

06-918-CD
Edward Van Allen vs Clearfield Hospital et al

Edward Van Allen et al vs Clfd Hospital et al
2006-918-CD

Commonwealth of Pennsylvania
County of Clearfield

Edward J. Van Allen and Diane L.
Van Allen, husband and wife,

Plaintiffs,

v.

Clearfield Hospital, Clearfield
Wound Clinic, Avinder S. Bir, MD,
Robert E. Steward, Jr., MD, Pittsburgh Family
Medical Services, and Zuhair Afaneh, MD,

Defendants.

: No. 2006-918-CD

: JURY TRIAL DEMANDED

Praecept for a Writ of Summons

To: The Prothonotary William Shaw

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

Respectfully submitted,

Edward J. Van Allen, P.C.

By. 

Edward J. Van Allen, Esq.
PA I.D. No. 11250
PO Box 514
262 First Avenue
Lemont, PA 16851
814.237.1979
Fax: 814.237.1787

Date: June 7, 2006

FILED 

JUN 07 2006
3:05 PM
William A. Shaw
Prothonotary/Clerk of Courts

2 CERT TO ATTY
W/ 7 WRITS TO ATTY

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

SUMMONS

**Edward J. Van Allen
Diane L. Van Allen**

Vs.

NO.: 2006-00918-CD

**Clearfield Hospital,
Clearfield Wound Clinic,
Avinder S. Bir, MD,
Robert E. Steward, Jr., MD,
Philipsburg Family Medical Services and
Zuhair Afaneh, MD**

**TO: CLEARFIELD HOSPITAL
CLEARFIELD WOUND CLINIC
AVINDER S. BIR, MD
ROBERT E. STEWARD, JR., MD
PHILIPSBURG FAMILY MEDICAL SERVICES
ZUHAIR AFANEH, MD**

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: 06/07/2006

William A. Shaw
Prothonotary

Issuing Attorney:

Edward J. Van Allen
316 Presqueisle Street
Philipsburg, PA 16866

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Entry of Appearance
)	
V.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, JR., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax

FILED

JUL 07 2006

111:20/um
William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO ATT

COPY TO C/A

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

PRAECIPE FOR ENTRY OF APPEARANCE

To the Prothonotary of Said Court:

Please enter my appearance on behalf of defendant Zuhair Afaneh, M.D, only, in the above captioned matter. All papers may be served on the undersigned for purposes of this action.



Tracey G. Benson

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON, INC.
124 North Allegheny Street
Bellefonte, PA 16823
Telephone No. (814) 355-5474

Counsel for Defendant
Zuhair Afaneh, M.D/

Dated: July 6, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
)
 Plaintiffs,)
)
 v.) No. 2006-00918-CD
)
 CLEARFIELD HOSPITAL,)
 CLEARFIELD WOUND CLINIC,)
 AVINDER S. BIR, M.D.,)
 ROBERT E. STEWARD, JR., M.D.,)
 PHILIPSBURG FAMILY MEDICAL)
 SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Praeclipe for Entry of Appearance**, was
hereby served by depositing the same within the custody of the United States Postal Service,
First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
Van Allen & Zusman, P.C.
316 Presqueisle Street
Philipsburg, PA 16866

Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830

Clearfield Wound Clinic
c/o Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830

Avinder S. Bir, M.D.
c/o Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

Robert E. Steward, Jr., M.D.
c/o Philipsburg Family Medical
Services
1049 N. Front Street
Philipsburg, PA 16866

Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson
Tracey G. Benson

Dated: July 6, 2006

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Praecipe for Rule to File
	)	Complaint
)	
V.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, J.R., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax

FILED

JUL 07 2006

W/1351W

William A. Shaw
Prothonotary/Clerk of Courts

1 CENT TO ATTY

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Praecipe for Rule to File Complaint**, was
hereby served by depositing the same within the custody of the United States Postal Service,
First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
Van Allen & Zusman, P.C.
316 Presqueisle Street
Philipsburg, PA 16866

Clearfield Wound Clinic
c/o Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830

Robert E. Steward, Jr., M.D.
c/o Philipsburg Family Medical
Services
1049 N. Front Street
Philipsburg, PA 16866

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809 Turnpike Avenue
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Avinder S. Bir, M.D.
c/o Philipsburg Family Medical Services
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Philipsburg, PA 16866

Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson
Tracey G. Benson

Dated: July 6, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

RULE TO FILE COMPLAINT

To: Edward J. Van Allen, Esquire
Diane L. Van Allen
Van Allen & Zusman, P.C.
316 Presqueisle Street
Philipsburg, PA 16866

You are ruled to file a Complaint within twenty (20) days after service of this rule
or suffer the entry of the Judgment of Non Pros.



