

MILLVILLE MUTUAL INSURANCE CO
As Subrogee of Edith A. Martell,
Plaintiff

vs.

DEANNA MCFAYE,
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA

DOCKET NO. 2006-103-CD

CIVIL ACTION - LAW

ARBITRATION

FILED

m/2:02pm
JAN 23 2006
ICE Atty
KC Shff
Pd \$8500 Atty

NOTICE TO PLEAD

TO: Deanna McFaye
802 West Front Street
Clearfield, PA 16830

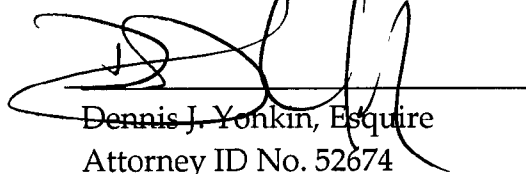
William A. Shaw
Prothonotary

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take prompt action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an Attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a Judgment may be entered against you by the Court without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights which are 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 LOCAL HELP.

David S. Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641 x5982

Respectfully Submitted;
MILLVILLE MUTUAL INSURANCE CO.



Dennis J. Yonkin, Esquire
Attorney ID No. 52674
215 State Street
Millville, PA 17846
(570) 458-5517

Dated: January 20, 2006

MILLVILLE MUTUAL INSURANCE CO	:	IN THE COURT OF COMMON PLEAS
As Subrogee of Edith A. Martell,	:	CLEARFIELD COUNTY, PA
Plaintiff	:	
	:	
vs.	:	DOCKET NO.
	:	
DEANNA MCFAYE,	:	CIVIL ACTION - LAW
Defendant	:	
	:	ARBITRATION

COMPLAINT

1. Plaintiff is Millville Mutual Insurance Company, Inc., (hereinafter "Millville") a Pennsylvania corporation located at 215 State Street, Millville, Pennsylvania 17846.
2. At all times relevant hereto, Plaintiff was the Insurer of Edith A. Martell (hereinafter "Martell") through Policy Number MH-71313, for a property located at 42 Welch Street, Clearfield, Pennsylvania 16830 (hereinafter the "premises").
3. Defendant is Deanna McFaye (hereinafter the "defendant"), an adult individual whose last known address was 802 West Front Street, Clearfield, PA 16830.
4. By virtue of a signed subrogation receipt and the terms of the Insurance policy, Millville is the Subrogee of Martell.
5. On September 26, 2005, Martell was the owner of the premises located at 42 Welch Street, Clearfield, Pennsylvania.
6. On the same date aforesaid, Defendant was the owner of a pickup truck with the license plate number of YRN8951.
7. On the same date aforesaid, Defendant's pickup rolled into and damaged the premises of Martell.
8. As a direct and proximate result of the negligence, carelessness and recklessness of the Defendant, Martell suffered extensive damages to her premises.

9. As the subrogee of Martell, Millville was required to pay \$603.06, and is entitled to recover these funds paid to Martell from the Defendant.

COUNT I - NEGLIGENCE

10. The allegations contained in paragraphs one (1) through nine (9) above are hereby incorporated herein by reference as if set forth at length.

11. The damages suffered by Martell were the direct and proximate result of the negligence, recklessness and carelessness of the Defendant to wit:

- a. Failing to be attentive and maintain control over her vehicle;
- b. Failing to maintain control of her vehicle in violation of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §3701; and
- c. Parking her vehicle in careless disregard for the safety of others in violation of Pennsylvania Motor Vehicle code, 75 Pa.C.S.A. §3701.

12. As a direct and proximate result of the negligence, carelessness and recklessness of the Defendant, the premises of Martell suffered extensive damages and Millville was required to pay \$603.06 pursuant to Policy Number MH-71313.

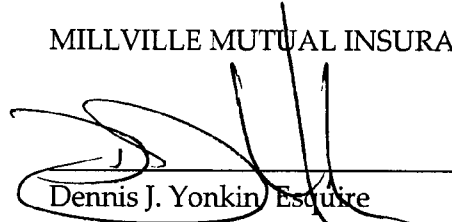
13. Defendant's negligence, carelessness and recklessness were a substantial factor in the damages suffered by Martell.

