



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CYNTHIA CAVA,

Plaintiff

vs.

BLY DEVELOPMENT GROUP, INC.,

Defendant

CIVIL ACTION - LAW

06-338-C.D

No. - 2006 C.D.

Type of Pleading:  
**Praecipe for Issuance for  
Writ of Summons**

Filed on Behalf of:  
**Cynthia Cava, Plaintiff**

Counsel of Record for this Party:

**Jeffrey M. Gordon, Esquire**  
Supreme Court No. 55835  
Lukehart, Lundy & Gordon  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800

FEB 08 2006

William A. Shaw  
Prothonotary Clerk of Courts  
Penn County Courthouse

FILED Atty pd 85.00  
MARCH 03 2006 1CC to Writ to Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

March 8, 2006 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

*William A. Shaw*  
Deputy Prothonotary

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL ACTION - LAW

CYNTHIA CAVA,

Plaintiff

vs.

No.

- 2006 C.D.

BLY DEVELOPMENT GROUP, INC.,

Defendant

**PRAECIPE FOR ISSUANCE OF WRIT OF SUMMONS**

To the Prothonotary:

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

LUKEHART, LUNDY & GORDON

February 7, 2006

By: Jeffrey M. Gordon, Esquire

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

CC  
J

**SUMMONS**

**Cynthia Cava**

**Vs.**

**NO.: 2006-00338-CD**

**Bly Development Group, Inc.**

**TO: BLY DEVELOPMENT GROUP, INC.**

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: 03/03/2006

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

**Issuing Attorney:**

Jeffrey M. Gordon  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800

Y & GORDON

Law

(4774)

J. Kipp Luk

Jeffrey Lun

Jeffrey M.

152 Jefferson Street

Brookville, PA 15825

Direct: 814-849-6800

Fax: 819-849-6363

February 7,

M: ~~Kathy~~ from Atty. Jeffrey  
Pr: ~~Kathy~~ from Atty. Jeffrey  
C: ~~Kathy~~ from Atty. Jeffrey  
2: Gordon's office called -  
C: ~~Kathy~~ from Atty. Jeffrey  
I: She sent a preceip for issuance of  
Writ of Summons - please  
hold on to this until she  
sends a copy with  
corrections on it.  
~~Done~~ I checked on 3/3/04 -

I thanu have any questions, please ~~you~~ - ~~you~~ contact me.

Pro cesso ✓  
Writ of Summons  
From JEFF Gordon  
Officer

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

**SUMMONS**

**Cynthia Cava**

**Vs.**

**NO.: 2006-00338-CD**

**Bly Development Group, Inc.**

TO: **BLY DEVELOPMENT GROUP, INC.**

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: 2/08/06

William A. Shaw  
Prothonotary

Issuing Attorney:

Jeffrey M. Gordon  
152 Jefferson Street  
Brookville, PA 15825

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CYNTHIA CAVA,

Plaintiff

vs.

BLY DEVELOPMENT GROUP, INC.,  
Defendant

CIVIL ACTION - LAW

No. 2006-00338-CD

Type of Pleading:  
**Motion and Order**

Filed on Behalf of:  
**Cynthia Cava, Plaintiff**

Counsel of Record for this Party:

**Jeffrey M. Gordon, Esquire**  
Supreme Court No. 55835  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800

**FILED**

MAR 08 2006 (Pa)  
0/9:50 AM

William A. Shaw  
Prothonotary/Clerk of Courts

2 CENS TO ATTY

ISSUAN NEW WRT  
MARCH FEB 8, 2006.

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL ACTION - LAW

CYNTHIA CAVA, :  
Plaintiff :  
vs. : No. 2006-00338-CD  
BLY DEVELOPMENT GROUP, INC., :  
Defendant :  
:

**MOTION DIRECTING CLEARFIELD COUNTY**  
**PROTHONOTARY TO RE-FILE ACTION**

AND NOW, comes the Plaintiff, Cynthia Cava, by and through her counsel, Lukehart, Lundy & Gordon, by Jeffrey M. Gordon, Esquire, and files this Motion respectfully requesting that this Honorable Court Order the Clearfield County Prothonotary's Office to re-file the above-captioned action as of February 8, 2006, rather than as filed on March 3, 2006, and in support therefore, avers as follows:

1. On February 7, 2006, Plaintiff, through her counsel, presented to the Clearfield County Prothonotary's Office a Praecept for Issuance for Writ of Summons in the above-referenced action. A copy evidenced by the letter sent to the Prothonotary along with the Praecept for Issuance for Writ of Summons is attached hereto as Exhibits "A" and "B".
2. On February 8, 2006, Kathleen Sherman, paralegal for Plaintiff's counsel, contacted the Clearfield County Prothonotary's office by telephone requesting that the Praecept for Issuance for Writ of Summons not be filed until such time as Plaintiff's counsel had an opportunity to once again speak with Plaintiff about the circumstances surrounding the incident. Please see telephone record, specifically line 29, evidencing telephone call made at 8:55 a.m. on

February 8, 2006, attached hereto as Exhibit "C."

