCTION INC. al

SHERIFF RETURN

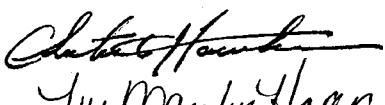
RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | MARCUS | 35842 | 30.00 |
| SHERIFF HAWKINS | MARCUS | 35842 | 35.00 |
| PHILADELPHIA | MARCUS | 34846 | 136.00 |

Sworn to Before Me This

So Answers,

____ Day of _____ 2006



Chester A. Hawkins
Sheriff

43752
Sheriff's #

AFFIDAVIT OF SERVICE

Plaintiff

SUDY

vs.

Defendant

TURNER CONSTRUCTION
COMPANY
1515 Market St. 19103

Court Name

CP

County Name

CLEARFIELD

State PA

Case # 05-1348CD

COMMONWEALTH OF PENNSYLVANIA: SS: COUNTY OF PHILADELPHIA

That on January 30 at 1:54 am/pm service of (document)
Summons was made upon (defendant)
Turner Construction Co 6/0 CTC corp. by serving to and leaving with (name of
defendant or person served, and relationship/title) R. DeCaros, Agent
at (address) 1515 Market St
in the City and County of Philadelphia, Commonwealth of Pennsylvania.

NOT FOUND:

That on _____ at _____ am/pm service was not made because:
_____ moved _____ no answer _____ expired _____ unknown _____ vacant
other: _____

Process Server

DAVID TIERNY

Sworn to and Subscribed to before me this
day of February 2004

Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
SUSAN L. ROSENFIELD, Notary Public
City of Philadelphia, Phila. County
My Commission Expires March 11, 2008

John D. Green
Sheriff John D. Green

1/36-1154

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348 CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

SHERIFF'S DIRECTIONS

TO THE SHERIFF OF PHILADELPHIA COUNTY:

Please serve Writ of Summons on Defendant, TURNER CONSTRUCTION
COMPANY, at c/o CT Corporation System, 1515 Market Street, Suite 1210, Philadelphia,
Philadelphia County, Pennsylvania 19102.

Please return proof of service.

Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID #38970

January 3, 2006

Sheriff's # 43752

AFFIDAVIT OF SERVICE

Plaintiff Judy
vs.

Defendant
The Turner Corporation
1515 Market St.
19103

Court Name CP

County Name Clearfield
State PA

Case # 05-1348 CD

COMMONWEALTH OF PENNSYLVANIA: SS: COUNTY OF PHILADELPHIA

That on Jan 30/04 at 1:54 am/pm service of (document)
Summons The Turner Corporation 1515 Market St. was made upon (defendant)
by serving to and leaving with (name of defendant or person served, and relationship/title) R. DeArras, Asst
at (address) 1515 Market St.
in the City and County of Philadelphia, Commonwealth of Pennsylvania.

NOT FOUND:

That on _____ at _____ am/pm service was not made because:
_____ moved _____ no answer _____ expired _____ unknown _____ vacant
other: _____

David
Process Server

David Tierney

Sworn to and Subscribed to before me this
2nd day of February, 2004

Notary Public

John Green
Sheriff John D. Green

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

SUSAN L. ROSENFELD, Notary Public
City of Philadelphia, Phila. County
My Commission Expires March 11, 2008

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348 CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

SHERIFF'S DIRECTIONS

TO THE SHERIFF OF PHILADELPHIA COUNTY:

Please serve Writ of Summons on Defendant, THE TURNER CORPORATION, at c/o
CT Corporation System, 1515 Market Street, Suite 1210, Philadelphia, Philadelphia County,
Pennsylvania 19102.

Please return proof of service.

Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID #38970

January 3, 2005



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 101133

TERM & NO. 05-1348-CD

GALE SHAFFER-JUDY and ROBERT JUDY

SUMMONS

VS.

DUBOIS REGIONAL MEDICAL CENTER, HALLSTROM CONSTRUCTION INC. al

SERVE BY: 02/05/06

MAKE REFUND PAYABLE TO MARCUS & MACK, ESQ.

SERVE: THE TURNER CORPORATION c/o CT Corporation System

ADDRESS: 1515 MARKET ST., SUITE 1210, PHILADELPHIA, PA 19102

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF PHILADELPHIA COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, January 09, 2006.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

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

COPY

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

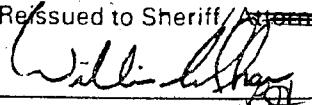
TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

1-6-06 Document
Reissued to Sheriff / Attorney
for service. 

Deputy Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

COPY

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

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005

William A. Shaw
Prothonotary

1-6-06 Document
Reprinted/Reissued to Sheriff Attorney
for service.

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

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

COPY

SUMMONS

**Gale Shaffer-Judy and
Robert Judy, her husband**

Vs.

