

06-293-CD
Teresa Welsh al vs George Duckett

Teresa Welsh et al vs George Duckett Jr
2006-293-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

Plaintiffs

vs.

**GEORGE D. DUCKETT, JR.,
an Individual**

Defendant

Type of Case – Civil

No. D6-293-CD

Type of Pleading – **COMPLAINT**

Filed on behalf of – **PLAINTIFFS**

Filed by:
NICHOLAS GIANVITO, ESQ.
Pa. I.D. #67190

LORENZO & GIANVITO, P.C.
410 WEST MAHONING ST.
P.O. BOX 495
PUNXSUTAWNEY, PA 15767
814-938-6390

JURY TRIAL DEMANDED

FILED Atty pd. 85.00
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FEB 23 2006 1ccShff
JM
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
and as Husband and Wife,**

No. _____

Plaintiffs

vs.

**GEORGE D. DUCKETT, JR.,
an individual,**

Defendant

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your 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 claim 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 OBTAIN 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 A REDUCED FEE OR NO FEE.

William A. Shaw,
Prothonotary
P.O. Box 549
Clearfield, PA 16830-0549
(814)765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

No. _____

Plaintiffs

vs.

**GEORGE D. DUCKETT, JR.,
an Individual,**

Defendant

COMPLAINT

AND NOW, come the plaintiffs, TERESA WELSH and WILLIAM WELSH, individually and as husband and wife, by and through their counsel, LORENZO & GIANVITO, P.C., and file the following Complaint, of which the facts set forth hereinafter are a true and concise summary:

1. Plaintiff, WILLIAM WELSH, is an adult individual who resides at 65 Church Street, Falls Creek, Jefferson County, Pennsylvania, and is hereinafter referred to as "plaintiff-husband".
2. Plaintiff, TERESA WELSH, is an adult individual who resides with her husband, WILLIAM WELSH, at the above mentioned address, and is hereinafter referred to as "plaintiff" or "plaintiff-wife".
3. Defendant, GEORGE D. DUCKETT, JR., is an adult individual who resides at 237 Duck Road, Grampian, Clearfield County, Pennsylvania 16838, and is hereinafter referred to as "defendant".

4. On April 29, 2004, at approximately 1:15 p.m., plaintiff-wife was working her usual shift as a clerk at a convenience store known as "Grampian One Stop", located at the intersection of Routes 219 and 879, Grampian, Clearfield County, Pennsylvania, 16838.

5. At the same time and place, defendant, George Duckett, the landlord of "Grampian One Stop" was performing remodeling in the aforementioned convenience store. At this time, defendant's remodeling consisted of removing a suspended ceiling which was located in the interior of the store. This interior suspended ceiling consisted of metal straps criss-crossing the ceiling area, with ceiling tiles, measuring approximately 2 ft. x 4 ft. in width and diameter.

6. At the afore noted date, time, and place, defendant was in the process of pulling upon one of the metal straps holding the suspended ceiling tiles when, suddenly and without warning, a portion of the ceiling structure fell upon plaintiff's head, neck, and/or shoulder area, causing the injuries and/or damages set forth herein below.

7. As a direct result of the negligence of the defendant, as set forth below, plaintiff-wife, TERESA WELSH, has sustained the following severe and permanent personal injuries:

- a) entrapment neuropathy of the brachial plexus nerve / thoracic outlet syndrome;
- b) head injury, resulting in post-concussion syndrome;
- c) sprain/strain of the cervical spine;
- d) emotional upset and anxiety.

8. As a direct result of the defendants' negligence and carelessness, significant amounts of money have been expended for plaintiff's medical care, treatment, therapy, and/or medications, amounts of which will be provided in discovery.

9. As a direct result of the defendants' negligence and carelessness, it is anticipated that significant amounts of money will in the future be expended for plaintiff's medical care, treatment,

therapy, and/or medications, for the future care of plaintiff-wife's afore described injuries.

10. As a direct result of the defendants' negligence and carelessness, plaintiff has been, and continues to be, unable to perform the duties of her regular employment, thereby sustaining a past and ongoing economic loss.

11. As a direct result of the defendants' negligence and carelessness, it is anticipated that plaintiff will be unable to perform the duties of her regular employment, thereby sustaining future economic loss / diminishment of future earning capacity

12. As a direct result of the defendants' negligence and carelessness, plaintiff-wife has had her health, safety and vitality impaired. She has sustained in the past, and will sustain in the future, great pain, suffering, mental anguish, inconvenience, embarrassment and loss of the quality of her life.