3. After speaking with Plaintiff, counsel for Plaintiff determined that the proper party had been listed on the Praeclipe for Issuance for Writ of Summons, and the case should move forward as captioned.

4. On February 8, 2006, Kathleen Sherman, paralegal for Plaintiff's counsel, contacted the Clearfield County Prothonotary's office and spoke directly with the Prothonotary, William Shaw, and requested that Mr. Shaw file the Praeclipe for Issuance for Writ of Summons. Please see telephone record, specifically line 30, evidencing telephone call made at 1:36 p.m. on February 8, 2006, attached hereto as Exhibit "C."

5. On March 3, 2006, Plaintiff's counsel received a telephone call from the Clearfield County Prothonotary's office inquiring whether or not the Prothonotary should file the Praeclipe for Issuance for Writ of Summons, which Plaintiff's counsel thought had already been filed on February 8, 2006.

6. The Clearfield County Prothonotary's Office prepared the Writ of Summons on March 3, 2006. On that same date, Plaintiff's counsel contacted William Shaw, Prothonotary, indicating that the Writ of Summons should have been issued on February 8, 2006, and that the statute of limitations had run on February 24, 2006.

7. William Shaw, Prothonotary, acknowledges he received the telephone call from Kathleen Sherman, paralegal for Jeffrey M. Gordon, Esquire, but could not recollect the exact date of said telephone call nor the exact conversation.

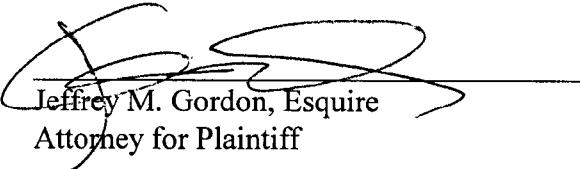
8. William Shaw, Prothonotary, did indicate to Plaintiff's counsel that if Kathleen Sherman had a clear recollection of the conversation, that he would not object to the same.

Attached hereto as Exhibit "D" is an Affidavit from Kathleen Sherman, setting forth her specific recollection of the telephone calls made to the Clearfield County Prothonotary's office.

9.      Solicitor for the Clearfield County Prothonotary's Office, David S. Ammerman, has discussed this situation with both William Shaw, Prothonotary and Jeffrey M. Gordon, Esquire, and does not object for the relief sought by this Motion.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to issue an Order directing the Clearfield County Prothonotary to re-file the Praecept for Issuance for Writ of Summons as of February 8, 2006, and remove from the docket the Praecept filed on March 3, 2006.

Respectfully submitted,



Jeffrey M. Gordon, Esquire  
Attorney for Plaintiff

LUKEHART, LUNDY & GORDON  
Attorneys at Law  
1-877-777-4LLG (4774)

J. Kipp Lukehart, Esquire  
Jeffrey Lundy, Esquire  
Jeffrey M. Gordon, Esquire

152 Jefferson Street  
Brookville, PA 15825  
Direct: 814-849-6800  
Fax: 819-849-6363

February 7, 2006

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

Re: *Cynthia Cava v. Bly Development Group, Inc.*

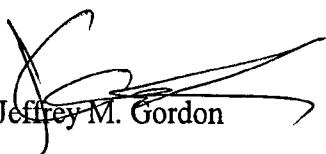
Dear Mr. Shaw:

Please accept for filing a Praecept for Issuance for Writ of Summons regarding the above-referenced matter, along with the filing fee of \$85.00. Kindly affix your time-stamp to the enclosed copy and return the same to my office in the enclosed self-addressed, stamped envelope.

After the Writ is prepared, would you please deliver the same to the Sheriff's Office with the enclosed envelope?

I thank you for your anticipated assistance. Should you have any questions, please feel free to contact me.

