

06-647-CD

Kevin S. Wisor vs Thomas Janoko

2006-647-CD

Kevin Wisor vs Thomas Janoko

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

KEVIN S. WISOR,
Plaintiff
-vs-
THOMAS JANOKO,
Defendant

*
*
*
* No. 06-647-CD
* JURY TRIAL DEMANDED
*
*

Type of Action:
Personal Injury

Type of Pleading:
Complaint

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED
02-11-01
APR 25 2006
85.00
UN
William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR, *
Plaintiff *
*
-vs- * No.
* JURY TRIAL DEMANDED
THOMAS JANOKO, *
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 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.

COURT ADMINISTRATOR
Clearfield County Courthouse
Second & Market Streets
Clearfield, PA 16830
(814) 765-2641

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

KEVIN S. WISOR, *
Plaintiff *
*
-vs- * No.
* JURY TRIAL DEMANDED
THOMAS JANOKO, *
Defendant *

COMPLAINT

AND NOW, comes the Plaintiff, Kevin S. Wisor, by and through his attorney, Richard H. Milgrub, Esquire, who files the following Complaint:

1. Plaintiff, Kevin S. Wisor, is an adult individual and citizen of the Commonwealth of Pennsylvania who resides at 526 West Pauline Drive, Clearfield, Pennsylvania.

2. Defendant, Thomas Janoko, is an adult individual and citizen of the Commonwealth of Pennsylvania who resides at 30 Green Ridge Drive, Clearfield, Pennsylvania.

3. The facts and occurrences hereinafter related took place on or about November 15, 2004 at approximately 7:38 a.m. on Washington Avenue, Hyde, Lawrence Township, Clearfield County, Pennsylvania.

4. At that time and place, Plaintiff, Kevin S. Wisor, was operating his motor vehicle in a northerly direction on Washington Avenue, Hyde, Lawrence Township, Clearfield County, Pennsylvania.

THE LAW OFFICES OF
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—
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DUBOIS, PA 15801

5. At that time and place, the Plaintiff, Kevin S. Wisor, was traveling within the right lane of travel for northbound traffic on Washington Avenue, Hyde, Lawrence Township, Clearfield County, Pennsylvania.

6. At that time and place, the Defendant, Thomas Janoko, was operating his motor vehicle in the same direction on Washington Avenue, Hyde, Lawrence Township, Clearfield County, Pennsylvania.

7. At that time and place, the front portion of Defendant's vehicle violently collided with the rear portion of Plaintiff, Kevin S. Wisor's, vehicle.

8. The foregoing accident and all of the injuries and damages set forth hereinafter sustained by Plaintiff, Kevin S. Wisor, are the direct and proximate result of the negligent, careless, wanton and reckless manner in which Defendant, Thomas Janoko, operated his motor vehicle as follows:

a. failure to have his vehicle under such control so as to be able to stop within the assured clear distance ahead;

b. failure to keep alert and maintain a proper watch for the presence of other vehicles on the highway;

c. failure to apply his brakes in sufficient time to avoid striking the rear of Plaintiff, Kevin S. Wisor's, vehicle;

d. failure to travel at a safe speed;

e. failure to yield the right of way to

Plaintiff, Kevin S. Wisor's, vehicle;

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f. failure to keep a proper watch for traffic on the highway;

g. failure to drive his vehicle with due regard for the highway and traffic conditions which were existing and of which he was or should have been aware;

h. failure to keep proper and adequate control over his vehicle; and

i. otherwise driving his vehicle upon the highway in a manner endangering persons and property and in a reckless manner with careful disregard to the rights and safety of others in violation of the Motor Vehicle Code of the Commonwealth of Pennsylvania.

9. Plaintiff, Kevin S. Wisor, sustained painful and severe injuries, which include, but are not limited to:

a. broken tooth;

b. left knee contusion;

c. left-sided subligamentous nucleus pulposus herniation at C5-6;

d. right-sided subligamentous nucleus pulposus herniation at C6-7;

e. anterior extradural impression upon the thecal sac on the left side and rights sides respectfully;

f. anterior chord impingements; and

g. closed-head injury, concussion;

10. By reason of the aforesaid injuries sustained by Plaintiff, Kevin S. Wisor, he was forced to incur liability for medical treatment, medications, hospitalizations, and similar

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miscellaneous expenses in an effort to restore himself to health and claim is made therefore.