COUNT ONE

Teresa Welsh, an individual, Plaintiff
vs.
George Duckett, an individual, Defendant

NEGLIGENCE

13. Paragraphs one (1) through twelve (12) are incorporated herein by reference as though the same were set forth fully and at length.

14. Defendant, GEORGE DUCKETT, was negligent and careless in the following respects:

- a) performing a potentially dangerous overhead remodeling job during a time at which the subject convenience store was open for business;
- b) failing to warn and/or instruct the plaintiff that he was performing work in an area directly over her head, and/or failing to instruct and/or warn the plaintiff that she should remove herself from

the area in which he was performing said work;

c) failing to take precautionary measures so as to ensure that a portion of the ceiling structure would not fall upon plaintiff's head, neck, and/or shoulder region;

15. As a direct and proximate result of the above noted negligence, plaintiff has sustained the injuries and damages as set forth herein above.

WHEREFORE, plaintiffs demand judgment against the defendant, GEORGE DUCKETT, for an amount in excess of Twenty Five Thousand and 00/100 (\$25,000.00) Dollars, or the maximum jurisdictional amount requiring mandatory arbitration.

COUNT TWO

William Welsh, an individual, Plaintiff-husband

vs.

George Duckett, an individual, defendant

LOSS OF CONSORTIUM

16. Paragraphs one (1) through fifteen (15) are hereby incorporated by reference as though the same were set forth fully and at length.

17. At all times prior to April 29, 2004, plaintiffs TERESA WELSH and WILLIAM WELSH lived together happily as husband and wife. As a result of the severe injuries to his wife, fully described hereinbefore, plaintiff-husband has been in the past, since the date of the incident, and will be in the future, deprived of his wife's aid, comfort, society, companionship and affection.

WHEREFORE, plaintiff-husband demands judgment against the defendant for an amount in excess of Twenty Five Thousand and 00/100 (\$25,000.00) Dollars, or the maximum jurisdictional amount requiring mandatory arbitration.

JURY TRIAL DEMANDED.

LORENZO & GIANVITO, P.C.

BY: 
Nicholas Gianvito, Esq.
Attorney for Plaintiffs
410 West Mahoning St.
Punxsutawney, PA 15767
(814) 938-6390

STATE OF PENNSYLVANIA
SS:
COUNTY OF JEFFERSON

TERESA WELSH and WILLIAM WELSH, individually and as husband and wife, Plaintiffs,
being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint
are true and correct to the best of their information, knowledge and belief.

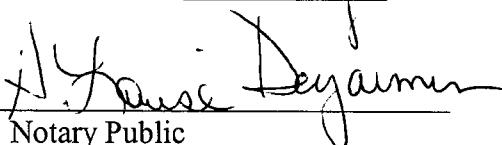


TERESA WELSH

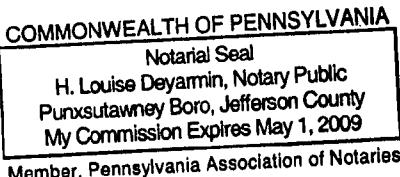


WILLIAM WELSH

Sworn and subscribed before me this
21st day of February, 2006.



H. Louise Deyarmin
Notary Public



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TERESA WELSH and WILLIAM
WELSH, individually and as husband
and wife,

Plaintiffs,

vs.

GEORGE D. DUCKETT, JR., an
individual,

Defendant.

CIVIL ACTION - LAW

Number 293 of 2006, C. D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on Behalf of: Defendant

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

NO
m 12/18/06
WAK 22 2006 (M)

William A. Shaw
Prothonotary/Clerk of Court

TERESA WELSH and WILLIAM
WELSH, individually and as husband
and wife,

Plaintiffs,

v.

GEORGE D. DUCKETT, JR., an
individual,
Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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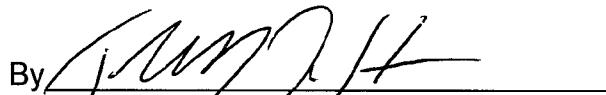
* Number 06 - 293 - C. D.

APPEARANCE

TO THE PROTHONOTARY:

Enter our Appearance on behalf of George D. Duckett, Jr., the Defendant in the
above captioned matter.

DENNISON, DENNISON & HARPER

By 
Troy J. Harper
Attorneys for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101287
NO: 06-293-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: TERESA WELSH and WILLIAM WELSH Ind & as Husband & wife
vs.
DEFENDANT: GEORGE D. DUCKETT JR.

