

06-2028-CD
H. Salvatore vs Donna J. Wisor

2006-2028-CD
Harry Salvatore vs Donna Wisor

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

HARRY J. SALVATORE, an
individual,

Plaintiff,

v.

DONNA J. WISOR, an
individual,

Defendant.

* No. 2006 - 2028 - CD

* Type of Pleading:

* **COMPLAINT**

* Filed on behalf of:

* Plaintiff

* Counsel of Record for
this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* 207 E. Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

Dated: December 4, 2006

FILED 1cc Atty
12/3/2006
DEC 04 2006 1cc Shaff
(un) Atty pd.
William A. Shaw
Prothonotary/Clerk of Courts 85.00

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

HARRY J. SALVATORE, an *
individual, *
Plaintiff, *
*
v. * No. 2006 - - CD
*
DONNA J. WISOR, an *
individual, *
Defendant. *

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money 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
Market and Second Streets
Clearfield, PA 16830

(814) 765-2641, ext. 5982

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

HARRY J. SALVATORE, an *
individual, *
Plaintiff, *
*
v. * No. 2006 - - CD
*
DONNA J. WISOR, an *
individual, *
Defendant. *

COMPLAINT

NOW COMES the Plaintiff, Harry J. Salvatore and by his attorney, James A. Naddeo, Esquire, sets forth the following:

1. That the Plaintiff, Harry J. Salvatore, is a sui-juris, adult individual who resides at 6403 Clearfield-Woodland Highway, Clearfield, Pennsylvania 16830.

2. That the Defendant, Donna J. Wisor, is a sui-juris, adult individual who resides in Hyde, Pennsylvania and whose address is 3458 Log Cabin Road, Hyde, Pennsylvania 16843.

3. That on or about May 9, 2005 the Plaintiff, Harry J. Salvatore, was the owner of a 2005, Harley Davidson motorcycle which was involved in the accident described herein. That said motorcycle bears a Pennsylvania registration number
NGF-67

4. On the aforesaid date, defendant was the owner of a 1997, Pontiac Grand Prix automobile which was involved in the

accident described herein. That said automobile was bearing Pennsylvania registration number EKT-6175.

5. On the aforesaid date, at approximately 7:12 p.m., Plaintiff, Harry J. Salvatore, was operating his motorcycle in a northerly direction on Route 2023 in Lawrence Township, Clearfield County, Pennsylvania, at a point intersecting Route 153, when his vehicle was struck head on by the defendant's motor vehicle which was being operated by defendant in a southerly direction on Route 153.

6. That on or about the said day and at or about the said time, it was daylight; there were no adverse weather conditions; and the roadway was dry.

7. At the time of the accident herein described, plaintiff was lawfully traveling on Route 2023 in the appropriate lane for northerly traffic.

8. That the defendant, traveling southerly on Route 153, proceeded from a stop without clearance at the intersection of Route 2023 and struck the plaintiff's motorcycle head on.

9. The accident was directly and proximately caused by the negligence and carelessness of defendant, which consisted, among other things, of the following:

(a) operating her motor vehicle in a careless, reckless and negligent manner;

- (b) operating her motor vehicle without clearance through an intersection;
- (c) operating her motor vehicle with no warning of approach or intended direction;
- (d) operating her motor vehicle without due regard to the rights, safety, and position of the plaintiff;
- (e) operating her vehicle from a stop sign without a clear view of approaching traffic on the intersecting roadway;
- (f) entering an intersecting roadway without clearance;
- (g) not yielding the right-of-way to a vehicle in the intersection approaching from another roadway;
- (h) entering into an intersection from a stop sign when it was not safe to do so;
- (i) moving a vehicle from a stopped position at a time when it could not be moved safely;
- (j) failing to have her motor vehicle under proper control so as to prevent her vehicle from striking the plaintiff's motorcycle;
- (k) failing to keep a proper lookout;
- (l) failing to use due care under the circumstances;
- (m) failing to notice the motor vehicle of the plaintiff;
- (n) upon noticing the motor vehicle of the plaintiff, failing to yield the right-of-way to the plaintiff's vehicle;

(o) failing to take evasive action in order to avoid impacting with plaintiff's vehicle;

(p) failing to apply her brakes in sufficient time to avoid striking plaintiff's vehicle;

(q) operating her motor vehicle in disregard of the rules of the road, the ordinance of Lawrence Township, and the laws of the Commonwealth of Pennsylvania, including but not limited to Motor Vehicle Code 75 Pa.C.S. § 3323.