William A. Shaw, Prothonotary

Dated: 7-1-06

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

: No. 2006 – 918 CD

: ISSUE:
PRAECPE FOR APPEARANCE

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

: Filed on behalf of Defendants,
CLEARFIELD HOSPITAL and
ROBERT E. STEWARD, JR., M.D.

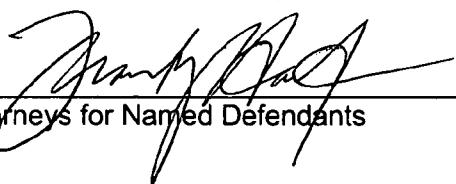
: Counsel of Record:
Frank J. Hartye, Esquire
PA I.D. #25568

: McINTYRE, HARTYE & SCHMITT
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

Defendants

: JURY TRIAL DEMANDED

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
MAILED TO ALL COUNSEL OF RECORD
THIS 19TH DAY OF JULY, 2006.



Attorneys for Named Defendants

FILED NO CC
mha:4561
JUL 24 2006
U.S. DISTRICT COURT
CLERK'S OFFICE

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

: No. 2006 - 918 CD

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

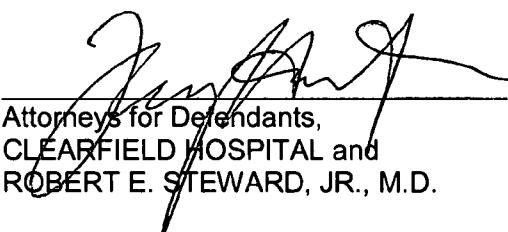
: JURY TRIAL DEMANDED

PRAECIPE FOR APPEARANCE

TO: PROTHONOTARY

Enter my Appearance on behalf of Defendants, CLEARFIELD HOSPITAL and
ROBERT E. STEWARD, JR., M.D.

Papers may be served at the address set forth below.


Atorneys for Defendants,
CLEARFIELD HOSPITAL and
ROBERT E. STEWARD, JR., M.D.

McINTYRE, HARTYE & SCHMITT
Frank J. Hartye, Esquire
PA I.D. #25568
P.O. Box 533
Hollidaysburg, PA 16648-0533
PH: (814) 696-3581
FAX: (814) 696-9399

Date: July 19, 2006

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

No. 2006 - 918 CD

ISSUE:

Praeclipe for Rule to File Complaint

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Filed on behalf of Defendants,
CLEARFIELD HOSPITAL and
ROBERT E. STEWARD, JR., M.D.

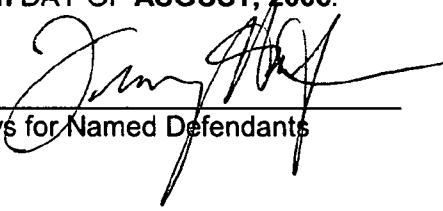
Counsel of Record:
Frank J. Hartye, Esquire
PA I.D. #25568

McINTYRE, HARTYE & SCHMITT
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

Defendants

JURY TRIAL DEMANDED

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
MAILED TO ALL COUNSEL OF RECORD
THIS 9th DAY OF AUGUST, 2006.



Attorneys for Named Defendants

FILED ^{No cc}
M 11/29/06 1 Rule to Atty
AUG 11 2006

EK

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN, : No. 2006 – 918 CD

Plaintiffs : .

vs. : .

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D., : .

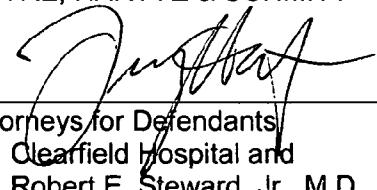
Defendants : JURY TRIAL DEMANDED

PRAECIPE FOR RULE TO FILE COMPLAINT

TO: PROTHONOTARY

Please enter a Rule upon the Plaintiffs, EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN, to file a Complaint in the above-captioned matter within twenty (20) days from service of said Rule.

McINTYRE, HARTYE & SCHMITT

By 

Attorneys for Defendants
Clearfield Hospital and
Robert E. Steward, Jr., M.D.

Frank J. Hartye, Esquire
PA I.D. #25568
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN, : No. 2006 - 918 CD

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants : JURY TRIAL DEMANDED

RULE TO FILE COMPLAINT

AND NOW, this 11th day of August, 2006, Rule is entered on the
Plaintiffs to file a Complaint on behalf of Defendants, Clearfield Hospital and Robert E.
Steward, Jr., M.D.