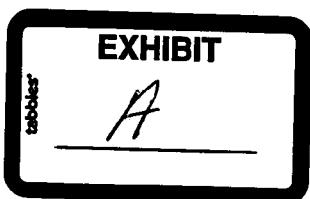
Sincerely,



Jeffrey M. Gordon

JMG/kjs

Enclosures



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CYNTHIA CAVA,

Plaintiff

vs.

BLY DEVELOPMENT GROUP, INC.,  
Defendant

CIVIL ACTION - LAW

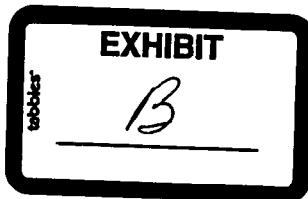
No. - 2006 C.D.

Type of Pleading:  
**Praecipe for Issuance for  
Writ of Summons**

Filed on Behalf of:  
**Cynthia Cava, Plaintiff**

Counsel of Record for this Party:

**Jeffrey M. Gordon, Esquire**  
Supreme Court No. 55835  
Lukehart, Lundy & Gordon  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL ACTION - LAW

CYNTHIA CAVA,

Plaintiff

vs.

No. - 2006 C.D.

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**PRAECIPE FOR ISSUANCE OF WRIT OF SUMMONS**

To the Prothonotary:

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LUKEHART, LUNDY & GORDON

February 7, 2006

By:  Jeffrey M. Gordon, Esquire

Page 4 of 8

Mail Date: MARCH 07, 2006  
 Billing Number: 814-849-6363  
 Account Number: 020 781 688 888


**DIRECTORY ADVERTISING  
SUMMARY OF CURRENT CHARGES**
**NON-BASIC SERVICE**

DIRECTORY ADVERTISING *	83.40
TOTAL NON-BASIC SERVICE	83.40
<b>TOTAL DIRECTORY ADVERTISING CHARGES</b>	<b>83.40</b>

\* Details of Directory Advertising charges appear on the 814 page of this bill.


**ALLTEL LONG DISTANCE  
SUMMARY OF CURRENT CHARGES**

Toll charge inquiries call 1-800-843-9214

**TOLL SERVICE**

LONG DISTANCE CHARGES	85.94
FEDERAL TAX	2.72
STATE TAX	5.40
STATE TAX ADJUSTMENT SURCHARGE	.46 CR
UNIVERSAL SERVICE FUND CHARGE	.31
STATE GROSS RECEIPTS TAX	4.20
<b>TOTAL TOLL SERVICE</b>	<b>94.20</b>
<b>TOTAL ALLTEL LONG DISTANCE CHARGES</b>	<b>88.20</b>

**ALLTEL LONG DISTANCE Direct Dialed Calls  
FOR (814) 849-6800**

LINE	DATE	TIME	CITY CALLED	AREA	NUMBER	CL	RP	MIN	AMOUNT	
1	02/01	0923A	REYNOLDSVL	PA	814	653-2328	S	D	1.0	.07
2	02/01	0924A	GIBSONIA	PA	724	444-1100	S	D	1.0	.12
3	02/01	0945A	CLEARFIELD	PA	814	768-2641	S	D	0.0	.02
4	02/01	0948A	CLEARFIELD	PA	814	768-2641	S	D	1.0	.12
5	02/01	1025A	EMPORIUM	PA	814	486-9228	S	D	0.4	.03
6	02/01	1116A	NEW CASTLE	PA	724	658-2000	S	D	0.0	.04
7	02/01	0145P	BUTLER	PA	724	679-5109	S	D	0.7	.05
8	02/01	0149P	BROCKWAY	PA	814	285-2120	S	D	0.8	.05
9	02/02	1131A	BROCKWAY	PA	814	264-8594	S	D	4.1	.27
10	02/02	1135A	BROCKWAY	PA	814	285-0324	S	D	7.6	.49
11	02/03	0851A	REYNOLDSVL	PA	814	653-2037	S	D	1.5	.10
12	02/03	0844A	STHELENIA	SC	943	838-4290	S	D	1.0	.06
13	02/03	0847A	SYKESVILLE	PA	814	884-2429	S	D	0.7	.05
14	02/03	0138P	REYNOLDSVL	PA	814	653-4155	S	D	1.7	.11
15	02/05	0834A	PUNXSUTAWNY	PA	814	962-0235	S	D	0.0	.05
16	02/06	0843A	PUNXSUTAWNY	PA	814	962-0235	S	D	1.0	.07
17	02/06	0145P	DUBOIS	PA	814	371-3891	S	D	1.2	.11
18	02/06	0206P	DUBOIS	PA	814	379-1157	S	D	1.3	.08
19	02/07	0854A	INDIANA	PA	724	463-4656	S	D	2.2	.14
20	02/07	1033A	REYNOLDSVL	PA	814	541-7888	S	D	0.0	.02
21	02/07	1035A	DUBOIS	PA	814	376-4038	S	D	0.7	.05
22	02/07	1048A	DUBOIS	PA	814	571-2730	S	D	2.0	.17
23	02/07	1124A	HARRISONCY	PA	724	744-2679	S	D	4.3	.29
24	02/07	1127A	BROCKWAY	PA	814	285-2120	S	D	4.7	.31
25	02/07	0134P	BROCKWAY	PA	814	285-0550	S	D	1.0	.05
26	02/07	0209P	GLENSHAW	PA	412	487-3124	S	D	0.8	.04
27	02/08	0845A	CLEARFIELD	PA	814	768-8596	S	D	0.3	.02
28	02/08	0850A	CLARION	PA	814	226-6030	S	D	0.8	.04
	02/08	0855A	CLEARFIELD	PA	814	768-2641	S	D	1.0	.12