NO.: 2005-01348-CD

**DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation**

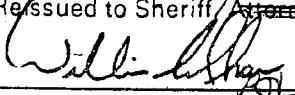
TO: DuBois Regional Medical Center; Hallstrom Construction, Inc.;
Hallstrom Construction Co., Inc., a/k/a Hallstrom Construction Company, Inc.;
Hallstrom, Inc.; Turner Construction Company; and The Turner Corporation

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: 08/31/2005



William A. Shaw
Prothonotary

1-6-06 Document
Reissued to Sheriff / Attorney
for service. 

Deputy Prothonotary

Issuing Attorney:

Jonathan B. Mack
57 South 6th Street
Indiana, PA 15701
(724) 349-5602

FILED

MAR 16 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER,
HALLSTROM CONSTRUCTION, INC.
HALLSTROM CONSTRUCTION CO., INC.
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

CIVIL DIVISION

No. 05-1348-CD

ISSUE NO.:

ANSWER AND NEW MATTER

Filed on Behalf of Defendant:
TURNER CONSTRUCTION CO. and
THE TURNER CORPORATION

Counsel of Record for this Party:

GERALD J. HUTTON
PA I.D. No. 23098

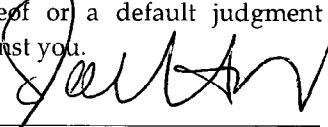
BASHLINE & HUTTON
Suite 3500 One Oliver Plaza
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 434.0201

Firm I.D. No.: 150

JURY TRIAL DEMANDED

TO THE WITHIN PLAINTIFF:

You are hereby required to Plead to the within
New Matter within twenty (20) days of service
thereof or a default judgment may be entered
against you.


GERALD J. HUTTON, ESQUIRE

FILED NO CC
M 12:50 PM
MAR 20 2006
LM

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

CIVIL DIVISION

No. 05-1348-CD

vs.

DUBOIS REGIONAL MEDICAL CENTER,
HALLSTROM CONSTRUCTION, INC.
HALLSTROM CONSTRUCTION CO., INC.
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

ANSWER AND NEW MATTER

AND NOW, come the defendants, TURNER CONSTRUCTION COMPANY and
TURNER CORPORATION, by and through its attorneys, GERALD J. HUTTON, ESQUIRE
and the law offices of BASHLINE AND HUTTON, and states that they have a full, just, complete
and legal defense to the allegations contained in the plaintiffs' Complaint and in support thereof set
forth the following:

1. The allegations of plaintiffs, Complaint that defendant, Turner Corp. was involved
in the construction or repair of the Dubois Regional Hospital as alleged in plaintiffs' Complaint are
expressly denied. It denied that this defendant, Turner Corporation, or its agents, servants, or
employees were engaged in the construction or repairs of the Dubois Regional Hospital, and to the
contrary, it is believed and therefore averred that certain construction services were provided by the
Turner Construction Company, and subcontractors, all as set forth in the contracts and
subcontracts agreements. Further, it is denied that this defendant, Turner Corp., owned, possessed,

controlled or was responsible for the maintenance of the entrance of the Dubois Regional Medical Center and any allegations to the contrary are expressly denied.

2. It is admitted that defendant Turner Construction Company is a corporation that maintains a place of business at the Philadelphia address set forth in the Complaint, however it is denied that Turner Construction Company's Philadelphia office was involved in the construction services at the Dubois Regional Medical Center. Defendant, Turner Construction Company has offices located in Pittsburgh, Pennsylvania, which Pittsburgh office was involved in certain construction services at the Dubois Regional Medical Center all as set forth in the construction agreements. Further, in making this response, defendants make no admissions as to the allegations of negligence or liability on the part of Turner Construction Company and/or Turner Corporation set forth in plaintiffs' Complaint which allegations are denied and strict proof thereof is demanded a trial.

3. After reasonable investigation, defendant, Turner Construction Corp. is without knowledge or information sufficient for it to admit or deny that it, and/or its authorized agents, servants and employees, or any other parties to the within action, had the area of the alleged accident under its exclusive care, control, custody, maintenance and supervision and accordingly said allegations are denied and strict proof thereof is demanded at the time of trial. Defendant, Turner Construction Company admits that it acted as a general contractor for a project at the Dubois Regional Medical Center, although by making this response, defendant make no admission as to the allegations of negligence and liability as alleged in plaintiffs' Complaint.