*William L. Shanahan
B.P.*

Prothonotary

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

No. 2006 - 918 CD

ISSUE:

Certificate of Service of Rule to File
Complaint

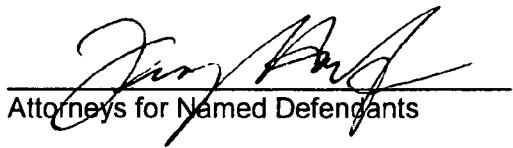
Filed on behalf of Defendants,
CLEARFIELD HOSPITAL and
ROBERT E. STEWARD, JR., M.D.

Counsel of Record:
Frank J. Hartye, Esquire
PA I.D. #25568

McINTYRE, HARTYE & SCHMITT
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

JURY TRIAL DEMANDED

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
MAILED TO ALL COUNSEL OF RECORD
THIS 14th DAY OF AUGUST, 2006.



Attorneys for Named Defendants

FILED
M.T. 9/3/01
AUG 15 2006
NOCC
S

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

: No. 2006 – 918 CD

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

: JURY TRIAL DEMANDED

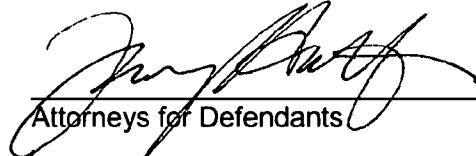
CERTIFICATE OF SERVICE OF RULE TO FILE COMPLAINT

TO: PROTHONOTARY

You are hereby notified that on the 14th day of August, 2006, Defendants,
CLEARFIELD HOSPITAL and ROBERT E. STEWARD, JR., M.D., served a RULE upon
the Plaintiffs, by mailing the original of same via First Class Mail, postage prepaid,
addressed to Plaintiffs:

Edward J. Van Allen
Diane L. Van Allen
P.O. Box 514
262 1st Avenue
Lemont, PA 16851

McINTYRE, HARTYE & SCHMITT



Attorneys for Defendants

Frank J. Hartye, Esquire
PA I.D. #25568
P.O. Box 533
Hollidaysburg, PA 16648-0533
(814) 696-3581

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

EDWARD J. VAN ALLEN and : No. 2006 - 918 CD
DIANE L. VAN ALLEN,

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

JURY TRIAL DEMANDED

RULE TO FILE COMPLAINT

AND NOW, this 11th day of August, 2006, Rule is entered on the
Plaintiffs to file a Complaint on behalf of Defendants, Clearfield Hospital and Robert E.
Steward, Jr., M.D.



Prothonotary

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Ten Day Notice of Intent to
	)	Enter Judgment of Non Pros
)	
v.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, JR., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax

FILED
m/1/2006
AUG 22 2006
cc

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
)
 Plaintiffs,)
)
 v.) No. 2006-00918-CD
)
 CLEARFIELD HOSPITAL,)
 CLEARFIELD WOUND CLINIC,)
 AVINDER S. BIR, M.D.,)
 ROBERT E. STEWARD, JR., M.D.,)
 PHILIPSBURG FAMILY MEDICAL)
 SERVICES and ZUHAIR AFANEH, M.D.)

IMPORTANT NOTICE

To: Edward J. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

Date of Notice: August 21, 2006

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW. 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.

Court Administrator's Office
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON, INC.

By: Tracey S. Benson
Tracey S. Benson, Esquire

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Ten Day Notice of Intent to Enter Judgment of Non Pros**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

Clearfield Wound Clinic
c/o Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830

Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

Frank J. Hartye, Esq.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Avinder S. Bir, M.D.
c/o Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson
Tracey G. Benson

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Ten Day Notice of Intent to
	)	Enter Judgment of Non Pros
)	
v.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, JR., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax

FILED *NO CC*
Aug 22 2006
AUG 22 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
)
)
 Plaintiffs,)
)
)
 v.) No. 2006-00918-CD
)
)
 CLEARFIELD HOSPITAL,)
 CLEARFIELD WOUND CLINIC,)
 AVINDER S. BIR, M.D.,)
 ROBERT E. STEWARD, JR., M.D.,)
 PHILIPSBURG FAMILY MEDICAL)
 SERVICES and ZUHAIR AFANEH, M.D.)

IMPORTANT NOTICE

To: Diane L. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

Date of Notice: August 21, 2006

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW. 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.

Court Administrator's Office
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson
Tracey G. Benson, Esquire

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
)
 Plaintiffs,)
)
 v.) No. 2006-00918-CD
)
 CLEARFIELD HOSPITAL,)
 CLEARFIELD WOUND CLINIC,)
 AVINDER S. BIR, M.D.,)
 ROBERT E. STEWARD, JR., M.D.,)
 PHILIPSBURG FAMILY MEDICAL)
 SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Ten Day Notice of Intent to Enter Judgment of Non Pros**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

Clearfield Wound Clinic
c/o Clearfield Hospital
809 Turnpike Avenue
Clearfield, PA 16830

Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

Frank J. Hartye, Esq.
McIntyre, Hartye & Schmitt
P.O. Box 533
Hollidaysburg, PA 16648

Avinder S. Bir, M.D.
c/o Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson
Tracey G. Benson

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Affidavit of Service
)	
)	
v.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, JR., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax

FILED *no cc*
mt 24/06
AUG 22 2006 *fm*

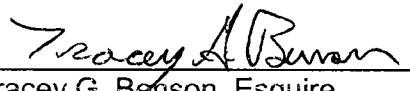
William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

AFFIDAVIT OF SERVICE

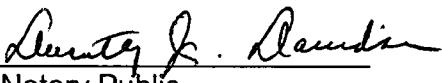
I, Tracey G. Benson, Esquire, counsel for defendant Zuhair Afaneh, M.D, hereby certify that service of the Rule to File Complaint dated July 7, 2006 was made upon plaintiffs Edward J. Van Allen, and Diane L. Van Allen, by serving Edward J. Van Allen, Esquire by certified mail, return receipt requested on July 11, 2006. A copy of the return receipt showing acceptance of service of the Rule to File a Complaint on July 28, 2006, is attached hereto as Exhibit A.



Tracey G. Benson, Esquire

Counsel for Defendant
Zuhair Afaneh, M.D.

Sworn to and subscribed
before me this 11 day
of August, 2006.



Notary Public
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Dorothy J. Davidson, Notary Public
Bellefonte Boro, Centre County
My Commission Expires Aug. 26, 2010
Member, Pennsylvania Association of Notaries

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Edward J. Van Allen
P.O. Box 514
262 First Avenue
Le mont, PA 16851

2. Article Number

(Transfer from service label)

7001 1940~0006 0771 9873

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

Diane J. Van Allen Agent
 Addressee

B. Received by (Printed Name)

Diane J. Van Allen **C. Date of Delivery**

7/28/06

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

EXHIBIT A

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Affidavit of Service**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

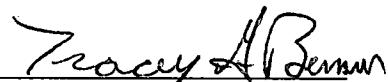
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Hollidaysburg, PA 16648

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c/o Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: 
Tracey G. Benson

Dated: August 21, 2006

FILED

AUG 22 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Praecipe for Entry of
	)	Judgment of Non Pros
)	
V.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, JR., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax

FILED
M 12:43 PM
SEP 11 2006
Atty. Benson
Fees \$10.00
SAC
William A. Shaw
Prothonotary/Clerk of Courts
1CC Notice
to Affs

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

PRAECIPE FOR ENTRY OF JUDGMENT OF NON PROS

TO THE PROTHONOTARY OF SAID COURT:

Please enter a Judgment of Non Pros against the plaintiffs, Edward J. Van Allen and Diane L. Van Allen for their failure to file a Complaint in the above-captioned matter and in favor of defendant Zuhair Afaneh, M.D. An Important Notice informing plaintiffs Edward J. Van Allen and Diane L. Van Allen of defendant Zuhair Afaneh, M.D.'s intent to enter judgment of non pros was mailed to plaintiffs Edward J. Van Allen and Diane L. Van Allen on August 21, 2006. A copy of the same and the Certificates of Service thereto are attached hereto as Exhibit A.


Tracey G. Benson

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON, INC.
124 North Allegheny Street
Bellefonte, PA 16823
(814) 355-5474

Counsel for Defendant
Zuhair Afaneh, M.D.

Dated: September 8, 2006

EXHIBIT A

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Ten Day Notice of Intent to
	)	Enter Judgment of Non Pros
)	
V.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
)	
CLEARFIELD HOSPITAL,	)	Counsel of Record for the Party
CLEARFIELD WOUND CLINIC,	)	Tracey G. Benson, Esq.
AVINDER S. BIR, M.D.,	)	Pa. I.D. No. 34984
ROBERT E. STEWARD, JR., M.D.,)	
PHILIPSBURG FAMILY MEDICAL	)	MILLER, KISTLER, CAMPBELL,
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, WILLIAMS &
	)	BENSON, INC.
	)	124 N. Allegheny Street
	)	Bellefonte, PA 16823
	)	(814) 355-5474
	)	(814) 355-5340 - Fax

FILED
AUG 22 2006

William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
V.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

IMPORTANT NOTICE

To: Edward J. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

Date of Notice: August 21, 2006

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW. 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.

Court Administrator's Office
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830
(814) 765-2641

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON, INC.