**ALLTEL LONG DISTANCE Direct Dialed Calls**
**FOR (814) 849-6800**

LINE	DATE	TIME	CITY CALLED	AREA	NUMBER	CL	RP	MIN	AMOUNT	
✓ 30	02/08	0136P	CLEARFIELD	PA	814	768-2641	S	D	1.4	.08
31	02/08	0849A	RIDGWAY	PA	814	778-6144	S	D	1.0	.07
32	02/08	0848A	WEXFORD	PA	724	935-1500	S	D	5.0	.39
33	02/08	1035A	CLARION	PA	814	226-4000	S	D	0.4	.03
34	02/09	1035A	CLARION	PA	814	226-4000	S	D	1.5	.10
35	02/09	1148A	NORTH EAST	PA	814	726-3048	S	D	0.8	.06
36	02/09	1107A	PITTSBURGH	PA	412	261-0578	S	D	2.0	.13
37	02/09	1258P	DUBOIS	PA	814	583-0850	S	D	1.4	.09
38	02/09	0129P	PITTSBURGH	PA	412	583-0850	S	D	1.3	.08
39	02/09	0142P	PITTSBURGH	PA	412	671-8102	S	D	1.5	.10
40	02/09	0144P	PITTSBURGH	PA	412	351-4242	S	D	8.4	.68
41	02/10	0828A	DUBOIS	PA	814	375-5305	S	D	0.7	.05
42	02/10	0832A	PITTSBURGH	PA	412	847-5700	S	D	0.3	.02
43	02/10	1030A	REYNOLDSVL	PA	814	653-6166	S	D	1.4	.08
44	02/10	1162A	KITTANNING	PA	724	545-1251	S	D	0.8	.04
45	02/10	0251P	REYNOLDSVL	PA	814	653-6245	S	D	0.0	.06
46	02/10	0303P	GIBSONIA	PA	724	444-1100	S	D	1.1	.07
47	02/10	0449P	HARRISONCY	PA	724	744-2670	S	D	0.3	.02
48	02/10	0460P	HARRISONCY	PA	724	744-2670	S	D	1.5	.10
49	02/13	0821A	PITTSBURGH	PA	412	847-4700	S	D	0.3	.02
50	02/13	0830A	PERRYBVL	PA	412	369-9988	S	D	4.3	.28
51	02/13	0832A	HARRISONCY	PA	724	744-2670	S	D	7.4	.48
52	02/13	0940A	HARRISONCY	PA	724	744-2670	S	D	4.3	.24
53	02/13	1004A	DUBOIS	PA	814	375-6030	S	D	0.5	.03
54	02/13	1010A	DUBOIS	PA	814	371-3700	S	D	3.5	.26
55	02/13	1135A	DUBOIS	PA	814	371-3881	S	D	0.0	.03
56	02/13	0227P	PITTSBURGH	PA	412	351-4242	S	D	1.4	.08
57	02/13	0445P	HARRISONCY	PA	724	744-2670	S	D	12.3	.86
58	02/14	0808A	DUBOIS	PA	814	371-2141	S	D	4.2	.27
59	02/14	0802A	REYNOLDSVL	PA	814	653-8245	S	D	0.3	.02
60	02/14	0128P	REYNOLDSVL	PA	814	541-8044	S	D	0.0	.04
61	02/14	0321P	HARRISONCY	PA	724	744-2670	S	D	1.0	.05
62	02/14	0345P	REYNOLDSVL	PA	814	653-8188	S	D	1.5	.10
63	02/15	0919A	REYNOLDSVL	PA	814	541-8044	S	D	5.0	.38
64	02/15	1028A	PITTSBURGH	PA	412	261-4242	S	D	41.6	2.76
65	02/15	0105P	HARRISONCY	PA	724	744-2670	S	D	12.8	.83
66	02/16	0217P	CLARION	PA	814	226-4030	S	D	2.4	.16
67	02/16	0245P	CLARION	PA	814	226-4000	S	D	2.7	.18
68	02/16	0414P	HARRISONCY	PA	724	744-2670	S	D	1.7	.11
69	02/16	0103P	HARRISONCY	PA	724	744-2670	S	D	1.1	.07
70	02/16	0128P	CLEARFIELD	PA	814	768-4972	S	D	3.2	.21
71	02/16	0131P	HARRISONCY	PA	724	744-2670	S	D	3.1	.20
72	02/16	0203P	DUBOIS	PA	814	375-1175	S	D	1.4	.09
73	02/16	0212P	DUBOIS	PA	814	375-4176	S	D	0.4	.03
74	02/16	0213P	DUBOIS	PA	814	375-1173	S	D	2.1	.14
75	02/16	0213P	HARRISONCY	PA	724	744-2670	S	D	4.8	.31
76	02/20	0945A	NEW CASTLE	PA	724	658-2000	S	D	20.8	1.35
77	02/20	1038A	NEW CASTLE	PA	724	658-2000	S	D	6.7	.37
78	02/20	1034A	NEW CASTLE	PA	724	658-2000	S	D	6.0	.38
79	02/20	1123A	INDIANA	PA	724	349-4892	S	D	1.1	.07
80	02/20	1127A	REYNOLDSVL	PA	814	653-2880	S	D	1.5	.10
81	02/20	1132A	HARRISONCY	PA	724	744-2670	S	D	6.0	.38
82	02/20	0300P	SYKESVILLE	PA	814	884-2408	S	D	2.3	.15
83	02/20	0303P	SYKESVILLE	PA	814	884-2408	S	D	2.9	.19
84	02/21	0306P	BROCKWAY	PA	814	268-2202	S	D	1.3	.08
85	02/22	0918A	BROCKWAY	PA	814	268-4565	S	D	0.0	.05
86	02/22	0938A	REYNOLDSVL	PA	814	653-8245	S	D	0.7	.05
87	02/22	0203P	BROCKWAY	PA	814	268-4703	S	D	1.1	.07
88	02/22	0229P	BROCKWAY	PA	814	268-4565	S	D	19.6	1.27
89	02/22	0446P	DUBOIS	PA	814	375-1167	S	D	4.5	.28
90	02/23	0318P	REYNOLDSVL	PA	814	653-8188	S	D	1.4	.08