4. As to those allegations appearing in plaintiffs' Complaint alleging negligence, liability and actual and/or constructive knowledge of the alleged defect on the part of these defendants, including those allegations contained in paragraphs 11 and 12 of the Complaint, said allegations are denied. Defendants deny being negligent in general or as more particularly set forth in the plaintiffs'

Complaint. Further, defendants deny that there existed a dangerous or defective condition on the premises as alleged and defendants deny that any such alleged dangerous or defective condition was the legal and proximate cause of the injuries and damages complained of by plaintiffs herein. Furthermore, should it be proven at trial that the alleged dangerous condition existed at the time of the subject incident, the existence of which is denied in general, then in that event, these defendants deny that said condition existed for a time sufficient to establish notice of the same. Accordingly, all such allegations of negligence and liability appearing in plaintiffs' Complaint, including those set forth in paragraph 12 are expressly denied and strict proof thereof is demanded at trial.

5. Defendants are advised by counsel that they may set forth a general denial to the allegations appearing in the plaintiff's Complaint, and accordingly, to the extent that they have not been either expressly admitted or denied in the preceding paragraphs of this Answer, the allegations contained in paragraphs 1, 2, 3, 4, 5, 6, 10, 13, 14 and 15 of the Complaint are denied in general in accordance with Pa. R.C.P. 1029 and strict proof thereof is demanded at trial.

WHEREFORE, defendants TURNER CONSTRUCTION COMPANY and TURNER CORPORATION demand that judgment be entered in their favor, with costs in their behalf sustained.

NEW MATTER

By way of further and more complete Answer, defendants TURNER CONSTRUCTION COMPANY and TURNER CORPORATION sets forth the following New Matter:

6. Plaintiffs' Complaint fails to set forth a cause of action recognized at law.
7. In accordance with amended Rule 1030 of the Pennsylvania Rules of Civil Procedure, Defendants assert in general, wife-plaintiff's contributory and/or comparative negligence and wife-plaintiff's assumption of the risk and/or voluntarily assumption of the risk as affirmative

defenses. To the extent that further allegation is necessary, defendants while continuing to deny the allegations of plaintiffs' Complaint and while continuing to deny that there existed a dangerous or defective condition of the premises as alleged in the Complaint, state that in the event that is established at trial that there existed a dangerous condition on premises under defendant's control than in that event plaintiff's alleged accident was due to the failure of the wife plaintiff to maintain a proper lookout of the sidewalk; in failing to take adequate precautions for her safety, and in failing to avoid an open and obvious condition.

8. Defendants, while denying any negligence or liability on their part, and while continuing to deny that there existed a dangerous or defective condition of the subject walkway entrance, aver that in the event that it is established at trial that wife-plaintiff was involved in an accident as alleged, then in that event, said accident was due to the acts of third persons or parties other than defendant, whose acts were independent, intervening, superseding and for which defendants Turner Construction Company and/or Turner Corporation are not liable or responsible to plaintiffs.

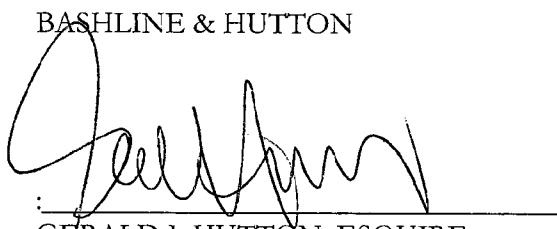
9. In the event that it is established at trial that plaintiffs suffers from any injury or damages as claimed, which allegations have been generally denied by these defendants for the reasons set forth in the preceding paragraphs of this Answer, then in that event, said injuries or damages were the result of pre-existing and/or unrelated medical condition(s) as may be revealed through the discovery in this action, and for which these defendants are not liable or responsible to plaintiff.

10. Any recovery by plaintiffs must be reduced and/or offset pursuant to the terms and conditions of the Pennsylvania Fair Share Act.

11. In the event that it is established that plaintiffs' lawsuit was filed more than two years after the alleged accident or that the plaintiffs failed to timely serve defendants, then in that event plaintiffs' action is barred by the applicable statute of limitations.

WHEREFORE, defendants, TURNER CONSTRUCTION COMPANY and TURNER CORPORATION, demand that judgment be entered in their favor, with costs in their behalf sustained.

JURY TRIAL DEMANDED.

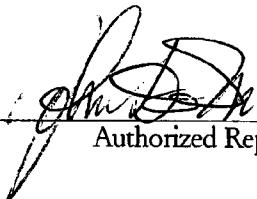
BASHLINE & HUTTON

BY _____
GERALD J. HUTTON, ESQUIRE
Attorneys for Defendants,
TURNER CONSTRUCTION COMPANY
COMPANY and TURNER CORPORATION.

VERIFICATION

The undersigned, John DeMauro, authorized representative of TURNER CONSTRUCTION COMPANY and THE TURNER CORPORATION avers that the statement of facts contained in the attached ANSWER and NEW MATTER is true and correct to the best of her information, knowledge and belief, and are made subject to the penalties of 18 PA. CONS. STAT. ANN §4909 relating to unsworn falsification to authorities.