11. Because of the nature of his injuries, Plaintiff, Kevin S. Wisor, has been advised and therefore avers that he may be forced to incur similar expenses in the future, and claim is made therefore.

12. As a result of the aforementioned injuries, Plaintiff, Kevin S. Wisor, has undergone and in the future will undergo great physical and mental suffering, great inconvenience in carrying out his daily activities, loss of life's pleasures and enjoyment, and claim is made therefore.

13. As a result of the aforesaid injuries, Plaintiff, Kevin S. Wisor, has been and in the future will be subject to great humiliation and embarrassment and claim is made therefore.

14. As a result of the aforesaid injuries, Plaintiff, Kevin S. Wisor, has sustained work loss, loss of opportunity and a permanent diminution in his earning power and capacity and claim is made therefore.

15. Plaintiff, Kevin S. Wisor, continues to be plagued by persistent pain and limitation and therefore, avers that his injuries may be of a permanent nature, causing residual problems the remainder of his lifetime and claim is made therefore.

WHEREFORE, Plaintiff, Kevin S. Wisor, demands judgment against the Defendant, Thomas Janoko, in an amount in excess of Twenty thousand dollars (\$20,000.00) exclusive of interest and

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CLEARFIELD, PA 16830

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costs and in excess of any jurisdictional amount requiring
compulsory arbitration. JURY TRIAL DEMANDED.

By

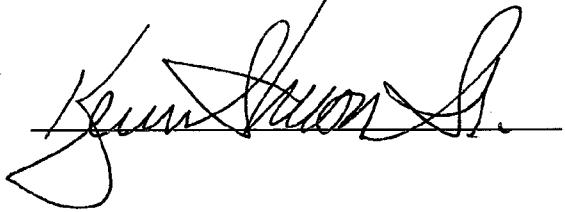

Richard H. Milgrub, Esquire
Attorney for Plaintiff

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

—
109 NORTH BRADY STREET
DUBOIS, PA 15801

I, Kevin S. Wisor, verify that the statements made in the Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: 4/24/06

A handwritten signature in black ink, appearing to read "Kevin S. Wisor", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'K' at the beginning.

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED

APR 25 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR,
Plaintiff
-vs-
THOMAS JANOCKO,
Defendant

*
*
*
* No. 06-647-CD
* JURY TRIAL DEMANDED
*
*

Type of Action:
Personal Injury

Type of Pleading:
Amended Complaint

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

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RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED 02-38-2006 ICE
APR 26 2006 Auty Milgrub
WM

William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR, *
Plaintiff *
*
* No.
-vs- * JURY TRIAL DEMANDED
THOMAS JANOCKO, *
Defendant *

NOTICE

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

KEVIN S. WISOR, *
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-vs- * No.
* JURY TRIAL DEMANDED
THOMAS JANOCKO, *
Defendant *

AMENDED COMPLAINT

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1. Plaintiff, Kevin S. Wisor, is an adult individual and citizen of the Commonwealth of Pennsylvania who resides at 526 West Pauline Drive, Clearfield, Pennsylvania.
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DUBOIS, PA 15801

costs and in excess of any jurisdictional amount requiring
compulsory arbitration. JURY TRIAL DEMANDED.

By 
Richard H. Milgrub, Esquire
Attorney for Plaintiff

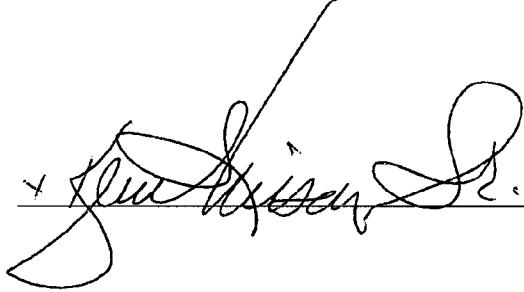
THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

VERIFICATION

I, Kevin S. Wisor, verify that the statements in the foregoing Amended Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: 4/26/06

A handwritten signature in black ink, appearing to read "Kevin S. Wisor". The signature is fluid and cursive, with a large, sweeping flourish on the right side.

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED

APR 26 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101485
NO: 06-647-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: KEVIN S. WISOR
vs.
DEFENDANT: THOMAS JANOCKO

SHERIFF RETURN

NOW, April 27, 2006 AT 5:00 PM SERVED THE WITHIN COMPLAINT ON THOMAS JANOCKO DEFENDANT AT 30 GREEN RIDGE DRIVE, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO THOMAS JANOCKO, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HAWKINS /

FILED

0/22/06
MAY 19 2006
WM

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	MILGRUB	927	10.00
SHERIFF HAWKINS	MILGRUB	927	20.39

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

*Chester A. Hawkins
by Mailey Hays*

Chester A. Hawkins
Sheriff

FILED

MAY 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KEVIN S. WISOR,

Plaintiff

vs.

THOMAS JANOCKO,

Defendant

Type of Case: Civil Action

No. 2006-647-CD

Type of Pleading:

Praecipe for Entry of
Appearance

Filed on Behalf of:

Defendant

Counsel of Record for This

Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

Date: June 15, 2006

FILED

JUN 16 2006 (6)

m110:SS/noc

William A. Shaw
Prothonotary/Clerk of Courts

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

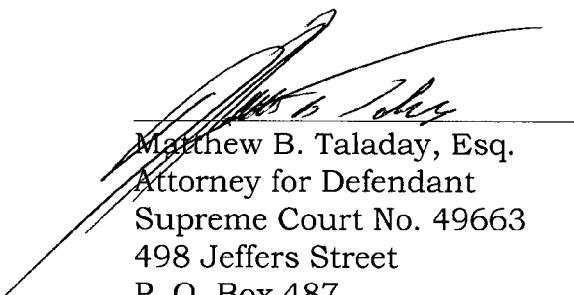
KEVIN S. WISOR, :
Plaintiff :
vs. : No. 2006-647-CD
THOMAS JANOCKO, :
Defendant :
:

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of the Defendant,
Thomas Janocko, in the above captioned matter.

Dated: 06/15/06


Matthew B. Taladay, Esq.
Attorney for Defendant
Supreme Court No. 49663
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

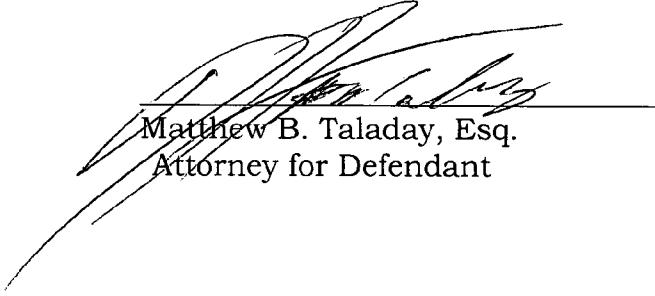
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KEVIN S. WISOR, :
Plaintiff :
: vs. : No. 2006-647-CD
: :
THOMAS JANOCKO, :
Defendant :
:

CERTIFICATE OF SERVICE

I certify that on the 15th day of June, 2006, a true and correct copy of Defendant's Praeclipe for Entry of Appearance was sent via first class mail, postage prepaid, to the following:

Richard H. Milgrub, Esq.
Attorney for Plaintiff
211 North Second Street
Clearfield, PA 16830


Matthew B. Taladay, Esq.
Attorney for Defendant

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KEVIN S. WISOR, : Type of Case: Civil Action
Plaintiff :
vs. : No. 2006-647-CD
THOMAS JANOCKO, : Type of Pleading:
Defendant : Answer and New
Matter :
: Filed on Behalf of:
: Defendant :
: Counsel of Record for This
Party: :
: Matthew B. Taladay, Esq.
: Supreme Court No. 49663
: Hanak, Guido and Taladay
: 498 Jeffers Street
: P.O. Box 487
: DuBois, PA 15801
: (814) 371-7768

Date: July 11, 2006

You are hereby notified to plead
to the within pleading within twenty
(20) days of service thereof or default
judgment may be entered against you.



FILED NO. 2961
MTO: 2961
JUL 12 2006
WAS

William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR, :
Plaintiff :
: vs. : No. 2006-647-CD
: :
THOMAS JANOCKO, :
Defendant :
:

ANSWER TO AMENDED COMPLAINT

AND NOW, comes the Defendant, Thomas Janocko, by his attorneys, Hanak, Guido and Taladay, and hereby responds to Plaintiff's Amended Complaint as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Denied as stated. It is admitted that the front portion

of Defendant's vehicle collided with the rear portion of Plaintiff's vehicle.

8. Denied pursuant to Pa.R.C.P. Rule 1029(e), however, by way of further answer, Defendant admits liability for the collision.

9. - 15. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth of the allegations contained in paragraphs 9 through 15 of Plaintiff's Complaint, therefore, these allegations are denied and strict proof thereof is demanded at the time of trial.

WHEREFORE, Defendant demands judgment in his favor.

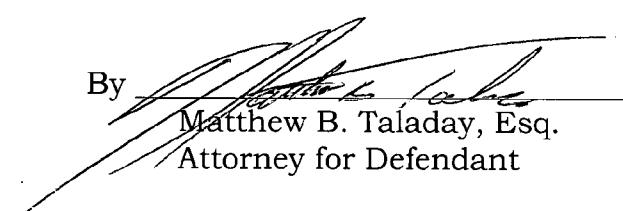
NEW MATTER

16. Plaintiff's claims are barred or limited by application of the Pennsylvania Motor Vehicle Financial Responsibility Law.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By


Matthew B. Taladay, Esq.
Attorney for Defendant

VERIFICATION

I, **Thomas Janocko**, do hereby verify that I have read the foregoing Answer and New Matter. The statements therein are correct to the best of my personal knowledge or information and belief.

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

Date: 7-3-06



Thomas Janocko

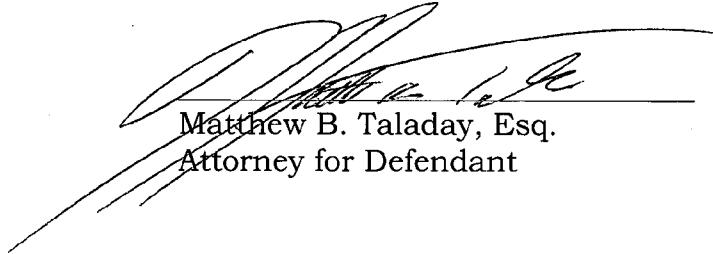
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION

KEVIN S. WISOR, :
Plaintiff :
vs. : No. 2006-647-CD
THOMAS JANOCKO, :
Defendant :
:

CERTIFICATE OF SERVICE

I certify that on the 11th day of July, 2006, a true and correct copy of Defendant's Answer and New Matter was sent via first class mail, postage prepaid, to the following:

Richard H. Milgrub, Esq.
Attorney for Plaintiff
211 North Second Street
Clearfield, PA 16830


Matthew B. Taladay, Esq.
Attorney for Defendant

FILED
JUL 12 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KEVIN S. WISOR,

Plaintiff

vs.

THOMAS JANOCKO,

Defendant

Type of Case: Civil Action

No. 2006-647-CD

Type of Pleading:

Notice of
Service

Filed on Behalf of:
Defendant

Counsel of Record for This
Party:

Matthew B. Taladay, Esq.
Supreme Court No. 49663
Hanak, Guido and Taladay
498 Jeffers Street
P.O. Box 487
DuBois, PA 15801
(814) 371-7768

Date: 7/20/2006

FILED

JUL 21 2006 (CR)

7/10/2006
William A. Shaw
Prothonotary/Clerk of Courts

No. 5/C

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

KEVIN S. WISOR,
Plaintiff

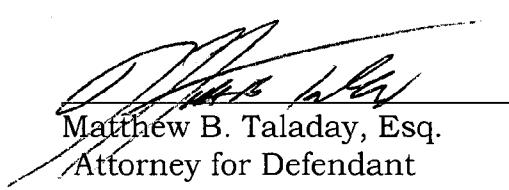
vs. No. 2006-647-CD

THOMAS JANOCKO,
Defendant

NOTICE OF SERVICE

I, Matthew B. Taladay, of Hanak, Guido and Taladay, being counsel of record for Defendant, do hereby certify that I propounded on Plaintiffs, via United States mail, first class, postage pre-paid, this 20th day of July, 2006, Defendant's FIRST SET OF DISCOVERY MATERIALS to the below indicated person, at said address, being counsel of record for the Plaintiff:

Richard H. Milgrub, Esq.
Attorney for Plaintiff
211 North Second Street
Clearfield, PA 16830


Matthew B. Taladay, Esq.
Attorney for Defendant

William A. Shaw
Prothonotary/Clerk of Courts

JUL 21 2006

FILED

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KEVIN S. WISOR, : Type of Case: Civil Action
Plaintiff :
vs. : No. 2006-647-CD
THOMAS JANOCKO, : Type of Pleading:
Defendant : Certificate of
Service :
: Filed on Behalf of:
: Defendant :
: Counsel of Record for This
: Party:
: Matthew B. Taladay, Esq.
: Supreme Court No. 49663
: Hanak, Guido and Taladay
: 498 Jeffers Street
: P.O. Box 487
: DuBois, PA 15801
: (814) 371-7768

Date: October 9, 2006

FILED

OCT 11 2006
10/15/06
William A. Shaw
Prothonotary/Clerk of Courts
W.C.

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

KEVIN S. WISOR, :
Plaintiff :
vs. : No. 2006-647-CD
THOMAS JANOCKO, :
Defendant :
:

CERTIFICATE OF SERVICE

I certify that on the 9th day of October, 2006, an original
Notice of Deposition, a copy of which is attached hereto, was sent via first
class mail, postage prepaid, to the following:

Richard H. Milgrub, Esq.
Attorney for Plaintiff
211 North Second Street
Clearfield, PA 16830

With a copy to:

Samuel Cohen, Esq.
Co-counsel
Suite 2010
117 South 17th Street
Philadelphia, PA 19103

Matthew B. Taladay
Matthew B. Taladay, Esq.
Attorney for Defendant

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

KEVIN S. WISOR,

Plaintiff

vs.

No. 2006-647-CD

THOMAS JANOCKO,

Defendant

NOTICE OF DEPOSITION

TO: KEVIN S. WISOR
c/o Richard Milgrub, Esq.

TAKE NOTICE that your deposition by oral examination will be taken on **Wednesday, October 25, 2006 at 10:00 a.m.** at the law office of Richard Milgrub, Esq., 211 North Second Street, Clearfield, Pennsylvania. This deposition is being taken for the purpose of discovery and for use at trial, pursuant to the Pennsylvania Rules of Civil Procedure regarding Discovery.

Matthew B. Taladay
Matthew B. Taladay, Esq.
Attorney for Defendant

cc: Schreiber Reporting Service

William A. Shaw
Prothonotary/Clerk of Courts

OCT 11 2006

FILED

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

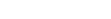
KEVIN S. WISOR,	:	Type of Case: Civil Action
Plaintiff	:	
vs	:	
THOMAS JANOCKO,	:	
Defendant	:	

PLAINTIFF'S REPLY TO NEW MATTER OF DEFENDANT

16. Denied. The averments contained in this paragraph constitute conclusions of law for which no response is required under and pursuant to the Pennsylvania Rules of Civil Procedure.

WHEREFORE, Plaintiff prays this Honorable Court enter judgment in his favor and against Defendant.

KATZ, COHEN & PRICE, P.C.

BY 
SAMUEL COHEN

DATED: 11/1/06

FILED
NOV 06 2006
m 12:00 PM
William A. Shaw
Prothonotary/Clerk of Courts
1 cent TO 1477

VERIFICATION

I, SAMUEL COHEN, verify that I am the attorney for Plaintiff Kevin S. Wisor named herein, and that the averments of fact set forth in the foregoing **PLAINTIFF'S** **REPLY TO NEW MATTER OF DEFENDANTS** are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



SAMUEL COHEN

Dated 11/1/08

CERTIFICATION OF SERVICE

I, Samuel Cohen, certify that a true and correct copy of the within **PLAINTIFF'S**
REPLY TO NEW MATTER OF DEFENDANT was forwarded via First Class United
States Mail on November 2, 2006 to:

Matthew B. Taladay, Esquire
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801

KATZ, COHEN & PRICE, P.C.

BY: 
SAMUEL COHEN

William A Shaw
Prothonotary/Clerk of Courts

NOV 06 2006

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

CA

KEVIN S. WISOR
(Plaintiff)

CIVIL ACTION

526 West Pauline Drive
(Street Address)
Clearfield, PA 16830
(City, State ZIP)

No. 2006-647-CD

Type of Case: Personal Injury-Motor Vehicle

Type of Pleading: Certificate of Readiness

VS.

Filed on Behalf of:

THOMAS JANOCKO
(Defendant)

Plaintiff
(Plaintiff/Defendant)

30 Green Ridge Drive
(Street Address)
Clearfield, PA 16830
(City, State ZIP)

FILED No CC.
0/1150cm
JUN 28 2007

W.A.S.
William A. Shaw
Prothonotary/Clerk of Courts

Samuel Cohen, Esquire, Supreme Ct. ID 27544
(Filed by)

1420 Walnut Street
Suite 1500
Philadelphia, PA 19102
(Address)

215-545-2201
(Phone)

Sam Cohen
(Signature)

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

Civil Trial Listing/Certificate of Readiness

Plaintiff(s): KEVIN S. WISOR

Case Number: 2006-647-CD

Defendant(s): THOMAS JANOCKO

To the Prothonotary:

Arbitration Limit: _____

Type Trial Requested: X Jury _____ Non-Jury _____ Arbitration

Estimated Trial Time: _____

Jury Demand Filed By: April 25, 2006

Date Jury Demand Filed: April 25, 2006

Please place the above-captioned case on the trial list. I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel.

Samuel Cohen
Matthew B. Taladay
(Signature)

(Date)

For the Plaintiff: Samuel Cohen, Esquire 215-545-2201 Telephone Number

(Date)

For the Defendant: Matthew B. Taladay, Esq. 814-371-7768 Telephone Number

For Additional Defendant: _____ Telephone Number

Certification of Current Address for all parties or counsel of record:

1420 Walnut St.

Name: <u>Samuel Cohen, Esq.</u>	Address: <u>Suite 1500</u>	City/State/Zip: <u>Philadelphia, 19102</u>
Name: <u>Richard Milgrub, Esq.</u>	Address: <u>211 N. 2nd St.</u>	City/State/Zip: <u>Clearfield, 16830</u>
Name: <u>Matthew Taladay, Esq.</u>	Address: <u>PO Box 487</u>	City/State/Zip: <u>DuBois, 15801</u>
Name: _____	Address: _____	City/State/Zip: _____
Name: _____	Address: _____	City/State/Zip: _____
Name: _____	Address: _____	City/State/Zip: _____

FILED

JUN 28 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR,
Plaintiff

-vs-

THOMAS JANOCKO,
Defendant

*
*
*
*
*

* No. 06-647-CD
* JURY TRIAL DEMANDED

Type of Action:
Personal Injury

Type of Pleading:
Praecipe to Remove
from Trial List

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED No CC
9/2/2007
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JUL 19 2007
WS

William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR,
Plaintiff
-vs-
THOMAS JANOCKO,
Defendant

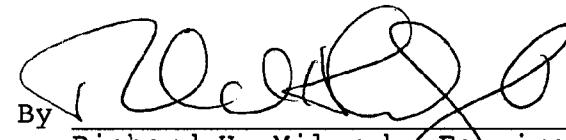
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*
* No. 06-647-CD
* JURY TRIAL DEMANDED
*
*

PRAECIPE TO REMOVE FROM TRIAL LIST

TO THE PROTHONOTARY:

Please remove the above-captioned case from the current
Trial List.

Date: 7/19/07

By 
Richard H. Milgrub, Esquire
Attorney for Plaintiff

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

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

KEVIN S. WISOR,
Plaintiff

-vs-

THOMAS JANOCKO,
Defendant

*
*
*
*
* No. 06-647-CD
* JURY TRIAL DEMANDED
*
*

Type of Action:
Personal Injury

Type of Pleading:
Petition to Remove Case
from Trial List

Filed on Behalf of:
Plaintiff

Counsel of Record for this
Party:

Richard H. Milgrub, Esquire
Supreme Court I.D. 19865

211 North Second Street
Clearfield, PA 16830
(814) 765-1717

No action
Taken care of

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

FILED 01/40/Cd JUL 25 2007
Atty. Milgrub
GK

William A. Shaw
Prothonotary/Clerk of Courts

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

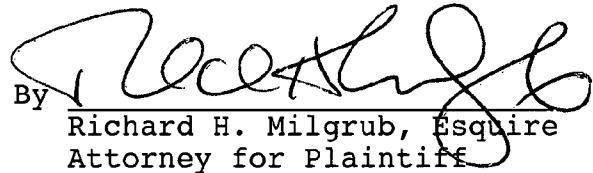
KEVIN S. WISOR, *
Plaintiff *
*
-vs- * No. 06-647-CD
* JURY TRIAL DEMANDED
THOMAS JANOCKO, *
Defendant *

PETITION TO REMOVE CASE FROM LIST

AND NOW, comes Your Petitioner, Kevin S. Wisor, by and through his attorney, Richard H. Milgrub, Esquire, who files the following Petition to remove the above-captioned case from the Trial List:

1. The above-captioned case was recently placed on the current Trial List.
2. Your Petitioner has applicable underinsurance policies with his own carrier and wishes to address those issues prior to the resolution of the third-party case.

WHEREFORE, Your Petitioner respectfully requests that the above-captioned case be removed from the current Trial List.

By 
Richard H. Milgrub, Esquire
Attorney for Plaintiff

THE LAW OFFICES OF
RICHARD H. MILGRUB
211 NORTH SECOND STREET
CLEARFIELD, PA 16830

109 NORTH BRADY STREET
DUBOIS, PA 15801

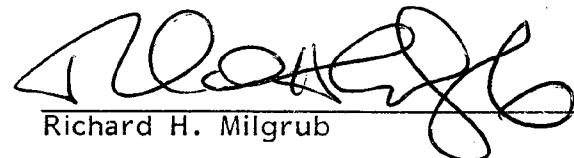
VERIFICATION

I, Richard H. Milgrub, have read the foregoing
Petition to Remove from Trial List

The statements therein are correct to the best of my personal knowledge
or information and belief.

This statement and verification is made subject to 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.

I am authorized to make this verification on behalf of
Plaintiff
because of my position as counsel of record.



Richard H. Milgrub

Dated: 7/25/07

ICHARD H. MILGRUB
TORNEY & COUNSELOR
AT LAW
NORTH SECOND STREET
CLEARFIELD, PA 16830

1 NORTH BRADY STREET
DUBOIS, PA 15801

FILED

JUL 25 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

KEVIN S. WISOR

:

-vs-

: No. 06-647-CD

THOMAS JANOCKO

:

O R D E R

AND NOW, this 26th day of July, 2007, this being
the date set for Civil Call; upon the request of counsel,
it is the ORDER of this Court that the matter be and is
hereby continued until the Winter 2008 Term of Civil Court.

BY THE COURT,



President Judge

FILED
07/27/2007 200 ATTYS:
JUL 27 2007 Milgrub
Toladay
William A. Shaw
Prothonotary/Clerk of Courts
OK

FILED

JUL 27 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 7/27/07

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 Other

Special Instructions:

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

KEVIN S. WISOR,
Plaintiff
vs.
THOMAS JANOCKO,
Defendant

*
*
* NO. 06-647-CD
*
*

ORDER

AND NOW, this 26th day of October, 2007, it is the ORDER of the Court
that a Pre-Trial Conference in the above matter shall be held on the **7th day of
December, 2007, in Chambers at 11:00 o'clock a.m.** Additionally, Jury Selection in
this matter will be held on January 3, 2008.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED
Oct 29 2007

cc Attns:
M. Igneb
Taladeg
William A. Shaw
Prothonotary/Clerk of Courts
66

FILED

OCT 29 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 10/29/07

 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 Other

 Special Instructions:

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
1420 WALNUT STREET
SUITE 1500
PHILADELPHIA, PA 19102
(215) 545-2201

ATTORNEY FOR PLAINTIFF

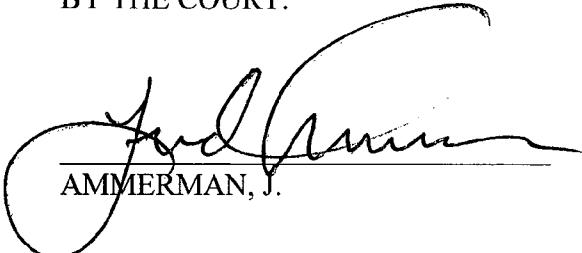
KEVIN WISOR : COURT OF COMMON PLEAS
vs. : CLEARFIELD COUNTY
THOMAS JANOCKO : CIVIL ACTION
NO.: 2006-647-CD

ORDER

AND NOW, to wit, this 29th day of Nov , 2007, upon consideration of

Plaintiff's Motion to Strike the captioned matter from the Trial List, it is hereby ORDERED and DECREED that said matter is stricken from the Trial List. Counsel is directed to promptly file a Praecept to place this matter on the Trial List at the appropriate time.

BY THE COURT:



AMMERMAN, J.

FILED
OCT 4 2007
Atty Cohen
NOV 29 2007
5

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/29/07

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:

FILED
NOV 29 2007

William A. Shaw
Prothonotary/Clerk of Courts

KATZ, COHEN & PRICE, P.C.
By: SAMUEL COHEN, ESQUIRE
ATTORNEY I.D. NO.: 27544
1420 WALNUT STREET
SUITE 1500
PHILADELPHIA, PA 19102
(215) 545-2201

ATTORNEY FOR PLAINTIFF

FILED ^{cc}
m/4/00 Box Atty
NOV 28 2001 Cohen

KEVIN WISOR	:	COURT OF COMMON PLEAS
	:	CLEARFIELD COUNTY
vs.	:	CIVIL ACTION
THOMAS JANOCKO	:	NO.: 2006-647-CD

box William A. Shaw
Prothonotary/Clerk of Courts

PLAINTIFF'S MOTION TO REMOVE MATTER FROM TRIAL LIST

COMES NOW, Plaintiff, Kevin Wisor, by his counsel, Richard H. Milgrub, Esquire and Katz, Cohen & Price, P.C., by Samuel Cohen, Esquire, and desiring to have the captioned matter removed from the Trial List avers in support thereof the following:

1. The within matter involves a claim for personal injuries sustained by Kevin Wisor as the result of a motor vehicle accident which occurred on November 15, 2004.
2. The captioned matter was placed on the Trial List and is scheduled for a Pre-Trial Conference on December 7, 2007 at 11:00 a.m. before Judge Ammerman.
3. Jury selection in this matter is scheduled for January 3, 2008.
4. On November 19, 2007, counsel for Plaintiff was informed by his client that he is scheduled to undergo surgery to his neck at the University of Pittsburgh Medical Center the last week of January, 2008 or the first week of February, 2008.
5. It is believed, and therefore averred, that there is a causal relationship between the motor vehicle accident which is the subject of the captioned matter and, Mr. Wisor requiring surgery.

6. Additionally, Mr. Wisor has been unable to work due to his neck injuries.
7. The new facts set forth herein involving the need for surgery and the problems with working substantially alter the factual situation with respect to the captioned matter.
8. All parties will be prejudiced if the Trial in the captioned matter goes forward as presently scheduled.
9. Counsel for Defendant agrees with the position being taken by counsel for Plaintiff in this Motion. Attached hereto, made part hereof and marked Exhibit "1" is a letter indicating that counsel for Defendant has agreed.
10. No prejudice will result if this matter is removed from the Trial List and all parties will be greatly prejudiced if it is not.
11. Counsel will promptly act to place this matter on the Trial List once the surgery has been completed and a prognosis can be made as to the extent of Mr. Wisor's recovery.

WHEREFORE, Plaintiff prays this Honorable Court grant the within Motion and enter the attached Order striking the captioned matter from the Trial List.

KATZ, COHEN & PRICE, P.C.



A handwritten signature in black ink, appearing to read "Samuel Cohen".

SAMUEL COHEN, ESQUIRE

Dated: 11/21/67

VERIFICATION

I, SAMUEL COHEN, verify that I am the attorney for Plaintiff, Kevin Wisor, named herein, and that the averments of fact set forth in the foregoing Motion to Remove Matter From Trial List, are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



A handwritten signature in black ink, appearing to read "Samuel Cohen".

SAMUEL COHEN, ESQUIRE

Dated: 11/21/07

FILED

NOV 28 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

KEVIN S. WISOR,

Plaintiff

vs.

THOMAS JANOCKO,

Defendant

Type of Case: Civil Action

No. 2006-647-CD

Type of Pleading:
Praecipe for
Discontinuance

Filed on Behalf of:
Defendant

Counsel of Record for This
Party:

Samuel Cohen, Esq.
Supreme Court No. 27544
Katz, Cohen & Price, P.C.
Suite 1500
1420 Walnut Street
Philadelphia, PA 19102
(215) 545-2201

Date:

6/13/08

FILED

in 11:05 a.m. GE

JUN 19 2008

NO CC
1 certificate of

DISC. TO Atty

William A. Shaw
Prothonotary/Clerk of Courts

(610)

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

KEVIN S. WISOR,

Plaintiff

vs.

No. 2006-647-CD

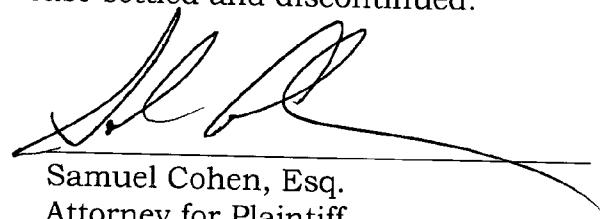
THOMAS JANOCKO,

Defendant

PRAECIPE FOR DISCONTINUANCE

TO THE PROTHONOTARY:

Please mark the above case settled and discontinued.



Samuel Cohen, Esq.
Attorney for Plaintiff

FILED

JUN 19 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Kevin S. Wisor

Vs.
Thomas Janocko

No. 2006-00647-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 June 19, 2008, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by Richard H. Milgrub, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 19th day of June A.D. 2008.



William A. Shaw, Prothonotary