EXHIBIT

C

## AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA }  
 }  
 COUNTY OF JEFFERSON }  
 }  
 SS:

I, Kathleen J. Sherman, paralegal for Jeffrey M. Gordon, Esquire, hereby swear and affirm that on February 8, 2006, I contacted the Clearfield County Prothonotary's Office by telephone and indicated that on February 7, 2006, our office mailed a Praecept for Issuance for Writ of Summons to them for filing. I requested they not file the Praecept until we get back to them. I do not know the name of the individual I spoke with.

On February 8, 2006, I called the Prothonotary's Office back and spoke with William Shaw. I explained to Mr. Shaw I spoke with someone in their office earlier that day and asked them to not file the Praeclipe. I indicated to Mr. Shaw I was now calling back to request the Praeclipe be filed on that day. I recollect speaking with Mr. Shaw as I asked, "with whom am I speaking?"

I verify that I made the two telephone calls listed on Exhibit "C" of the within Motion.

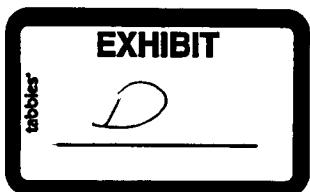
Kathleen J. Sherman  
Kathleen J. Sherman

Sworn to and subscribed before

me this 6 day of March, 2006.