TURNER CONSTRUCTION COMPANY
THE TURNER CORPORATION

BY:


John DeMauro

Authorized Representative

DATE: 3-7-, 2006

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing ANSWER AND NEW MATTER was served via U.S. First Class Mail, postage pre-paid, on this 11th day of March, 2006, upon the following counsel of record:

Jason E. Matzus, Esquire
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

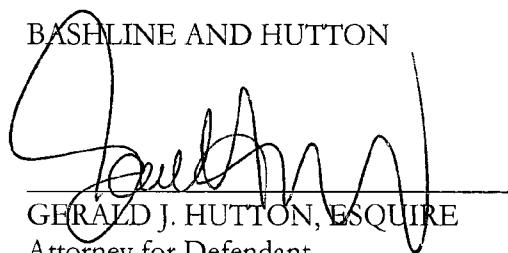
(Attorney for Plaintiff)

David R Johnson, Esquire
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219

(Attorney for DuBois Regional Hosp))

Drew Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, Pennsylvania 15825

BY:

BASHLINE AND HUTTON

GERALD J. HUTTON, ESQUIRE
Attorney for Defendant
TURNER CONSTRUCTION COMPANY
And TURNER CORPORATION

FILED
MAR 20 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,
Route 1, Box 592
Brockway, PA 15824

CIVIL ACTION

No. 05-1348- CD

Type of case:

**Type of Pleading: PLAINTIFFS' REPLY
TO NEW MATTER**

(to Defendant Turner Construction Co. and
The Turner Corporation)

FILED ON BEHALF OF:

Gale Shaffer-Judy and Robert Judy, her
husband, Plaintiffs

COUNSEL OF RECORD FOR THIS
PARTY:

Jason E. Matzus, Esquire
Sup. Ct. ID 76229
MARCUS & MACK, P.C.
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701

Telephone: (724) 349-5602



Jason E. Matzus, Esquire

FILED

APR 11 2006

4/12/06 (60)
William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO ATT

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

**PLAINTIFFS' REPLY TO NEW MATTER OF DEFENDANT
TURNER CONSTRUCTION CO., AND THE TURNER CORPORATION**

AND NOW come the Plaintiffs, Gale Shaffer-Judy and Robert Judy, her husband, by
their attorneys, Jason E. Matzus, Esquire, and MARCUS & MACK and file the following
Reply to Defendant Turner Construction Co. and The Turner Corporation's New Matter:

6. Denied. All of the averments set forth in Paragraph 6 are denied as conclusions of law
which require no response.
7. Denied. All of the averments set forth in Paragraph 7 are denied as conclusions of law
which require no response. By way of further answer, Plaintiff did maintain a proper lookout of
the sidewalk and took adequate precautions for her safety.

8. Denied. All of the averments set forth in Paragraph 8 are denied as conclusions of law which require no response. By way of further answer, Plaintiff's injuries and damages were caused exclusively by Defendant's tortious conduct.

9. Denied. It is specifically denied that Plaintiff's injuries and damages were the result of any pre-existing conditions. To the contrary, Plaintiff's injuries and damages were caused by Defendant's tortious conduct.

10. Denied. All averments set forth in Paragraph 10 are denied as conclusions of law which require no response.

11. Denied. All averments set forth in Paragraph 11 are denied as conclusions of law which require no response. By way of further answer and to the contrary, Plaintiff's lawsuit was filed within the two-year statute of limitations, and Defendants were timely served.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court dismiss Defendant's New Matter and judgment be entered in their favor.

Respectfully submitted,

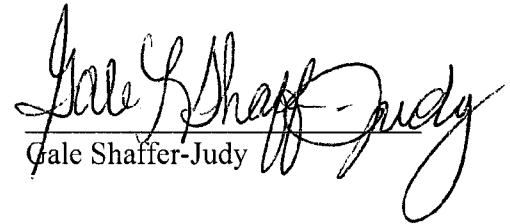
MARCUS & MACK, P.C.

By:


Jason E. Matzus, Esquire
Sup. Ct. ID 76229
Marcus & Mack, P.C.
57 S. 6th Street
Indiana, PA 15701
(724) 349-5602

VERIFICATION

I, Gale Shaffer-Judy, verify that the averments of the foregoing document 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.A. §4904, relating to unsworn falsification to authorities.

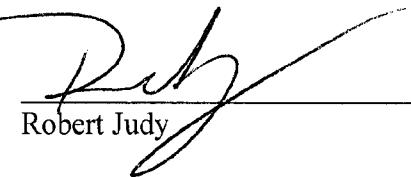


A handwritten signature in black ink, appearing to read "Gale Shaffer-Judy". The signature is fluid and cursive, with "Gale" on the first line and "Shaffer-Judy" on the second line, with a horizontal line through the middle of "Shaffer".