SHERIFF RETURN

NOW, March 09, 2006 AT 2:28 PM SERVED THE WITHIN COMPLAINT ON GEORGE D. DUCKETT JR. DEFENDANT AT 237 DUCK ROAD, GRAMPIAN, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GEORGE D. DUCKETT JR., DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

FILED
019-09-51
APR 10 2006
WM

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	LORENZO	17563	10.00
SHERIFF HAWKINS	LORENZO	17563	39.75

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins
by Marilyn Hanner
Chester A. Hawkins
Sheriff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TERESA WELSH and
WILLIAM WELSH, individually and
as husband and wife,

Plaintiffs,

vs.

GEORGE D. DUCKETT, JR.,
an individual,

Defendant.

CIVIL ACTION - LAW

Number 2006 - 293 C.D.

Type of Case: Civil Division

Type of Pleading: Answer and New Matter

Filed on behalf of: Defendant

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

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

FILED
APR 11 2006
n112861
no cc
Clerk

William A. Shaw
Prothonotary/Clerk of Courts

TERESA WELSH and
WILLIAM WELSH, individually,
and as husband and wife,

Plaintiffs,

vs.

GEORGE D. DUCKETT, JR.,
an individual,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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* Number 2006 - 293 C.D.

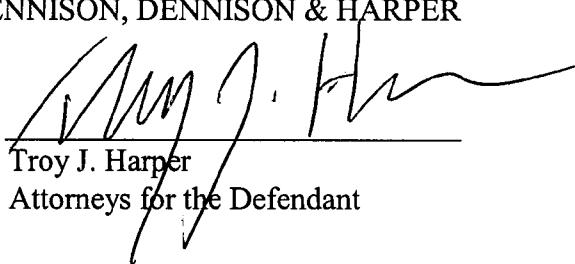
NOTICE TO PLEAD

TO: THE PLAINTIFFS:

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

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for the Defendant

TERESA WELSH and
WILLIAM WELSH, individually,
and as husband and wife,

Plaintiffs,

vs.

GEORGE D. DUCKETT, JR.,
an individual,

Defendant.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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* Number 2006 - 293 C.D.

ANSWER AND NEW MATTER

AND NOW, comes the Defendant, GEORGE D. DUCKETT, JR., by and through his attorneys, Dennison, Dennison & Harper, who file the following Answer and New Matter in response to the Plaintiffs' Complaint:

1. After reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 1 of the Plaintiffs' Complaint, and said averments are therefore denied.
2. After reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 2 of the Plaintiffs' Complaint, and said averments are therefore denied.
3. Admitted.
4. The averments of Paragraph 4 of the Plaintiffs' Complaint are admitted only insofar as on April 29, 2004, the Plaintiff-Wife was working at the Grampian One Stop in Grampian, Clearfield County, Pennsylvania. The remaining averments of Paragraph 4 of the Plaintiffs'

Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

5. The averments of Paragraph 5 of the Plaintiffs' Complaint are admitted only insofar as on April 29, 2004, the Defendant, George D. Duckett, Jr., was the landlord of the Grampian One Stop in Grampian, Clearfield County, Pennsylvania, and that he was undertaking certain repairs relative to the suspended ceiling. The remaining averments of Paragraph 5 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

6. The averments of Paragraph 6 of the Plaintiffs' Complaint are admitted only insofar as on April 29, 2004, the Defendant, George D. Duckett, Jr., was undertaking certain repairs relative to the suspended ceiling. The remaining averments of Paragraph 6 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

7. The averments of Paragraph 7 of the Plaintiffs' Complaint alleging any negligence of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 7 of the Plaintiffs' Complaint and subparagraphs a) through d) thereof, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

8. The averments of Paragraph 8 of the Plaintiffs' Complaint alleging any negligence or carelessness of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 8 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge

and information to form a belief as to the truth of the averments, and said averments are therefore denied.

9. The averments of Paragraph 9 of the Plaintiffs' Complaint alleging any negligence or carelessness of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 9 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

10. The averments of Paragraph 10 of the Plaintiffs' Complaint alleging any negligence or carelessness of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 10 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

11. The averments of Paragraph 11 of the Plaintiffs' Complaint alleging any negligence or carelessness of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 11 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

12. The averments of Paragraph 12 of the Plaintiffs' Complaint alleging any negligence or carelessness of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 12 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

COUNT ONE

Teresa Welsh, an individual, Plaintiff
vs.
George Duckett, and individual, Defendant

13. Paragraph 13 of the Plaintiffs' Complaint fails to contain any specific allegations of facts and is merely an incorporation clause to which no response is deemed required. To the extent any response would be deemed required, the averments of Paragraphs 1 through 12 of this Answer are incorporated herein by reference thereto.