Randa Notary Public

Notary Seal  
Paula Kay McKinney, Notary Public  
Brookville Boro, Jefferson County  
My Commission Expires Sept. 27, 2007  
Member, Pennsylvania Association of Notaries



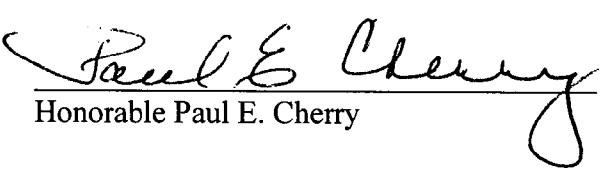
COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL ACTION - LAW

CYNTHIA CAVA, :  
Plaintiff :  
: :  
vs. : No. - 2006 C.D.  
: :  
BLY DEVELOPMENT GROUP, INC., :  
Defendant :  
:

**ORDER**

AND NOW, this 8<sup>th</sup> day of March, 2006, upon consideration of the Plaintiff's Motion Directing Clearfield County Prothonotary to Re-file Action,  
IT IS HEREBY ORDERED, that the Clearfield County Prothonotary re-file the Praeclipe for Issuance for Writ of Summons as of February 8, 2006, and remove from the docket the Praeclipe filed on March 3, 2006.

BY THE COURT:

  
Honorable Paul E. Cherry

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CYNTHIA CAVA,

Plaintiff

CIVIL ACTION - LAW

vs.

No. 2006-00338-CD

BLY DEVELOPMENT GROUP, INC.,  
Defendant

Type of Pleading:  
**Praecipe to Reinstate  
Writ of Summons**

Filed on Behalf of:  
**Cynthia Cava, Plaintiff**

Counsel of Record for this Party:  
**Jeffrey M. Gordon, Esquire**  
Supreme Court No. 55835  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800

FILED Atty pd. 7.00  
01/31/2006 1 Reinstated  
MAR 08 2006 Writ to Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

GR

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL ACTION - LAW

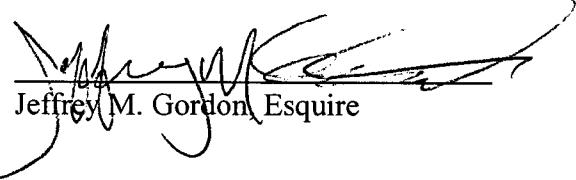
CYNTHIA CAVA, :  
Plaintiff :  
: vs. : No. 2006-00338-CD  
: :  
BLY DEVELOPMENT GROUP, INC., :  
Defendant :  
:

**PRAECIPE TO REINSTATE WRIT OF SUMMONS**

To the Prothonotary:

Pursuant to Pa. R.C.P. No. 401(b)(1), please reinstate the Writ of Summons dated February 8, 2006, in the above-captioned matter.

March 8, 2006

  
Jeffrey M. Gordon, Esquire

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

**SUMMONS**

**Cynthia Cava**

**Vs.**

**NO.: 2006-00338-CD**

**Bly Development Group, Inc.**

**TO: BLY DEVELOPMENT GROUP, INC.**

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: 2/08/06



William A. Shaw  
Prothonotary

**Issuing Attorney:**

Jeffrey M. Gordon  
152 Jefferson Street  
Brookville, PA 15825

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

SUMMONS

Cynthia Cava

Vs.

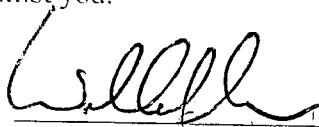
NO.: 2006-00338-CD

Bly Development Group, Inc.

TO: BLY DEVELOPMENT GROUP, INC.

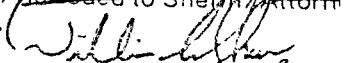
To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 2/08/06

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

Issuing Attorney:

Jeffrey M. Gordon  
152 Jefferson Street  
Brookville, PA 15825

3-870c Document  
Reinstated/Reissued to Sheriff/Attorn  
for service.   
\_\_\_\_\_  
Deputy Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101327  
NO: 06-338-CD  
SERVICE # 1 OF 1  
SUMMONS

PLAINTIFF: CYNTHIA CAVA  
vs.  
DEFENDANT: BLY DEVELOPMENT GROUP, INC.

SHERIFF RETURN

NOW, March 29, 2006 AT 11:13 AM SERVED THE WITHIN SUMMONS ON BLY DEVELOPMENET GROUP, INC. DEFENDANT AT 1394 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KAREN BLY, OFFICE MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

01/24/06 BSY  
APR 20 2006 (S)

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	2061	10.00
SHERIFF HAWKINS	GORDON	2061	35.30

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,

  
by Marilynn Hause  
Chester A. Hawkins  
Sheriff

Jeffrey M. Gordon  
Attorney at Law  
152 Jefferson Street, Brookville, PA 15825

JK

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CYNTHIA CAVA,

Plaintiff

CIVIL DIVISION - LAW

No. 2006-00338-CD

v.