By: Tracey S. Benson
Tracey S. Benson, Esquire

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Ten Day Notice of Intent to Enter Judgment of Non Pros**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
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McIntyre, Hartye & Schmitt
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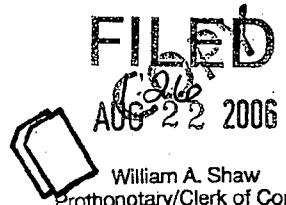
MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson
Tracey G. Benson

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN	)	No. 2006-00918-CD
DIANE L. VAN ALLEN)	
	)	TYPE OF PLEADING:
Plaintiffs,	)	Ten Day Notice of Intent to
	)	Enter Judgment of Non Pros
)	
V.	)	Filed on Behalf of Defendant
	)	Zuhair Afaneh, M.D.
CLEARFIELD HOSPITAL,)	
CLEARFIELD WOUND CLINIC,	)	Counsel of Record for the Party
AVINDER S. BIR, M.D.,	)	Tracey G. Benson, Esq.
ROBERT E. STEWARD, JR., M.D.,	)	Pa. I.D. No. 34984
PHILIPSBURG FAMILY MEDICAL)	
SERVICES and ZUHAIR AFANEH, M.D.	)	MILLER, KISTLER, CAMPBELL, MILLER, WILLIAMS & BENSON, INC. 124 N. Allegheny Street Bellefonte, PA 16823 (814) 355-5474 (814) 355-5340 - Fax



William A. Shaw
Prothonotary/Clerk of Courts

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

IMPORTANT NOTICE

To: Diane L. Van Allen
P.O. Box 514
262 First Avenue
Lemont, PA 16851

Date of Notice: August 21, 2006

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANT AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS.

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Court Administrator's Office
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MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON, INC.

By: Tracey G. Benson
Tracey G. Benson, Esquire

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Ten Day Notice of Intent to Enter Judgment of Non Pros**, was hereby served by depositing the same within the custody of the United States Postal Service, First Class, postage prepaid, addressed as follows:

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MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: Tracey G. Benson
Tracey G. Benson

Dated: August 21, 2006

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

EDWARD J. VAN ALLEN)
DIANE L. VAN ALLEN)
Plaintiffs,)
v.) No. 2006-00918-CD
CLEARFIELD HOSPITAL,)
CLEARFIELD WOUND CLINIC,)
AVINDER S. BIR, M.D.,)
ROBERT E. STEWARD, JR., M.D.,)
PHILIPSBURG FAMILY MEDICAL)
SERVICES and ZUHAIR AFANEH, M.D.)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Praecipe for Entry of Judgment of Non
Pros**, was hereby served by depositing the same within the custody of the United States Postal
Service, First Class, postage prepaid, addressed as follows:

Edward J. Van Allen, Esquire
Diane L. Van Allen
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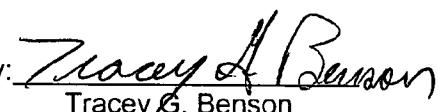
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c/o Philipsburg Family Medical Services
1049 N. Front Street
Philipsburg, PA 16866

MILLER, KISTLER, CAMPBELL,
MILLER, WILLIAMS & BENSON INC.

By: 
Tracey G. Benson

Dated: September 8, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
NON PROS

Edward J. Van Allen
Diane L. Van Allen

Plaintiff

Vs.

No. 2006-00918-CD

Clearfield Hospital
Clearfield Wound Clinic
Avinder S. Bir, MD
Robert E. Steward, Jr., MD
Philipsburg Family Medical Services
Zuhair Afaneh, MD

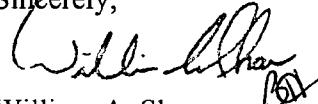
Defendant

TO Edward J. Van Allen and Diane L. Van Allen :

Notice is hereby given that a judgment of non-pros has been entered in the above captioned matter pursuant to Praecipe dated September 11, 2006. A copy of said document is hereto attached.

Judgment entered of record September 11, 2006.

Sincerely,


William A. Shaw
Prothonotary

Enclosures

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

: No. 2006 – 918 CD

: ISSUE:

: Praeclipe for Entry of Judgment of
: Non Pros

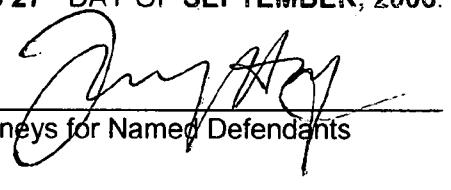
: Filed on behalf of Defendants,
: CLEARFIELD HOSPITAL and
: ROBERT E. STEWARD, JR., M.D.

: Counsel of Record:
: Frank J. Hartye, Esquire
: PA I.D. #25568

: McINTYRE, HARTYE & SCHMITT
: P.O. Box 533
: Hollidaysburg, PA 16648
: (814) 696-3581

: JURY TRIAL DEMANDED

I HEREBY CERTIFY THAT A TRUE AND
CORRECT COPY OF THE WITHIN WAS
MAILED TO ALL COUNSEL OF RECORD
THIS 27th DAY OF SEPTEMBER, 2006.


Atorneys for Named Defendants

FILED NO 10
M 13:14 6/1 Atty pd. 20.00
OCT 04 2006
Notice to Piffs
William A. Shaw
Prothonotary/Clerk of Courts (60)

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

No. 2006 – 918 CD

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

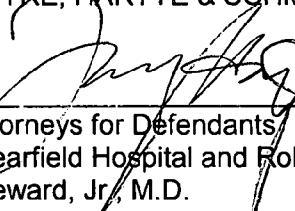
JURY TRIAL DEMANDED

PRAECIPE FOR ENTRY OF JUDGMENT OF NON PROS

TO: PROTHONOTARY

Kindly enter Judgment of Non Pros in favor of Defendants, CLEARFIELD
HOSPITAL and ROBERT E. STEWARD, JR., M.D., against Plaintiffs, EDWARD J. VAN
ALLEN and DIANE L. VAN ALLEN, for failure to file a Complaint in the above-captioned
matter as per Rule to do so.

McINTYRE, HARTYE & SCHMITT

By 

Attorneys for Defendants
Clearfield Hospital and Robert E.
Steward, Jr., M.D.

Frank J. Hartye, Esquire
PA I.D. #25568
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

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

EDWARD J. VAN ALLEN and
DIANE L. VAN ALLEN,

Plaintiffs

vs.

CLEARFIELD HOSPITAL,
CLEARFIELD WOUND CLINIC,
AVINDER S. BIR, M.D.,
ROBERT E. STEWARD, JR., M.D.,
PHILIPSBURG FAMILY MEDICAL
SERVICES and ZUHAIR AFANEH, M.D.,

Defendants

No. 2006 – 918 CD

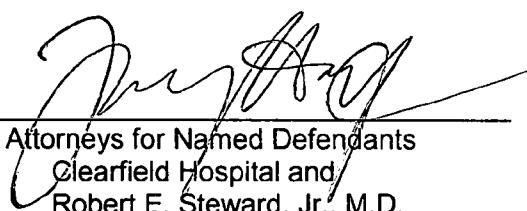
JURY TRIAL DEMANDED

CERTIFICATE OF MAILING

The undersigned hereby certifies that the attached Notice of Intent to Take
Judgment of Non Pros was mailed or delivered to the party against whom judgment is to
be entered and to his/her attorney of record, if any, after the default occurred and at
least ten (10) days prior to the date of the filing of the within Praeclipe for Entry of
Judgment of Non Pros.

McINTYRE, HARTYE & SCHMITT

By



Attorneys for Named Defendants
Clearfield Hospital and
Robert E. Steward, Jr., M.D.

Frank J. Hartye, Esquire
PA I.D. #25568
P.O. Box 533
Hollidaysburg, PA 16648
(814) 696-3581

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

EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN,	:	No. 2006 - 918 CD
Plaintiffs		:
vs.	:	:
CLEARFIELD HOSPITAL, CLEARFIELD WOUND CLINIC, AVINDER S. BIR, M.D., ROBERT E. STEWARD, JR., M.D., PHILIPSBURG FAMILY MEDICAL SERVICES and ZUHAIR AFANEH, M.D.,	:	:
Defendants		JURY TRIAL DEMANDED

10-DAY NOTICE OF INTENT TO TAKE JUDGMENT OF NON PROS

TO: Edward J. Van Allen
Diane L. Van Allen
P.O. Box 514
262 1st Avenue
Lemont, PA 16851

DATE OF NOTICE: September 8, 2006

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE A COMPLAINT IN THIS CASE. UNLESS YOU ACT WITHIN TEN DAYS OF THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR RIGHT TO SUE THE DEFENDANTS AND THEREBY LOSE PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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:

**David S. Meholic, Court Administrator, Clearfield County Courthouse,
Clearfield, PA 16830 814/765-2641 (Ext. 5982)**

McINTYRE, HARTYE & SCHMITT



Attorneys for Defendant
CLEARFIELD HOSPITAL and
ROBERT E. STEWARD, JR., M.D.

Frank J. Hartye, Esquire
PA I.D. #25568
P.O. Box 533
Hollidaysburg, PA 16648-0533
814/696-3581

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
NON PROS

Edward J. Van Allen
Diane L. Van Allen

Plaintiff

Vs.

No. 2006-00918-CD

Clearfield Hospital
Clearfield Wound Clinic
Avinder S. Bir, MD
Robert E. Steward, Jr., MD
Philipsburg Family Medical Services
Zuhair Afaneh, MD

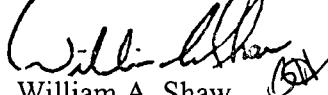
Defendant

TO: Edward J. Van Allen and Diane L. Van Allen :

Notice is hereby given that a judgment of non-pros has been entered in the above captioned matter pursuant to Praecipe dated October 4, 2006.

Judgment entered of record October 4, 2006.

Sincerely,


William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101622
NO: 06-918-CD
SERVICE # 1 OF 6
SUMMONS

PLAINTIFF: EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN
vs.
DEFENDANT: CLEARFIELD HOSPITAL a1

SHERIFF RETURN

NOW, June 13, 2006 AT 11:34 AM SERVED THE WITHIN SUMMONS ON CLEARFIELD HOSPITAL DEFENDANT AT 809 TURNPIKE AVE., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID CCONNELL, CHIEF FINANCIAL OFFICER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

FILED
01/3/2007
DEC 11 2007
WM
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101622
NO: 06-918-CD
SERVICE # 2 OF 6
SUMMONS

PLAINTIFF: EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN
vs.
DEFENDANT: CLEARFIELD HOSPITAL al

SHERIFF RETURN

NOW, June 13, 2006 AT 11:34 AM SERVED THE WITHIN SUMMONS ON CLEARFIELD WOUND CLINIC DEFENDANT AT 809 TURNPIKE AVE., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID MCCONNELL, CHIEF FINANCIAL OFFICER A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 3 of 6 Services

Sheriff Docket # **101622**

EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN

Case # **06-918-CD**

vs.

CLEARFIELD HOSPITAL a/

TYPE OF SERVICE SUMMONS

SHERIFF RETURNS

NOW July 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN SUMMONS "NOT FOUND" AS TO AVINDER S. BIR, MD, DEFENDANT. WHEREABOUTS UNKNOWN, LEFT 2 YRS AGO..

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101622
NO: 06-918-CD
SERVICE # 4 OF 6
SUMMONS

PLAINTIFF: EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN
vs.
DEFENDANT: CLEARFIELD HOSPITAL a1

SHERIFF RETURN

NOW, June 09, 2006 AT 3:02 PM SERVED THE WITHIN SUMMONS ON ROBERT E. STEWART, JR., MD DEFENDANT AT 1049 FRONT T., PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT E. STEWART JR.,MD, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101622
NO. 06-918-CD
SERVICE # 5 OF 6
SUMMONS

PLAINTIFF: EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN
vs.
DEFENDANT: CLEARFIELD HOSPITAL a1

SHERIFF RETURN

NOW, June 09, 2006 AT 3:02 PM SERVED THE WITHIN SUMMONS ON PHILIPSBURG FAMILY MEDICAL SERVICES

DEFENDANT AT 1049 N. FRONT ST., PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CAROLYN REINKE, PERSON IN CHARGE A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101622
NO: 06-918-CD
SERVICE # 6 OF 6
SUMMONS

PLAINTIFF: EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN
vs.
DEFENDANT: CLEARFIELD HOSPITAL a/

SHERIFF RETURN

NOW, June 08, 2006, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON ZUHAIR AFANEH, MD.

NOW, June 21, 2006 AT 10:25 AM SERVED THE WITHIN SUMMONS ON ZUHAIR AFANEH, MD, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101622
NO: 06-918-CD
SERVICES 6
SUMMONS

PLAINTIFF: EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN

vs.

DEFENDANT: CLEARFIELD HOSPITAL a1

SHERIFF RETURN

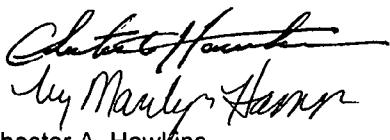
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	VAN ALLEN	922	60.00
SHERIFF HAWKINS	VAN ALLEN	922	40.00
SHERIFF HAWKINS	VANALLEN	409	28.00
CENTRE CO.	VAN ALLEN	923	46.00

Sworn to Before Me This

____ Day of _____ 2007

So Answers,



Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s)	2. Case Number								
<i>Edward Van Allen, et al</i>									
3. Defendant(s)	4. Type of Writ or Complaint:								
<i>Zuhair Afaneh, MD</i>									
SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. <i>Zuhair Afaneh, MD</i>								
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) <i>Gesinger Medical Center, Philipsburg, Pa 16866</i>								
7. Indicate unusual service:	Reg Mail	Certified Mail	Deputize Post Other						
Now, <u>20</u> I, Sheriff of CENTRE COUNTY, PA., do hereby depose the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. _____ Sheriff of Centre County									
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE									
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN – Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.									
9. Print/Type Name and Address of Attorney/Originator	10. Telephone Number	11. Date							
	12. Signature								
SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE									
13. I acknowledge receipt of the writ or complaint as indicated above.	14. Date Filed		15. Expiration/Hearing Date						
TO BE COMPLETED BY SHERIFF									
16. Served and made known to <i>Zuhair Afaneh, MD</i> , on the <u>21</u> day of <u>June</u> ,	20 <u>06</u> , at <u>10:25</u> o'clock, <u>A</u> m., at <u>same as above</u> , County of Centre								
Commonwealth of Pennsylvania, in the manner described below:									
<input checked="" type="checkbox"/> Defendant(s) personally served. <input type="checkbox"/> Adult family member with whom said Defendant(s) resides(s). Relationship is _____ <input type="checkbox"/> Adult in charge of Defendant's residence. <input type="checkbox"/> Manager/Clerk of place of lodging in which Defendant(s) resides(s). <input type="checkbox"/> Agent or person in charge of Defendant's office or usual place of business. <input type="checkbox"/> _____ and officer of said Defendant company. <input type="checkbox"/> Other _____									
On the _____ day of _____, 20_____, at _____ o'clock, _____ M.									
Defendant not found because:									
<input type="checkbox"/> Moved	<input type="checkbox"/> Unknown	<input type="checkbox"/> No Answer	<input type="checkbox"/> Vacant						
Other _____									
Remarks:									
Advance Costs <i>25.00</i>	Docket <i>5.00</i>	Service <i>4.00</i>	Sur Charge <i>0.00</i>	Affidavit <i>2.50</i>	Mileage <i>24.00</i>	Postage <i>.50</i>	Misc. <i>1.00</i>	Total Costs <i>46.00</i>	Gests Due or Refund <i>29.00</i>
17. AFFIRMED and subscribed to before me this <u>30</u> day of <u>June</u> <u>2006</u>				So Answer.					
20. day of <u>June</u> <u>2006</u>				18. Signature of Dep. Sheriff <i>Ted J. W.</i>					
23. <u>STATE OF PENNSYLVANIA</u> <u>COMMONWEALTH</u> <u>NOTARY PUBLIC</u> I, Connie H. Peters, Notary Public Bellefonte Boro, Centre County My Commission Expires: Expires Sept. 5, 2009				19. Date <i>6-21-06</i>					
				21. Signature of Sheriff <i>Ted J. W.</i>					
				22. Date					
				SHERIFF OF CENTRE COUNTY					
				Amount Pd.	Page				
24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED AUTHORITY AND TITLE.				25. Date Received					



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

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

7/6
OFFICE (814) 765-2641 EXT. 5986
AFTER 4:00 P.M. (814) 765-1533
FAX (814) 765-5915
ROBERT SNYDER
CHIEF DEPUTY
MARILYN HAMM
DEPT. CLERK
CYNTHIA AUGHENBAUGH
OFFICE MANAGER
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 101622

TERM & NO. 06-918-CD

EDWARD J. VAN ALLEN and DIANE L. VAN ALLEN

SUMMONS

VS.

CLEARFIELD HOSPITAL al

SERVE BY: 07/07/06

MAKE REFUND PAYABLE TO EDWARD J. VAN ALLEN, P.C.

SERVE: ZUHAIR AFANEH, MD

ADDRESS: OFFICE IN PHILIPSBURG HOSPITAL, PHILIPSBURG, PA 16866

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, June 08, 2006.

RESPECTFULLY,

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

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

PG 3615 PA
PDT 1/1/06

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

SUMMONS

**Edward J. Van Allen
Diane L. Van Allen**

Vs.

NO.: 2006-00918-CD

**Clearfield Hospital,
Clearfield Wound Clinic,
Avinder S. Bir, MD,
Robert E. Steward, Jr., MD,
Philipsburg Family Medical Services and
Zuhair Afaneh, MD**

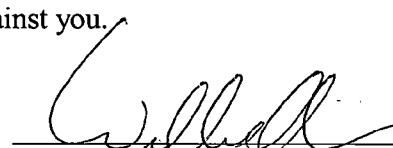
**TO: CLEARFIELD HOSPITAL
CLEARFIELD WOUND CLINIC
AVINDER S. BIR, MD
ROBERT E. STEWARD, JR., MD
PHILIPSBURG FAMILY MEDICAL SERVICES
ZUHAIR AFANEH, MD**

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: 06/07/2006

Issuing Attorney:

Edward J. Van Allen
316 Presqueisle Street
Philipsburg, PA 16866



William A. Shaw
Prothonotary

WILLIAM A. SHAW
Prothonotary
Commission Expires
Jan. 2010
Clearfield, PA

FILED

DEC 11 2007

William A. Shaw
Prothonotary/Clerk of Courts

100-2007-00000
G-60
APR 11 2008