10. At all times material hereto, plaintiff acted with due care and was not contributorily negligent.

COUNT I

11. Plaintiff incorporates by reference all of the preceding paragraphs of this Complaint as if each and every one were individually set forth within this Count.

12. As a result of defendant's negligence, plaintiff sustained the following injuries, some or all of which may be permanent: closed fracture of the tibia and fibula of his right leg which required surgery and hardware placement in the leg and physical therapy; injury to his left hand and index finger including a contusion and sprain with a resulting laxity of the radial collateral ligament of the MP joint in his index finger; strain and sprain to the muscles impacted; and general bruises and contusions.

13. As a result of defendant's negligence, plaintiff has suffered great bodily pain and suffering, as well as mental anxiety and nervousness, to his great detriment and loss.

14. That plaintiff continues to experience pain, swelling and is restricted in the use of his leg to date.

15. As a result of defendant's negligence, plaintiff has sustained serious and permanent injury, for the treatment of which he has incurred medical bills and expenses in excess of \$12,400.00, and will probably require continued treatment and follow up, if not additional surgery for his right leg.

16. As a result of defendant's negligence, plaintiff has suffered a loss of earnings and or earning capacity. Plaintiff is a self-employed business owner, whose business depends on his participation. Said business has suffered a loss due to defendant's negligence.

17. That plaintiff's loss of earnings is approximately \$80,000.00 over the course of the last 18 months.

18. As a result of defendant's negligence, plaintiff's motorcycle sustained damage and defendant has paid plaintiff an amount of \$7526.77. That despite this payment damage to the windshield of plaintiff's motorcycle required repairs over and above this amount and in particular in the amount of \$430.31. Plaintiff further incurred towing and storing charges the reasonable cost and value of which was

\$673.10, which were not accounted for in defendant's payment to plaintiff. A true and correct copy of receipts for storage and towing and for the windshield replacement are attached collectively hereto as Exhibit "A."

19. That despite this payment of \$7,526.77 by defendant, an amount of approximately \$1,103.41 is still owed to plaintiff to compensate for the damage to his motorcycle and for storage and towing.

20. That as a result of defendant's negligence, plaintiff sustained damage to his clothing and eyeglasses worn at the time of the accident described herein, the reasonable cost and value of which was \$516.50. True and correct copies of receipts for leather vest and shoes, eyeglasses and pants are attached hereto collectively as Exhibit "B."

21. As a result of defendant's negligence, plaintiff has suffered an interruption of his daily habits and pursuits to his great and permanent detriment and loss.

22. That as a result of defendant's negligence, plaintiff was required to enlist the services of others for activities he would have normally performed himself. These items include but are not limited to the mowing of lawns on property owned by plaintiff and repairs at rental properties owned by plaintiff. That the approximate amount paid by plaintiff to others for said services is in excess of \$9,000.00.

23. Plaintiff has made a demand for compensation of the aforesaid injuries and losses, which defendant has failed and refused and still refuses to pay.

WHEREFORE, plaintiff demands judgment against defendant in an amount in excess of \$25,000.00, exclusive of interest and costs.



James A. Naddeo
Attorney for Plaintiff

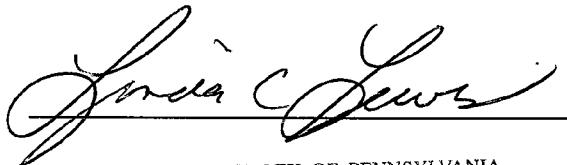
COMMONWEALTH OF PENNSYLVANIA)
ss.
COUNTY OF CLEARFIELD)

Before me, the undersigned officer, personally appeared HARRY J. SALVATORE, who being duly sworn according to law, deposes and states that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.



Harry J. Salvatore

SWORN and SUBSCRIBED before me this 30th day of November, 2006.



Linda C. Lewis

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Linda C. Lewis, Notary Public
Clearfield Boro, Clearfield County
My Commission Expires July 25, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY J. SALVATORE,
an individual,

Plaintiff,

VS.

DONNA J. WISOR,
an individual,

Defendant.

CIVIL DIVISION

NO. 2006-2028

PRAECIPE FOR APPEARANCE

FILED ON BEHALF OF DEFENDANT

COUNSEL OF RECORD
FOR THIS PARTY:

DANIEL L. RIVETTI, ESQUIRE
PA I.D. #73015

MARK A. MARTINI, ESQUIRE
PA I.D. #91001

ROBB LEONARD MULVIHILL
Firm I.D. #249
2300 One Mellon Center
Pittsburgh, PA 15219
(412) 281-5431

JURY TRIAL DEMANDED

FILED
M 11/03/06 NO CC
DEC 22 2006
GJ

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY J. SALVATORE,
an individual,

CIVIL DIVISION

Plaintiff,

NO. 2006-2028

vs.

DONNA J. WISOR,
an individual,

Defendant.

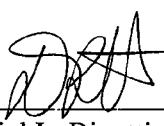
PRAECIPE FOR APPEARANCE

TO THE PROTHONOTARY:

You are hereby directed to enter our appearance for Defendant, Donna J. Wisor, in the above case.

Respectfully submitted,

ROBB LEONARD MULVIHILL

By 
Daniel L. Rivetti, Esquire
Mark A. Martini, Esquire
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the PRAECIPE FOR APPEARANCE was forwarded by U. S. Mail, postage pre-paid, on the 20th day of December, 2006, upon:

**James A. Naddeo, Esquire
207 East Market Street
P. O. Box 552
Clearfield, PA 16830**



Daniel L. Rivetti, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY J. SALVATORE, an
individual,

Plaintiff,

vs.

DONNA J. WISOR, an
individual,

Defendant.

CIVIL DIVISION

No.: 2006-2028-CD

ANSWER AND NEW MATTER

FILED ON BEHALF OF :
DEFENDANT

COUNSEL OF RECORD
FOR THIS PARTY:

DANIEL L. RIVETTI, ESQUIRE
PA I.D. #73015

MARK A. MARTINI, ESQUIRE
PA I.D. #91001

ROBB LEONARD MULVIHILL
Firm I.D. #249
2300 One Mellon Center
Pittsburgh, PA 15219
(412) 281-5431

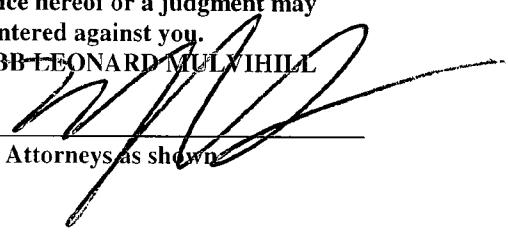
JURY TRIAL DEMANDED

TO: PLAINTIFFS

You are hereby notified to file
a written response to the enclosed
ANSWER and NEW MATTER
within twenty (20) days from
service hereof or a judgment may
be entered against you.

ROBB LEONARD MULVIHILL

By:


Attorneys as shown

FILED
1/22/2007
JAN 22 2007
60
cc

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY J. SALVATORE, an
individual,

Plaintiff,

vs.

DONNA J. WISOR, an
individual,

CIVIL DIVISION

No.: 2006-2028-CD

Defendant.

ANSWER AND NEW MATTER

AND NOW, comes the Defendant, Donna J. Wisor, by and through her attorneys, Daniel L. Rivetti, Esquire, Mark A. Martini, Esquire and ROBB LEONARD MULVIHILL, and files the following Answer and New Matter and avers as follows:

1. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this Paragraph and therefore, denies the same. Strict proof is demanded at trial.
2. Admitted.
3. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this Paragraph and therefore, denies the same. Strict proof is demanded at trial.
4. Admitted in Part and Denied in Part. It is Admitted that on May 9, 2005, Defendant was the owner of a 1997 Pontiac Grand Prix bearing Pennsylvania registration number EKT-6175. It is denied generally and specifically pursuant to Pa.R.C.P. 1029 (e) that said

vehicle was involved in an accident as it is described in the Complaint. Strict proof is demanded at trial.

5. Admitted in Part and Denied in Part. It is admitted that on May 9, 2005, Defendant's vehicles was being operated in a southerly direction on Route 153. It is denied generally and specifically pursuant to Pa.R.C.P. 1029 (e) that Plaintiff's motorcycle was struck head on by Defendant's motor vehicle. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining averments contained in this Paragraph and therefore, denies the same. Strict proof is demanded at trial.

6. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this Paragraph and therefore, denies the same, because Plaintiff does not identify the location to which he is referring. Strict proof is demanded at trial.

7. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

8. Denied. The averments of this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demand at trial.

9. The averments of this Paragraph and all of its sub-parts are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph and all of its sub-parts, are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

10. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

COUNT I

11. This Paragraph is one of incorporation to which no responsive pleading is required. To the extent a responsive pleading is required, the averments of this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e), and strict proof is demanded at trial. By way of further response, subject to and without waiver of the foregoing, Defendant hereby incorporates her response to Paragraphs 1 through 10 by reference herein as if fully set forth.

12. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

13. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

14. After reasonable investigation, Defendant is without knowledge or information

sufficient to form a belief as to the truth of the averments contained in this Paragraph and therefore, denies the same. Strict proof is demanded at trial.

15. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

16. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). By way of further reply, after reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of the averment that "Plaintiff is a self-employed business owner, whose business depends on his participation" and therefore, denies the same. Strict proof is demanded at trial.

17. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as to the truth of averments contained in this Paragraph and therefore, denies the same. Strict proof is demanded at trial.

18. Admitted in Part and Denied in Part. It is Admitted that Plaintiff has been compensated \$7,526.77 for the property damage to his motorcycle. It is denied as a conclusion of law to which no responsive pleading is required that said money was paid "as a result of defendant's negligence." To the extent a responsive pleading is required, this averment is denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). The averments of this paragraph relating to "Exhibit A" are Specifically Denied in that they refer to a writing which speaks for

itself and which has not been authenticated. By way of further reply, it is denied generally and specifically pursuant to Pa.R.C.P. 1029 (e) that Plaintiff has not been fully compensated for his property damage. After reasonable investigation, Defendant is without knowledge or information sufficient to form a belief as the truth of remaining averments contained in this Paragraph and therefore, denies the same. Strict proof is demanded at trial.

19. Admitted in Part and Denied in Part. It is Admitted that Plaintiff has been compensated \$7,526.77 for the property damage to his motorcycle. The remaining averments of this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demand at trial.

20. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). By way of further reply, the averments of this paragraph relating to "Exhibit B" are Specifically Denied in that they refer to a writing which speaks for itself and which has not been authenticated. Strict proof is demanded at trial.

21. The averments of this Paragraph are denied as conclusions of law to which no responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

22. The averments of this Paragraph are denied as conclusions of law to which no

responsive pleading is required. To the extent a responsive pleading is required, the averments contained in this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). Strict proof is demanded at trial.

23. Denied as stated. The averments of this Paragraph are denied generally and specifically pursuant to Pa.R.C.P. 1029 (e). By way of further reply, to the extent the averments of this Paragraph refer to settlement negotiations, they should be stricken pursuant to the Rules of Civil Procedure and Rules of Evidence. Strict proof is demand at trial.

WHEREFORE, Defendant demands judgment in her favor, together with costs of suit, plus any other relief this Honorable Court deems appropriate, and demands a trial by jury.

NEW MATTER

24. Defendant hereby incorporates her responses to Paragraphs 1-23 above by reference herein as if fully set forth.

25. Plaintiffs' claims are barred by the doctrines of contributory negligence, comparative negligence, and/or assumption of the risk.

26. Plaintiff failed to have control of and over his motorcycle.

27. Plaintiff failed to have proper training in operating a motorcycle.

28. Plaintiff lost control of his motorcycle because of his own actions and/or inactions and not because of any action or inaction of Defendant

29. Plaintiff's alleged injuries were caused by his own action or inactions and not because of any action or inaction of Defendant

30. Plaintiff was operating his motorcycle in the wrong lane of travel.

31. Plaintiff fail to state a claim upon which relief can be granted.

32. Plaintiff's claims are barred to the extent that discovery reveals that the incident and Plaintiff's alleged injuries and damages were caused solely by and/or exclusively by circumstances over which this Defendant did not have any control and/or responsibility and/or by supervening, intervening and/or independent causes over which this Defendant did not have control and/or responsibility and not in any manner whatsoever by the actions and/or inactions of Defendant.

33. Some or all of Plaintiff's alleged injuries and damages are solely the result of a pre-existing condition and were in no way caused by any actions or inactions of Defendant.

34. Some or all of the Plaintiff's expenses for medical treatment and other losses, including income loss, alleged by the Plaintiff are entitled to be paid by another responsible party, including but not limited to, Plaintiff's motor vehicle financial responsibility company. If any of these expenses and/or losses are permitted to be introduced into evidence as items of damages, and if a verdict is entered in Plaintiffs' favor, then Defendant claims a right of set-off against the verdict for an amount equal to those expenses.

35. To the extent that discovery reveals that Plaintiff maintained an insurance policy which provided for the "limited tort option," Plaintiff's claims for non-economic damages are barred by the MVFRL.

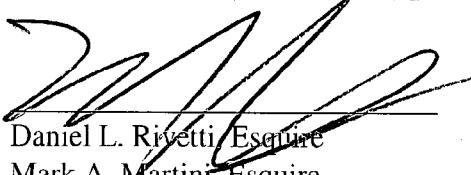
36. Defendant is not liable for Plaintiff's injuries and damages in that Plaintiff failed to mitigate his damages.

37. Plaintiff's claims for property damage are barred by the doctrine of "accord and satisfaction."

38. Plaintiff's claims for property damage are barred by the doctrine of "set-off."
39. Plaintiff's claims for property damage are barred in that they were paid.
40. Plaintiff released his claims for property damage and therefore, his claims for the same are barred.
41. Plaintiff's claims are barred because, upon information and belief, at the time of the subject accident Plaintiff was operating his motorcycle while under the influence of alcohol.
42. To the extent necessary, Defendant asserts all other defenses available under Act 57, 42 Pa.C.S. §7102, as amended.

Respectfully submitted,

ROBB LEONARD MULVIHILL



Daniel L. Rivetti, Esquire
Mark A. Martini, Esquire
(Attorneys for Defendant)

JURY TRIAL DEMANDED

VERIFICATION

I verify that the statements made herein are true and correct to the best of my knowledge, information and belief and are made subject to the penalties of 18 Pa. Con. Stat. Ann. Section 4904 relating to unsworn falsification to authorities.

Jan-17-07
Date

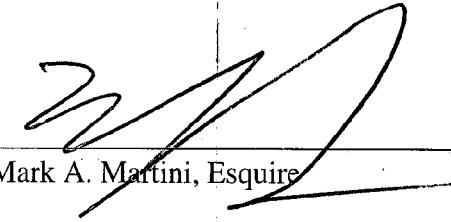
Donna J. Wisor
Donna J. Wisor

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **ANSWER AND MATTER** to be served on all counsel of record on this 19th day of January, 2007 by U.S.

First Class Mail, postage pre-paid as follows:

James A. Naddeo, Esquire
207 East Market Street
P. O. Box 552
Clearfield, PA 16830


Mark A. Martini, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY J. SALVATORE, an
individual,

Plaintiff,

vs.

DONNA J. WISOR, an
individual,

Defendant.

CIVIL DIVISION

No.: 2006-2028-CD

**NOTICE OF SERVICE OF
DISCOVERY**

FILED ON BEHALF OF :
DEFENDANT

COUNSEL OF RECORD
FOR THIS PARTY:

DANIEL L. RIVETTI, ESQUIRE
PA I.D. #73015

MARK A. MARTINI, ESQUIRE
PA I.D. #91001

ROBB LEONARD MULVIHILL
Firm I.D. #249
2300 One Mellon Center
Pittsburgh, PA 15219
(412) 281-5431

JURY TRIAL DEMANDED

FILED

JAN 22 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY J. SALVATORE, an
individual,

Plaintiff,

CIVIL DIVISION

No.: 2006-2028-CD

vs.

DONNA J. WISOR, an
individual,

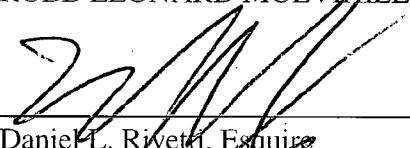
Defendant.

NOTICE OF SERVICE OF DISCOVERY

PLEASE TAKE NOTICE, that on this 19th day of January, 2007, the
Defendant, Donna J. Wisor, by and through her attorneys, Robb Leonard Mulvihill, Daniel L.
Rivetti, Esquire and Mark A. Martini, Esquire, caused her First Set of Interrogatories and
Requests for Production directed to Plaintiffs to be served along with a true and correct copy of
the within Notice, *via* United States First Class Mail, postage pre-paid upon the following:

James A. Naddeo, Esquire
207 East Market Street
P. O. Box 552
Clearfield, PA 16830

Respectfully submitted,
ROBB LEONARD MULVILHILL



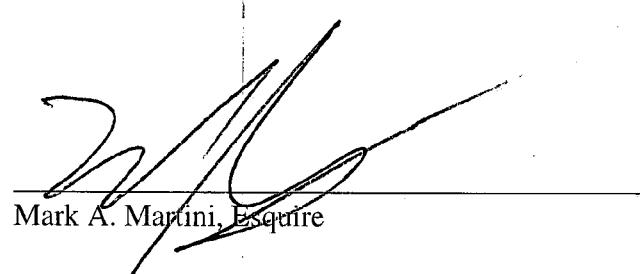
Daniel L. Rivetti, Esquire
Mark A. Martini, Esquire
Attorneys for Defendant

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing
INTERROGATORIES to be served on all counsel of record on this 19th day of January,
2007 by U.S. First Class Mail, postage pre-paid as follows:

James A. Naddeo, Esquire
207 East Market Street
P. O. Box 552
Clearfield, PA 16830


Mark A. Martini, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102218
NO: 06-2028-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: HARRY J. SALVATORE
vs.
DEFENDANT: DONNA J. WISOR

SHERIFF RETURN

NOW, December 26, 2006 AT 1:34 PM SERVED THE WITHIN COMPLAINT ON DONNA J. WISOR DEFENDANT AT 3458 LOG CABIN ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DONNA J. WISOR, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

FILED
013:13:671
MAR 08 2007


William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NADDEO	18797	10.00
SHERIFF HAWKINS	NADDEO	18797	20.39

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

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

HARRY J. SALVATORE, an
individual,

Plaintiff,

v.

DONNA J. WISOR, an
individual,

Defendant.

* No. 2006 - 2028 - CD

* Type of Pleading:

* **PRAECIPE TO SETTLE
AND DISCONTINUE**

* Filed on behalf of:
* Plaintiff

* Counsel of Record for
* this party:

* James A. Naddeo, Esq.
* Pa I.D. 06820

* Naddeo & Lewis, LLC
* 207 E. Market Street
* P.O. Box 552
* Clearfield, PA 16830
* (814) 765-1601

*

FILED ice & cert.
06/30/07 of disc.
JUN 27 2007 to Atty

William A. Shaw
Prothonotary/Clerk of Courts

(GK)

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

HARRY J. SALVATORE, an
individual,

Plaintiff,

v.

* No. 2006 - 2028 - CD

DONNA J. WISOR, an
individual,

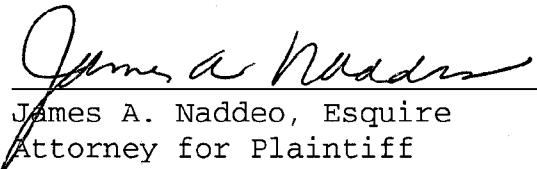
Defendant.

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Please mark the above-captioned case settled and
discontinued.

Naddeo & Lewis, LLC



James A. Naddeo, Esquire
Attorney for Plaintiff

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

HARRY J. SALVATORE, an
individual,

Plaintiff,

v.

DONNA J. WISOR, an
individual,

Defendant.

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No. 2006 - 2028 - CD

CERTIFICATE OF SERVICE

I, James A. Naddeo, Esquire, do hereby certify that a true and correct copy of Praeclipe to Settle and Discontinue filed in the above-captioned action was served on the following person and in the following manner on the 27th day of June, 2007:

First-Class Mail, Postage Prepaid

Mark A. Martini, Esquire
Robb Leonard Mulvihill
2300 One Mellon Center
Pittsburgh, PA 15219

Naddeo & Lewis, LLC

By: James A. Naddeo

James A. Naddeo, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Harry J. Salvatore

Vs.
Donna J. Wisor

No. 2006-02028-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 27, 2007, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by James A. Naddeo, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 27th day of June A.D. 2007.



William A. Shaw, Prothonotary