Gale Shaffer-Judy

VERIFICATION

I, Robert Judy, verify that the averments of the foregoing document 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.A. §4904, relating to unsworn falsification to authorities.



Robert Judy

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PLAINTIFFS' REPLY TO
NEW MATTER OF DEFENDANT TURNER CONSTRUCTION CO., AND THE
TURNER CORPORATION** were served upon the following by U.S. First Class Mail, postage
pre-paid this 10th day of April, 2006:

Gerald J. Hutton, Esquire
Bashline & Hutton
Suite 3500 One Oliver Plaza
210 Sixth Avenue
Pittsburgh, PA 15222

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499

Drew Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825

Janice Mayur

William A. Shaw
Prothonotary/Clerk of Courts

APR 11 2006

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and ROBERT
JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL
CENTER; HALLSTROM
CONSTRUCTION, INC.; HALLSTROM
CONSTRUCTION CO., INC. a/k/a
HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

NOTICE TO PLEAD:

To: All Parties

You are hereby notified to file a written
response to the enclosed ANSWER, NEW
MATTER AND NEW MATTER PURSUANT
TO RULE 2252(d) within twenty (20) days of
service hereof or a default judgment may be
entered against you.

Atorneys for defendant.

CIVIL DIVISION

No. 2005-01348-CD

Issue No.

ANSWER, NEW MATTER AND NEW
MATTER PURSUANT TO RULE 2252(d)

Filed on behalf of DuBois Regional Medical
Center, one of the defendants.

Counsel of Record for This Party:

David R. Johnson, Esquire
PA I.D. #26409

THOMSON, RHODES & COWIE, P.C.
Firm #720
1010 Two Chatham Center
Pittsburgh, PA 15219

(412) 232-3400

FILED
MAY 31 2006
APR 19 2006
cc
2006

William A. Shaw
Prothonotary/Clerk of Courts

ANSWER, NEW MATTER AND NEW MATTER PURSUANT TO RULE 2252(D)

NOW COMES, DuBois Regional Medical Center, by its attorneys, Thomson, Rhodes & Cowie, P.C., and files the following answer, new matter and new matter pursuant to Rule 2252(d) in response to plaintiffs' complaint.

ANSWER

1. Defendant is advised and therefore believes and avers that the Pennsylvania Rules of Civil Procedure do not require it to set forth its answers and defenses except as stated below.

2. If and to the extent that any factual averment in the complaint is not responded to in the paragraphs which follow, said allegation is denied for the reason that, after a reasonable investigation, this defendant lacks sufficient information or knowledge upon which to form a belief as to the truth of the averments therein.

3. Each of the paragraphs of this answer should be read so as to incorporate by reference each of the other paragraphs of this answer.

4. The following paragraphs of the complaint are denied for the reason that, after a reasonable investigation, this defendant has insufficient information or knowledge

to form a belief as to the truth of the averments therein: 1, 10, 13 (including sub-paragraphs (a) and (b)), 14 (including sub-paragraphs (a) through (e)) and 15.

5. Paragraph 2 of the complaint is denied as stated. To the contrary, defendant is a non-profit healthcare institution located at the address specified in the complaint.

6. The following paragraphs of the complaint refer solely to other defendants for which reason no response is required: 3, 4, 5, 6 and 7.

7. Paragraphs 8, 11, and 12 (including sub-paragraphs (a) through (l)) of the complaint constitute conclusions of law to which no further response is required. However, if any response is deemed necessary, these paragraphs and sub-paragraphs are denied.

8. Paragraph 9 of the complaint is denied for the reason that, after a reasonable investigation, this defendant has insufficient information or knowledge to form a belief as to the truth of the averments therein, because the identify of the alleged agents, servants and/or employees of this defendant is not specified or disclosed.

WHEREFORE, plaintiffs' complaint should be dismissed and judgment should be entered in favor of this defendant.

NEW MATTER

9. The Pennsylvania Comparative Negligence Act is applicable so as to reduce any liability of this defendant.

10. Defendant pleads as defenses any applicable statutes of limitations.

WHEREFORE, plaintiffs' complaint should be dismissed and judgment should be entered in favor of this defendant.

NEW MATTER PURSUANT TO RULE 2252(d) vs. TURNER CONSTRUCTION COMPANY AND THE TURNER CORPORATION

11. At all times material, the area in which the accident apparently occurred was a construction site under the exclusive control of Turner Construction Company and/or The Turner Corporation. As such, any liability which might arise from the accident is the responsibility of Turner Construction Company and/or The Turner Corporation.

12. DuBois Regional Medical Center is entitled to common law indemnity by the Turner Corporation and The Turner Construction Company for the reason that, if DuBois Regional Medical Center were to be found liable despite its denials of any liability whatsoever, said liability would be premised upon breach of a secondary duty

wherein the primary duty was owed by Turner Construction Company and/or The Turner Corporation. As such, DuBois Regional Medical Center is entitled to indemnity.