14. By virtue of the subrogation agreement and policy terms of policy number MH-71313, Millville is entitled to recover these funds from the Defendant.

WHEREFORE, Plaintiff prays that this Honorable Court granted judgment in its favor.

Respectfully Submitted;

MILLVILLE MUTUAL INSURANCE CO.



Dennis J. Yonkin Esquire
Attorney ID No. 52674

215 State Street
Millville, PA 17846
(570) 458-5517

Dated: January 20, 2006



January 20, 2006

Prothonotary
Clearfield County Courthouse
230 E Market Street
Clearfield, PA 16830

Re: Case: Millville Mutual (Martell) v. McFaye
Our File: 0551907
Docket No:

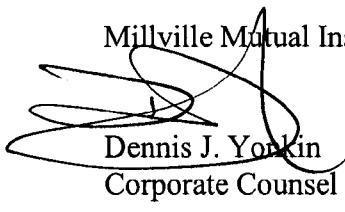
Dear Mr. Shaw:

Enclosed for filing in the above matter please find an Original and two (2) copies of a Complaint along with the appropriate filing fee. Please return a filed copy in the envelope provided and forward the Complaint to the Sheriff for service along with the deposit check enclosed.

Thank you for your attention to this matter. Should you have any questions, please call me directly at 1-800-262-8495 x110.

Sincerely,

Millville Mutual Insurance Co.


Dennis J. Yonkin
Corporate Counsel

DJY:eap
Enclosures

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **101187**

MILLVILLE MUTUAL INSURANCE CO.

Case # 06-103-CD

vs.

DEANNA MCFAYE

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW March 19, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO DEANNA MCFAYE, DEFENDANT. 802 WEST FRONT ST., CLEARFIELD, PA "APPEARS EMPTY".

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILLVILLE	63448	10.00
SHERIFF HAWKINS	MILLVILLE	63448	16.39

Sworn to Before me This

So Answers,

_____ Day of _____ 2006


Chester A. Hawkins
Sheriff

019.12304 MCC
(LM)

MILLVILLE MUTUAL INSURANCE CO
As Subrogee of Edith A. Martell,
Plaintiff

vs.

DEANNA MCFAYE,
Defendant

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA

DOCKET NO. 2006-103-CD

CIVIL ACTION - LAW

ARBITRATION

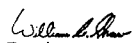
I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

NOTICE TO PLEAD

JAN 23 2006

TO: Deanna McFaye
802 West Front Street
Clearfield, PA 16830

Attest.

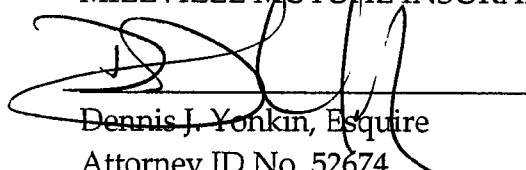

Prothonotary/
Clerk of Courts

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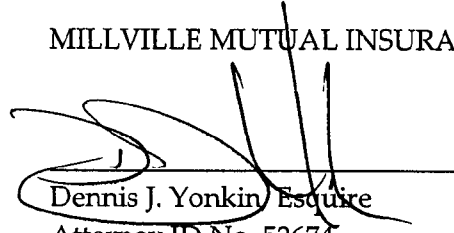
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Plaintiff

vs.

DEANNA MCFAYE,
Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA

DOCKET NO. 2006-103-CD

CIVIL ACTION – LAW

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY:

Please discontinue the above action.

MILLVILLE MUTUAL INSURANCE CO.



Dennis J. Yonkin, Esquire
Attorney ID No. 52674

215 State Street
Millville, PA 17846
(570) 458-5517

FILED ICC & 1 Cert
m/11.582m of disc issued
FEB 18 2010 to Atty
Yonkin

William A. Shaw
Prothonotary/Clerk of Courts

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

CIVIL DIVISION

**Millville Mutual Insurance Co
Edith A. Martell**

**Vs.
Deanna McFaye**

No. 2006-00103-CD

CERTIFICATE OF DISCONTINUATION


Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on February 18, 2010, marked:

Discontinued

Record costs in the sum of \$85.00 have been paid in full by Millville Mutual Insurance Co.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of February A.D. 2010.



William A. Shaw, Prothonotary