BLY DEVELOPMENT GROUP, INC.,  
Defendant

Type of Pleading:

**Petition of Plaintiff's Counsel  
For Leave to Withdraw**

Filed on Behalf of:

**Plaintiff**

Counsel of Record for this Party:

**Jeffrey M. Gordon, Esquire**  
Supreme Court No. 55835  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800

**FILED**  
0 12:01 PM 6K 2cc TO ANY.  
**MAR 08 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL DIVISION - LAW

CYNTHIA CAVA, :  
Plaintiff :  
: :  
v. : No. 2006-00338-CD  
: :  
BLY DEVELOPMENT GROUP, INC., :  
Defendant :  
:

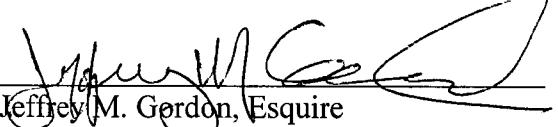
**PETITION OF PLAINTIFF'S COUNSEL FOR LEAVE TO WITHDRAW**

The Petition of Jeffery M. Gordon, Esquire, respectfully represents the following:

1. This action was filed on February 8, 2006 by Writ of Summons.
2. The filing of the Writ tolled the statute of limitations. Therefore, this withdrawal can be accomplished without material adverse effect to the interest of the Plaintiff.
3. Petitioner believes he can no longer continue representation in this case without undue burden and without risk of conflict with the client.
4. Petitioner has notified the client of his intention to withdraw and files this Petition before your Honorable Court.

WHEREFORE, Petitioner requests that this Court grant Petitioner leave to withdraw his appearance for Plaintiff in this action.

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey M. Gordon, Esquire  
Petitioner

**VERIFICATION**

I, Jeffrey M. Gordon, Esquire, Petitioner, do hereby verify that the statements in the Petition of Plaintiff's Counsel for Leave to Withdraw Appearance are correct to the best of my personal knowledge or information or belief.

This statement and verification is made subject to the penalties of 18 Pa. P.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.

  
\_\_\_\_\_  
Jeffrey M. Gordon, Esquire  
Petitioner

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL DIVISION - LAW

CYNTHIA CAVA,

Plaintiff

v.

No. 2006-00338-CD

BLY DEVELOPMENT GROUP, INC.,

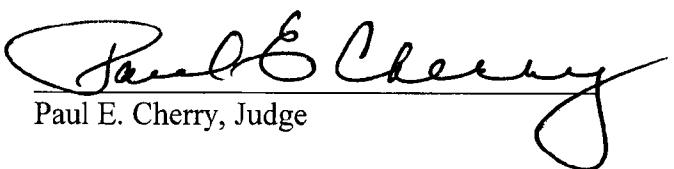
Defendant

**RULE TO SHOW CAUSE**

AND NOW, this 8<sup>th</sup> day of March, 2007, upon consideration of the foregoing Petition For Leave to Withdraw, the Court grants a Rule to Show Cause why the appearance of Jeffrey M. Gordon, Esquire, on behalf of the Plaintiff, Cynthia Cava, should not be withdrawn.

Said Rule Returnable on the 4<sup>th</sup> day of April, 2007, at 10:30 o'clock A. m. in Courtroom No. 2 of the Clearfield County Courthouse, 320 East Market Street, Clearfield, Pennsylvania.

BY THE COURT:

  
Paul E. Cherry, Judge

**FILED**  
C 12:01 P.M. 6K  
MAR 08 2007 2 CC TO ATTY  
(will serve)

William A. Shaw  
Prothonotary/Clerk of Courts

6K

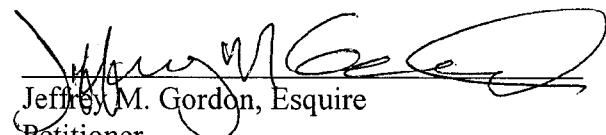
COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL DIVISION - LAW

CYNTHIA CAVA, :  
Plaintiff :  
: :  
v. : No. 2006-00338-CD  
: :  
BLY DEVELOPMENT GROUP, INC., :  
Defendant :  
:

**CERTIFICATE OF SERVICE**

I, Jeffrey M. Gordon, Esquire, Petitioner, hereby certify that on this 8<sup>th</sup> day of March, 2007, a true and correct copy of Petition of Plaintiff's Counsel for Leave to Withdraw Appearance and Rule to Show Cause was forwarded by first-class mail, postage prepaid, to

Cynthia Cava  
1536 Treasure Lake  
DuBois, PA 15801

  
\_\_\_\_\_  
Jeffrey M. Gordon, Esquire  
Petitioner

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CYNTHIA CAVA

:

VS.