14. The averments of Paragraph 14 of the Plaintiffs' Complaint and subparagraphs a) through c) thereof are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

15. The averments of Paragraph 15 of the Plaintiffs' Complaint alleging any negligence of the Defendant, George D. Duckett, Jr., are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 15 of the Plaintiffs' Complaint, after reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

WHEREFORE, the Defendant, George D. Duckett, Jr., demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

COUNT TWO

William Welsh, an individual, Plaintiff
vs.
George Duckett, an individual, Defendant

LOSS OF CONSORTIUM

16. Paragraph 16 of the Plaintiffs' Complaint fails to contain any specific allegations of facts and is merely an incorporation clause to which no response is deemed required. To the extent any response would be deemed required, the averments of Paragraphs 1 through 15 of this Answer are incorporated herein by reference thereto.

17. After reasonable investigation, the Defendant, George D. Duckett, Jr., is without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 17 of the Plaintiffs' Complaint, and said averments are therefore denied.

WHEREFORE, the Defendant, George D. Duckett, Jr., demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

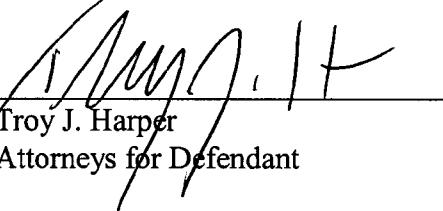
NEW MATTER DIRECTED TO PLAINTIFFS

18. The Plaintiffs have failed to state a cause of action upon which relief may be granted.

WHEREFORE, the Defendant, George D. Duckett, Jr., demands judgment in his favor and against the Plaintiffs. **JURY TRIAL DEMANDED.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for Defendant

VERIFICATION

I verify that the averments made in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

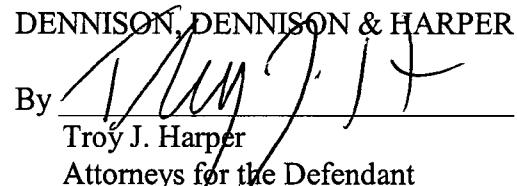


George D. Duckett, Jr.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Answer and New Matter was served on the 10th day of April, 2006, by United States Mail, First Class, postage prepaid, addressed to the following:

Nicholas Gianvito, Esquire
LORENZO & GIANVITO, P.C.
410 West Mahoning Street
PO Box 495
Punxsutawney, PA 15767

DENNISON, DENNISON & HARPER
By 
Troy J. Harper
Attorneys for the Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

Type of Case – Civil

No. 2006 - 293 C.D.

Plaintiffs

Type of Pleading – **PLAINTIFF'S
REPLY TO NEW MATTER**

vs.

Filed on behalf of – **PLAINTIFFS**

**GEORGE D. DUCKETT, JR.,
an Individual**

Defendant

Filed by:
NICHOLAS GIANVITO, ESQ.
Pa. I.D. #67190

LORENZO & GIANVITO, P.C.
410 WEST MAHONING ST.
P.O. BOX 495
PUNXSUTAWNEY, PA 15767
814-938-6390

FILED

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William A. Shaw
Prothonotary/Clerk of Courts
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

No. 2006 – 293 C.D.

Plaintiffs

vs.

**GEORGE D. DUCKETT, JR.,
an Individual,
Defendant**

PLAINTIFF'S REPLY TO NEW MATTER

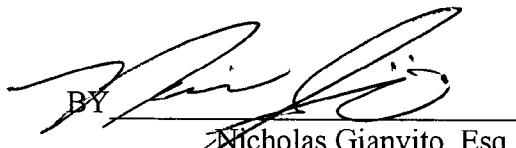
AND NOW, come the plaintiffs, TERESA WELSH and WILLIAM WELSH, individually and as husband and wife, by and through their counsel, LORENZO & GIANVITO, P.C., and file the following Reply to New Matter of Defendant:

18. The averments of Paragraph 18 of Defendant's New Matter constitute conclusions of law to which no reply is necessary. To the extent that a reply may be deemed necessary, said averments are denied.

WHEREFORE, the plaintiff respectfully requests that the Court dismiss the New Matter of defendant, and prays for the relief requested in Plaintiff's Complaint.

Respectfully submitted,

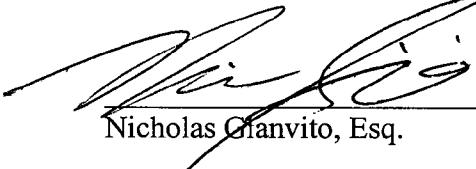
LORENZO & GIANVITO P.C.


BY _____
Nicholas Gianvito, Esq.
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of April, 2006, a true and correct copy of the foregoing Plaintiff's Reply to New Matter of Defendant was forwarded via first-class mail, postage prepaid, to the following:

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



Nicholas Gianvito, Esq.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

Type of Case – Civil

No. 2006 – 293 C.D.

Plaintiffs

Type of Pleading –
NOTICE OF SERVICE

vs.

Filed on behalf of – **PLAINTIFFS**

**GEORGE D. DUCKETT, JR.,
an Individual**

Defendant

Filed by:
NICHOLAS GIANVITO, ESQ.
Pa. I.D. #67190

LORENZO & GIANVITO, P.C.
410 WEST MAHONING ST.
P.O. BOX 495
PUNXSUTAWNEY, PA 15767
814-938-6390

JURY TRIAL DEMANDED

FILED

APR 17 2006
0712:50 AM
William A. Shaw
Prothonotary/Clerk of Courts

14000 10 AM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

No. 2006 - 293 C.D.

Plaintiffs

vs.

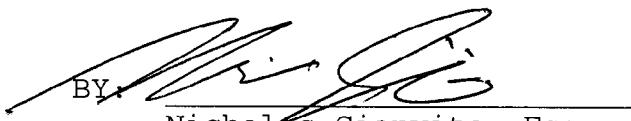
**GEORGE D. DUCKETT, JR.,
an Individual,
Defendant**

**NOTICE OF SERVICE OF FIRST SET OF INTERROGATORIES TO
DEFENDANT, GEORGE D. DUCKETT, JR.**

TO THE PROTHONOTARY:

Please be advised that Plaintiffs' First Set of
Interrogatories to Defendant, George D. Duckett, Jr., were
served upon said defendant, c/o their attorney: Troy J.
Harper, Esq., of Dennison, Dennison & Harper, 293 Main
Street, Brookville, PA 15825-1291, this 17th day of
April, 2006, via first-class U.S. Mail, postage prepaid.

LORENZO & GIANVITO, P.C.

BY 
Nicholas Gianvito, Esq.
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

Plaintiffs

vs.

**GEORGE D. DUCKETT, JR.,
an Individual**

Defendant

Type of Case – Civil

No. 2006 – 293 C.D.

Type of Pleading –
PRAECIPE FOR DISCONTINUANCE

Filed on behalf of – **PLAINTIFFS**

Filed by:
NICHOLAS GIANVITO, ESQ.
Pa. I.D. #67190

LORENZO & GIANVITO, P.C.
410 WEST MAHONING ST.
P.O. BOX 495
PUNXSUTAWNEY, PA 15767
814-938-6390

JURY TRIAL DEMANDED

FILED No cc
11/2/08 am Cert of Disc issued
SEP 08 2006 to Atty 6i anwto
Copy to c/1A
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

**TERESA WELSH and
WILLIAM WELSH, individually
And as Husband and Wife,**

No. 2006 - 293 C.D.

Plaintiffs

vs.

**GEORGE D. DUCKETT, JR.,
an Individual,**

Defendant

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY:

Please mark the above-captioned matter as settled,
terminated and discontinued.

LORENZO & GIANVITO, P.C.

BY 
Nicholas Gianvito, Esq.
Attorney for Plaintiffs

Date: 08/29/06

DENNISON, DENNISON & HARPER
Attorneys at Law

Donald J. Dennison (1917 - 2002)
John C. Dennison, II
Troy J. Harper

293 Main Street
Brookville, PA 15825-1291
Telephone (814) 849-8316
Fax (814) 849-4656
E-Mail: ddh@usachoice.net

September 7, 2006

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

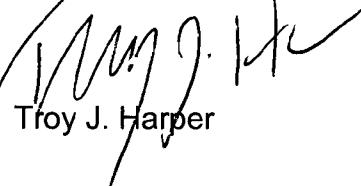
RE: 2006-293 C.D.
Teresa Welsh and William Welsh vs. George D. Duckett, Jr.

Dear Mr. Shaw:

Please file the enclosed Praeclipe for Discontinuance and provide me with a Certificate of Discontinuance. I enclose a self-addressed stamped envelope.

Thank you for your cooperation in this matter.

Very truly yours,



Troy J. Harper

TJH:lny

Enclosures - 2

pc: Nicholas Gianvito, Esq.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Teresa Welsh
William Welsh

Vs.
George D. Duckett Jr.

No. 2006-00293-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 September 8, 2006, marked:

Settled, terminated and discontinued

Record costs in the sum of \$85.00 have been paid in full by Nicholas Gianvito Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 8th day of September A.D. 2006.



William A. Shaw, Prothonotary