13. DuBois Regional Medical Center also is entitled to contribution from the Turner Construction Company and The Turner Corporation if, notwithstanding the denials of all liability, DuBois Regional Medical Center is found liable to the plaintiff.

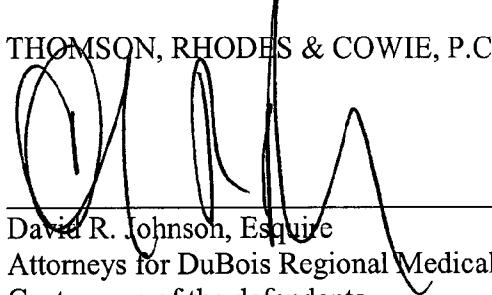
14. A construction contract had been entered into between DuBois Regional Medical Center and Turner Construction Company. Pursuant to said contract, DuBois Regional Medical Center is entitled to indemnification by Turner Construction Company.

WHEREFORE, DuBois Regional Medical Center pleads the foregoing new matter pursuant to Rule 2252(d) against Turner Construction Company and The Turner Corporation and seeks to be indemnified for any losses sustained as a result of this lawsuit, including attorneys' fees and costs.

JURY TRIAL DEMANDED.

Respectfully submitted,

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

VERIFICATION

I, Gregory J. Volpe in the capacity of
Risk manager at DuBois Regional Medical Center have read the
foregoing ANSWER, NEW MATTER AND NEW MATTER PURSUANT TO RULE
2252(d). The statements therein are correct to the best of my personal knowledge or
information and belief.

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



Date: 3-27-06

To TRC 3-27-06

412-232-3498
Paw O'Rourke

CERTIFICATION OF SERVICE

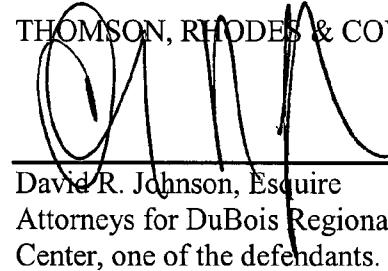
I hereby certify that a true and correct copy of the within ANSWER, NEW MATTER AND NEW MATTER PURSUANT TO RULE 2252(d) has been served upon the following counsel of record and same placed in the U.S. Mails on this 17th day of April, 2006:

Jason E. Matzus, Esquire
Marcus & Mack
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

Troy J. Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825-1291

Gerald J. Hutton, Esquire
Bashline & Hutton
Suite 3500, One Oliver Plaza
210 Sixth Avenue
Pittsburgh, PA 15222

THOMSON, RHODES & COWIE, P.C.


David R. Johnson, Esquire
Attorneys for DuBois Regional Medical
Center, one of the defendants.

FILED

APR 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

**PLAINTIFFS' REPLY TO NEW
MATTER AND NEW MATTER
PURSUANT TO RULE 2252(d) OF
DEFENDANT DUBOIS REGIONAL
MEDICAL CENTER**

Filed on behalf of Plaintiffs

Jason E. Matzus, Esquire
Counsel for Plaintiffs
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 76229

FILED *mcc*
5/12/06
MAY 02 2006 *JS*

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

PLAINTIFFS' REPLY TO NEW MATTER AND NEW MATTER
PURSUANT TO RULE 2252(d) OF DEFENDANT
DUBOIS REGIONAL MEDICAL CENTER

AND NOW come the Plaintiffs, Gale Shaffer-Judy and Robert Judy, her husband, by their attorneys, Jason E. Matzus, Esquire, and MARCUS & MACK and file the following Reply to Defendant DuBois Regional Medical Center's New Matter and New Matter Pursuant to Rule 2252(d):

9. Denied. All of the averments set forth in Paragraph 9 are denied as conclusions of law which require no response.
10. Denied. All averments set forth in Paragraph 10 are denied as conclusions of law which require no response. By way of further answer and to the contrary, Plaintiffs' lawsuit was filed within the two-year statute of limitations.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court dismiss Defendant's New Matter and judgment be entered in their favor.

11. The allegations set forth in paragraph 11 of Defendant's New Matter Pursuant to Rule 2252(d) are not directed to Plaintiffs; therefore, no response is required.

12. Denied. All of the averments set forth in Paragraph 12 are denied as conclusions of law which require no response.

13. The allegations set forth in paragraph 13 of Defendant's New Matter Pursuant to Rule 2252(d) are not directed to Plaintiffs; therefore, no response is required.

14. Denied. All of the averments set forth in Paragraph 14 are denied as conclusions of law which require no response. By way of further answer, Plaintiffs have not been provided with a copy of the said construction contract and therefore cannot ascertain its validity.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court dismiss Defendant's New Matter Pursuant to Rule 2252(d) and judgment be entered in their favor.

Respectfully submitted,

MARCUS & MACK, P.C.

By: Jason E. Matzus
Jason E. Matzus, Esquire
Sup. Ct. ID 76229
Marcus & Mack, P.C.
57 S. 6th Street
Indiana, PA 15701
(724) 349-5602

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

No. 05-1348-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PLAINTIFFS' REPLY TO
NEW MATTER AND NEW MATTER PURSUANT TO RULE 2252(d) OF DEFENDANT
DUBOIS REGIONAL MEDICAL CENTER** were served upon the following by U.S. First
Class Mail, postage pre-paid this 1st day of May, 2006:

Gerald J. Hutton, Esquire
Bashline & Hutton
Suite 3500 One Oliver Plaza
210 Sixth Avenue
Pittsburgh, PA 15222

David R. Johnson, Esquire
Thomson, Rhodes & Cowie, P.C.
Two Chatham Center, Tenth Floor
Pittsburgh, PA 15219-3499

Drew Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, PA 15825

Cindy J. Sletta

FILED

MAY 02 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER,
HALLSTROM CONSTRUCTION, INC.
HALLSTROM CONSTRUCTION CO., INC.
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

CIVIL DIVISION

No. 05-1348-CD

ISSUE NO.:

**REPLY TO NEW MATTER IN
THE NATURE OF A CROSS-CLAIM
BY DEFENDANTS, TURNER
CONSTRUCTION COMPANY and
TURNER CORPORATION**

Filed on Behalf of Defendant:
TURNER CONSTRUCTION CO. and
THE TURNER CORPORATION

Counsel of Record for this Party:

GERALD J. HUTTON
PA I.D. No. 23098

BASHLINE & HUTTON
Suite 3500 One Oliver Plaza
210 Sixth Avenue
Pittsburgh, PA 15222
(412) 434.0201

Firm I.D. No.: 150

JURY TRIAL DEMANDED

TO THE WITHIN PARTIES:

You are hereby required to Plead to the within
New Matter within twenty (20) days of service
hereof or a default judgment may be entered
against you.


GERALD J. HUTTON, ESQUIRE

FILED ^{no cc}
M 11 11 2006
JUN 22 2006 

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

Plaintiffs,

CIVIL DIVISION

No. 05-1348-CD

vs.

DUBOIS REGIONAL MEDICAL CENTER,
HALLSTROM CONSTRUCTION, INC.
HALLSTROM CONSTRUCTION CO., INC.
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.
TURNER CONSTRUCTION COMPANY
and THE TURNER CORPORATION,

Defendants.

REPLY TO NEW MATTER IN THE NATURE OF A CROSSCLAIM

AND NOW, come the defendants, TURNER CONSTRUCTION COMPANY and TURNER CORPORATION, by and through its attorneys, GERALD J. HUTTON, ESQUIRE and the law offices of BASHLINE AND HUTTON, and states that they have a full, just, complete and legal defense to the allegations contained in the cross-claim filed by defendant Dubois Regional Medical Center and in support thereof set forth the following:

1. The allegations contained in paragraphs 11, 12, 13 and 14 of the codefendant's Dubois Regional Medical Center New Matter contain only legal conclusions to which no response is required. To the extent that further response is necessary said allegations are denied as stated and to the contrary defendants Turner Corp. and Turner Construction Company deny being alone liable, jointly and several liable, liable over, or liable to Dubois Regional Medical Center for indemnity and/or contribution.

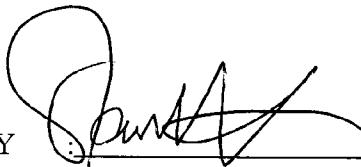
2 . To the extent that further response is required to the allegations contained in the cross-claim filed by codefendant Dubois Regional Medical Center, defendants Turner Corp. and Turner Construction Company expressly incorporate by reference the Answer and New Matter previously filed in this action on their behalf as though said Answer were set forth in full here.

WHEREFORE, defendants, TURNER CONSTRUCTION COMPANY and TURNER CORPORATION, demand that judgment be entered in their favor, with costs in their behalf sustained.

JURY TRIAL DEMANDED.

BASHLINE & HUTTON

BY



GERALD J. HUTTON, ESQUIRE
Attorneys for Defendants,
TURNER CONSTRUCTION COMPANY
COMPANY and TURNER CORPORATION.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing REPLY TO NEW MATTER IN THE NATUR OF A CROSS CLAIM BY DEFENDANTS TURNER CONSTRUCTION COMPANY and TURNER CORPORATION was served via U.S. First Class Mail, postage pre-paid, on this 19th day of June, 2006, upon the following counsel of record:

Jason E. Matzus, Esquire
57 S. 6th Street
P.O. Box 1107
Indiana, PA 15701

(Attorney for Plaintiff)

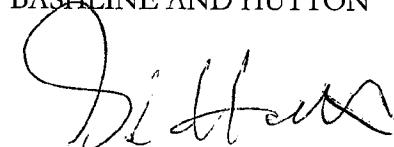
David R Johnson, Esquire
Two Chatham Center
Tenth Floor
Pittsburgh, PA 15219

(Attorney for DuBois Regional Hosp))

Drew Harper, Esquire
Dennison, Dennison & Harper
293 Main Street
Brookville, Pennsylvania 15825

BASHLINE AND HUTTON

BY:



GERALD J. HUTTON, ESQUIRE
Attorney for Defendant
TURNER CONSTRUCTION COMPANY
And TURNER CORPORATION

FILED

JUN 22 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

**PLAINTIFFS' PRAECIPE TO
DISCONTINUE**

Defendants.

Filed on behalf of Plaintiffs

Jonathan B. Mack, Esquire
Counsel for Plaintiffs
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 38970

FILED *recd 1 cert of
10/23/06
discussed
AUG 24 2006 to Atty Mack.*

William A. Shaw
Prothonotary/Clerk of Courts

ORIGINAL

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

GALE SHAFFER-JUDY and
ROBERT JUDY, her husband,

No. 05-1348-CD

Plaintiffs,

vs.

DUBOIS REGIONAL MEDICAL CENTER;
HALLSTROM CONSTRUCTION, INC.;
HALLSTROM CONSTRUCTION CO., INC.,
a/k/a HALLSTROM CONSTRUCTION
COMPANY, INC.; HALLSTROM, INC.;
TURNER CONSTRUCTION COMPANY;
and THE TURNER CORPORATION,

Defendants.

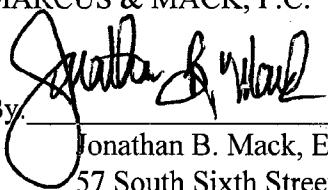
PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

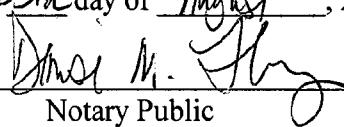
Please mark the above-captioned action settled and forever discontinued of record.

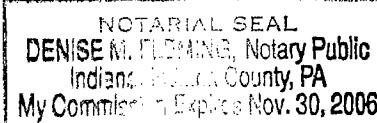
MARCUS & MACK, P.C.

By:


Jonathan B. Mack, Esquire
57 South Sixth Street
P.O. Box 1107
Indiana, PA 15701
Telephone: 724-349-5602
Sup. Ct. ID 38970

Sworn and subscribed to before me
this 23rd day of August, 2006.


Notary Public



FILED

AUG 24 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Gale Shaffer-Judy
Robert Judy

Vs.

DuBois Regional Medical Center
Hallstrom Construction, Inc.
Hallstrom Construction Co., Inc.
Hallstrom, Inc.
Turner Construction Company
Turner Corporation

No. 2005-01348-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 August 24, 2006, marked:

Settled and forever discontinued

Record costs in the sum of \$92.00 have been paid in full by Jonathan B. Mack Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 24th day of August A.D. 2006.



William A. Shaw, Prothonotary

MARCUS & MACK

Attorneys at Law

A PROFESSIONAL CORPORATION

■ 1-(800) 488-0338
www.marcusandmack.com

The Mitchell House ■ 57 South 6th Street ■ P.O. Box 1107 ■ Indiana, PA 15701

■ (724) 349-5602
(724) 349-8362 (Fax)

August 23, 2006

William Shaw, Prothonotary
Clearfield County Courthouse
230 E. Market Street
Clearfield, PA 16830

**RE: *Gale Shaffer-Judy and Robert Judy, her husband,
vs. Dubois Regional Medical Center, et al.
No. 05-1348-CD***

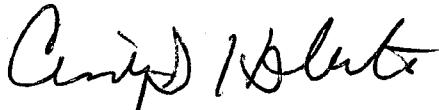
Dear Mr. Shaw,

Enclosed please find an original and one copy of Plaintiff's Praecipe to Discontinue regarding the above-captioned matter. Please time-stamp the original and copy, file the original and return the time-stamped copy and a receipt to me in the enclosed self-addressed, stamped envelope.

Please do not hesitate to contact me should you have any questions or problems in this regard.

Sincerely yours,

MARCUS & MACK, P.C.



By: Cindy S. Holuta
Paralegal

Enclosures

cc: Gerald J. Hutton, Esquire (w/ enc.)
David R. Johnson, Esquire (w/ enc.)
Troy Harper, Esquire (w/ enc.)