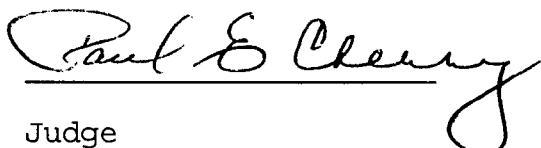
: NO. 06-338-CD

BLY DEVELOPMENT GROUP, INC. :

O R D E R

AND NOW, this 4th day of April, 2007, this being the date set for hearing on the Petition of Plaintiff's Counsel for Leave to Withdraw; the Court noting that Plaintiff has failed to appear, despite receiving due and proper notice; upon presentation of the issues before the Court and consideration of same, it is the ORDER of this Court that said Petition shall be and is hereby granted and Jeffrey M. Gordon, Esquire, shall be and is hereby permitted to withdraw his appearance for Plaintiff in this action. Jeffrey M. Gordon, Esquire, shall file a praecipe with the Prothonotary of Clearfield County within no more than ten (10) days from today's date.

BY THE COURT,

  
Paul E. Cleary

Judge

FILED

ICC Atty Gordon

04/10/07  
APR 05 2007

ICC Piff-  
1536 Treasure Lake

William A. Shaw  
Prothonotary/Clerk of Courts

Dubois, PA 15801

ICC Def-

1394 Treasure Lake  
Dubois, PA 15801

(6K)

**FILED**

**APR 05 2007**

*William A. Shaw  
Prothonotary/Clerk of Courts*

DATE: 4/5/07

You are responsible for serving all appropriate parties.  
 The Prothonotary's office has provided service to the following parties:  
 Plaintiff(s)  Plaintiff(s) Attorney  Other  
 Defendant(s)  Defendant(s) Attorney  
 Special Instructions:

VA

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CYNTHIA CAVA,  
Plaintiff

CIVIL DIVISION - LAW  
No. 2006-00338-CD

v.

BLY DEVELOPMENT GROUP, INC.,  
Defendant

Type of Pleading:  
**Praecipe to Withdraw**  
**Appearance**

Filed on Behalf of:  
**Plaintiff**

Counsel of Record for this Party:  
**Jeffrey M. Gordon, Esquire**  
Supreme Court No. 55835  
152 Jefferson Street  
Brookville, PA 15825  
(814) 849-6800

**FILED** *EW*  
APR 10 2007  
*W. W. Shaw*  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 CENT TO MATTY

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA  
CIVIL DIVISION - LAW

CYNTHIA CAVA, :  
Plaintiff :  
v. : No. 2006-00338-CD  
: :  
BLY DEVELOPMENT GRCUP, INC., :  
Defendant :  
:

**PRAECIPE TO WITHDRAW APPEARANCE**

TO THE PROTHONOTARY:

Kindly withdraw my appearance on behalf of Cynthia Cava, the Plaintiff, in the above-referenced matter.



Jeffrey M. Gordon, Esquire  
Attorney for Plaintiff

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

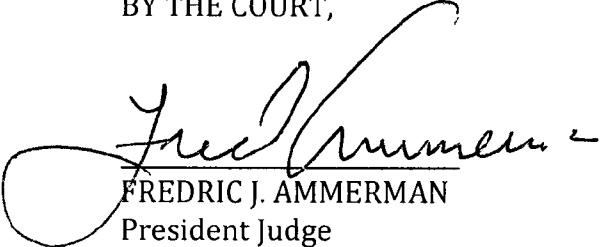
Cynthia Cava \* NO. 2006-338-CD  
Plaintiff \*  
\*  
\* vs. \*  
\*  
\*  
\*  
\* Bly Development Group, Inc., \*  
Defendant \*  
\* 01/15/13  
\* 13 2013  
\* 13

ORDER

William A. Shaw  
Prothonotary/Clerk of Courts KK

NOW, this 15<sup>th</sup> day of March, 2013, upon the Court's review of the docket and noting that Plaintiff's counsel withdrew from the case on April 11, 2007 and that there has been no activity in the case since that date, it is the ORDER of this Court that the case be moved to inactive status. The Prothonotary shall code the case in Full Court as Z-INACTA.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge