

07-56-CD  
E. Williams vs E. Williams et al

Edward Williams vs Edward Williams et al  
2007-56-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(Civil Division)

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 07-56-CD

-vs-

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

Type of Pleading: PRAECIPE  
FOR WRIT OF SUMMONS

Filed on behalf of: PLAINTIFF

Counsel of Record for  
This Party:

S. Casey Bowers, Esquire  
I.D. No. 89032  
Hanak Guido and Taladay  
P. O. Box 487  
DuBois, PA 15801

814-371-7768

Date: January 12, 2007

FILED  
1CC & 2 Writs  
Q85701 (1 per Def.) to  
JAN 12 2007 Sheriff  
Atty pd. 8500  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(Civil Division)

EDWARD R. WILLIAMS, SR., :  
Plaintiff : No.

:  
-vs-  
:  
:

EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLA, :  
Defendants :  
:

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue a Writ of Summons requested by Edward R. Williams, Sr., Plaintiff, and index this writ against the Defendant, Beverly Coppella, in the above matter.



S. Casey Bowers, Esq.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(Civil Division)

EDWARD R. WILLIAMS, SR.,  
Plaintiff

: No. 07-560-CD

-vs-

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

: Type of Pleading: PRAECIPE  
FOR WRIT OF SUMMONS

: Filed on behalf of: PLAINTIFF

: Counsel of Record for  
This Party:

: S. Casey Bowers, Esquire  
I.D. No. 89032  
Hanak Guido and Taladay  
P. O. Box 487  
DuBois, PA 15801

: 814-371-7768

Date: January 12, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
(Civil Division)

EDWARD R. WILLIAMS, SR., :  
Plaintiff : No.

-vs-

EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLA, :  
Defendants :

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue a Writ of Summons requested by Edward R. Williams, Sr., Plaintiff, and index this writ against the Defendant, Edward R. Williams, Jr., in the above matter.



S. Casey Bowers, Esq.  
Attorney for Plaintiff

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

Copy

**SUMMONS**

**Edward R. Williams Sr.**

Vs.

NO.: 2007-00056-CD

**Edward R. Williams Jr.  
and Beverly Coppella**

TO: EDWARD R. WILLIAMS JR.

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: 01/12/2007

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

Issuing Attorney:

S. Casey Bowers  
P. O. Box 487  
DuBois, PA 15801  
(814) 371-7768

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

copy

**SUMMONS**

**Edward R. Williams Sr.**

**Vs.**

**NO.: 2007-00056-CD**

**Edward R. Williams Jr.  
and Beverly Coppella**

**TO: BEVERLY COPPELLA**

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: 01/12/2007

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

**Issuing Attorney:**

S. Casey Bowers  
P. O. Box 487  
DuBois, PA 15801  
(814) 371-7768

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102335  
NO: 07-56-CD  
SERVICE # 1 OF 2  
SUMMONS

PLAINTIFF: EDWARD R. WILLIAMS SR.

vs.

DEFENDANT: EDWARD R. WILLIAMS JR. and BEVERLY COPPELLA

**SHERIFF RETURN**

---

NOW, January 16, 2007 AT 2:05 PM SERVED THE WITHIN SUMMONS ON EDWARD R. WILLIAMS JR. DEFENDANT AT 321 PIFER ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TONI ADAMS, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

FILED  
01341201  
MAY 01 2007  
JFM

William A. Shaw  
Prothonotary/Clerk of Courts

 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102335  
NO: 07-56-CD  
SERVICE # 2 OF 2  
SUMMONS

PLAINTIFF: EDWARD R. WILLIAMS SR.

VS.

DEFENDANT: EDWARD R. WILLIAMS JR. and BEVERLY COPPELLA

**SHERIFF RETURN**

---

NOW, January 15, 2007, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS,  
SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON BEVERLY COPPELLA.

NOW, February 08, 2007 AT 1:19 PM SERVED THE WITHIN SUMMONS ON BEVERLY COPPELLA, DEFENDANT.  
THE RETURN OF JEFFERSON COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102335  
NO: 07-56-CD  
SERVICES 2  
SUMMONS

PLAINTIFF: EDWARD R. WILLIAMS SR.

vs.

DEFENDANT: EDWARD R. WILLIAMS JR. and BEVERLY COPPELLA

**SHERIFF RETURN**

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	HANAK	15342	20.00
SHERIFF HAWKINS	HANAK	15342	46.23
JEFFERSON CO.	HANAK	15342	39.40

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2007

  
Chester A. Hawkins  
Sheriff

No. 2007-56 C.D.

Personally appeared before me, Bill Dombrowski, Deputy for Thomas A. Demko, Sheriff of Jefferson County, Pennsylvania, who according to law deposes and says that on February 8, 2007 at 1:19 o'clock P.M. served the Summons upon BEVERLY COPPELLA, Defendant, at the address of 1220 Second Avenue, Borough of Brockway, County of Jefferson, State of Pennsylvania, by handing to the defendant, personally, a true copy of the Summons and by making known to her the contents thereof.

Advance Costs Received:	\$125.00	
My Costs:	37.40	Paid
Prothy:	2.00	
Total Costs:	39.40	
REFUNDED:	\$ 85.60	

Sworn and subscribed  
to before me this 12th  
day of February 2007  
By Kristen J. Hoffman  
Deputy Clerk Court

My Commission Expires the  
1st Monday, January 2010

So Answers,

Bill Dombrowski Deputy

Thomas A. Demko Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

-vs-

EDWARD R. WILLIAMS, JR., and  
BEVERLY COPPELLA,  
Defendant

Type of Case: Civil Action

No. 2007-00056-CD

Type of Pleading:  
Complaint

Filed on Behalf of:  
Plaintiff

Counsel of Record for This  
Party:

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

FILED 300  
10/05/07 AUG 08 2007 Atty Taladay  
AUG 08 2007

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007-00056 CD

vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

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 defense 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, 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.

Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814)765-2641, Ext 5982

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2001-00056 - CD

vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

**COMPLAINT**

AND NOW, comes the Plaintiff, Edward R. Williams, Sr., and by and through his attorneys, Hanak, Guido and Taladay, and brings the within Complaint avering as follows:

1. The Plaintiff is Edward R. Williams, Sr., an adult individual who resides at 134 West Long Avenue, Apartment 2, DuBois, Clearfield County, Pennsylvania.
2. Defendant, Beverly Coppella, is an adult individual who resides at 1220 Second Avenue, Brockway, Jefferson County, Pennsylvania. Said defendant is also Plaintiff's ex-wife.
3. Defendant, Edward R. Williams, Jr., is an adult individual who resides at 321 Pifer Street, DuBois, Clearfield County, Pennsylvania. Said defendant is Plaintiff's son.

4. Plaintiff, Edward R. Williams, Sr., suffered numerous brain and bodily injuries as a result of an automobile accident in 1988.

5. Despite his injuries, Plaintiff has been able to function somewhat independently with the assistance of others for day to day tasks.

6. Plaintiff receives approximately \$1,600 per month in Social Security Disability and pension benefits.

7. Defendants have acted as attorney-in-fact for Plaintiff from January, 2004, through November 2, 2006, when Plaintiff revoked any and all power of attorneys given to defendants.

8. Through thrifty living, Plaintiff was able to build up personal savings in excess of \$45,000.

9. On or about January 5, 2006, through November 2, 2006, it is believed and therefore averred that defendants withdrew an excess of \$43,000 from plaintiff's savings account and converted said funds for their own use.

10. Defendants also took possession of and converted several items of tangible personal property belonging to plaintiff including the following items:

- (a) 1988 Chevy Custom Conversion Van; and
- (b) a 1979 Honda Gold Wing Motorcycle.

**COUNT I**  
**BREACH OF FIDUCIARY DUTY**

11. Plaintiff incorporates all prior paragraphs herein.
12. As set forth above, defendants, acted as attorneys-in-fact and therefore owed him a fiduciary duty to exercise those responsibilities in plaintiff's best interest.
13. Defendants breached their duty to plaintiff by, inter alia, converting an excess of \$43,000 in funds belonging to plaintiff for their own use.

WHEREFORE, Plaintiff respectfully requests this Court to direct defendants to give an accounting of any and all funds administered on plaintiff's behalf. Plaintiff further respectfully requests this Court to enter judgment in his favor and against defendants in an amount in excess of \$25,000 together with interest, costs of suit and any other relief this Court deems appropriate.

**COUNT II**  
**CONVERSION**

14. Plaintiff incorporates all prior paragraphs herein.
15. As set forth above, defendants have converted both tangible and intangible personal property belonging to the plaintiff for their own use and benefit.

WHEREFORE, Plaintiff demands judgment in his favor and against defendants in an amount in excess of \$25,000 together with interest, costs of suit and any other relief this Court deems just and appropriate.

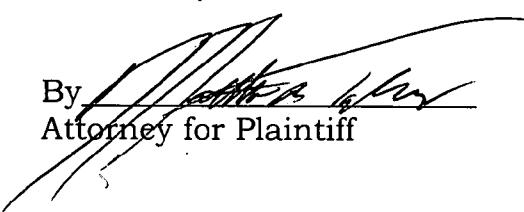
**COUNT III**  
**FRAUD**

16. Plaintiff incorporates all prior paragraphs herein.
17. Defendants made statements to plaintiff regarding his finances knowing that said statements were false and intending that plaintiff would rely on said false statements.
18. Plaintiff did, in fact, reasonably rely on defendants' false statements.
19. As a result of plaintiff's reliance on defendants' false statements, plaintiff suffered a loss in excess of \$25,000.
20. Defendants' actions, set forth herein, are willful, wanton, arbitrary, and capricious and, therefore, entitle plaintiff to an award of punitive damages and reasonable attorney fees.

WHEREFORE, Plaintiff, Edward R. Williams, respectfully requests this Court to enter judgment against defendants and in his favor in an amount in excess of \$25,000 together with interest, costs of suit, punitive damages, reasonable attorney's fees incurred, and any other relief this Court deems just and appropriate.

Respectfully submitted,

HANAK, GUIDO & TALADAY

By   
Attorney for Plaintiff

**VERIFICATION**

I, EDWARD R. WILLIAMS, SR., hereby state that I am the Plaintiff in this action and that the statements of fact made in the foregoing COMPLAINT are true and correct to the best of my information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to the authorities.

7-24-07  
Date

Edward R Williams  
Edward R. Williams, Sr.  
SK

~~I hereby certify this to be a true and attested copy of the original statement filed in this case.~~

AUG 17 2007

Attest.

*W.A. Shaw*  
Prothonotary/  
Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

-vs-

EDWARD R. WILLIAMS, JR., and  
BEVERLY COPPELLA,  
Defendant

Type of Case: Civil Action

No. 2007-56-C0

Type of Pleading:

CERTIFICATE OF  
SERIVCE

Filed on Behalf of:  
Plaintiff

Counsel of Record for This  
Party:

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

FILED

AUG 17 2007

*W.A. Shaw*  
Prothonotary/Clerk of Courts

*W.A. Shaw*

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. \_\_\_\_\_ CD

vs.

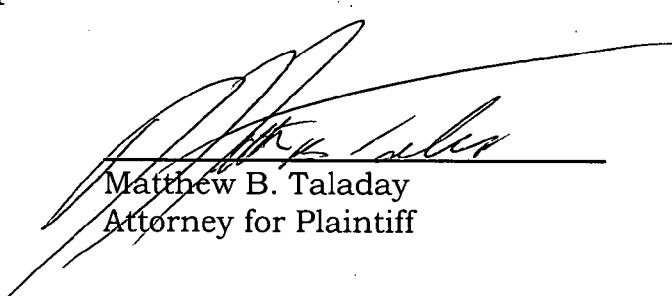
EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

CERTIFICATE OF SERVICE

I certify that on the 15th day of August, 2007, a certified copy of the Complaint was served via first class US mail, postage prepaid, addressed as follows as evidenced by the attached Certificates of Mailing:

Beverly Coppella  
1220 Second Avenue  
Brockway, PA 15824

Edward R. Williams, Jr.  
321 Pifer Street  
DuBois, PA 15801

  
Matthew B. Taladay  
Attorney for Plaintiff

<b>CERTIFICATE OF MAILING</b>	
U.S. POSTAL SERVICE MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER	
Received From: S. Casey Bowers Hanak, Guido & Taladay PO Box 487 DuBois, PA 15801	
One piece of ordinary mail addressed to: Beverly Coppella 1220 Second Avenue Brockway, PA 15824	
 U.S. POSTAGE DUBOIS, PA 15801 AUG 15 1987 AMOUNT <b>\$1.05</b> 00058654-07	

PS Form 3817, Mar. 1989

<b>CERTIFICATE OF MAILING</b>	
U.S. POSTAL SERVICE MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER	
Received From: S. Casey Bowers Hanak, Guido & Taladay PO Box 487 DuBois, PA 15801	
One piece of ordinary mail addressed to: Edward R. Williams, Jr. 321 Pifer Street DuBois, PA 15801	
 U.S. POSTAGE DUBOIS, PA 15801 AUG 15 1987 AMOUNT <b>\$1.05</b> 00058654-07	

PS Form 3817, Mar. 1989

*Attest*

~~I hereby certify this to be a true  
and certified copy of the original  
statement filed in this case.~~

**AUG 17 2007**

*Clerk of Courts  
Probationary*

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff  
vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY R. COPPELLA  
Defendants.

\*  
\*  
\* No. 2007-56-CD

\*

\* **Type of Case:** Civil

\*

\* **Type of Pleading:** Praeclipe for Appearance

\*

\*

\* **Filed on Behalf of:** Beverly Coppella, Defendant

\*

\*

\*

\* **Counsel of Record for this Party:**

\* John Sughrue, Esquire  
\* Attorney I. D. No. 01037  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* Phone: (814) 765-1704  
\* Fax: (814) 765-6959

\*

\*

\* **Other Counsel of Record:**

\* Matthew B. Taladay, Esquire  
\* Supreme Court No. 49663  
\* Hanak, Guido and Taladay  
\* P.O. Box 487  
\* DuBois, PA 15801  
\* Phone: (814) 371-7768  
\* Fax: (814) 371-1974

\*

\* Edward R. Williams, Jr., Pro Se  
\* 321 Pifer Street  
\* DuBois, PA 15801

\*

FILED  
01/31/2007  
AUG 29 2007

William A. Shaw  
Prothonotary/Clerk of Courts  
5cc Atty Sughrue

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

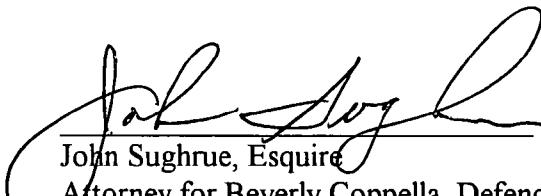
EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY R. COPPELLA \*  
Defendants. \*

**PRAECIPE FOR ENTRY OF APPEARANCE**

TO: WILLIAM A. SHAW, PROTHONOTARY.

Kindly enter my appearance on behalf of Beverly R. Coppelli, mistakenly referred to in the pleadings as Beverly Coppella, Defendant in the above-captioned matter. Direct all notices, pleadings, and matters concerning the client or this case to the undersigned.

Date: August 29, 2007



John Sughrue, Esquire  
Attorney for Beverly Coppella, Defendant  
Attorney I. D. #01037  
23 North Second Street  
Clearfield, PA 16830

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on August 29, 2007, I caused a true and correct copy of PRAECIPE FOR APPEARANCE to be served on the following and in the manner indicated below:

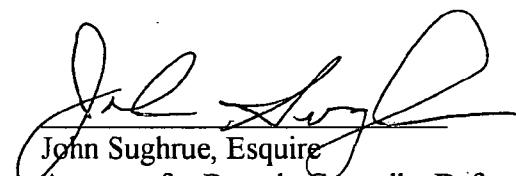
**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

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

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr.  
321 Pifer Street  
DuBois, PA 16830

Date: August 29, 2007



John Sughrue, Esquire  
Attorney for Beverly Coppella, Defendant

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

Type of Case: Civil Action

Type of Pleading:  
Answer – Counts I & II

File on Behalf of: Defendants

Counsel of Record for this Party:

John Sughrue, Esquire  
Supreme Ct. I.D. 01037

23 North Second Street  
Clearfield, Pa 16830  
814-765-1704  
814-765-6959 - facsimile

Other Counsel of Record:

Matthew B. Taladay, Esquire  
Hanak, Guido and Taladay  
P.O. Box 487  
DuBois, PA 15801  
814-371-7768

FILED 4cc  
03:45 pm A/H Sughrue  
SEP 04 2007  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

**ANSWER – COUNTS I & II**

AND NOW, comes Defendant, Beverly R. Copelli, incorrectly referred to in the caption and Complaint as Beverly Coppella, by her attorney John Sughrue and responds to Count I and Count II of the Complaint as follows:

1. Admitted.
2. Admitted except the correct name of the Plaintiff's ex-wife is Beverly R. Copelli by virtue of marriage.
3. Admitted.
4. Admitted.
5. Admitted in part and denied in part depending on the interpretation of general language. In the past, Plaintiff did not physically function well independently and never lived alone until recently and then with questionable success. Previously, Plaintiff resided with multiple persons including his daughter, Kim Williams, and his son, Edward R. Williams, Jr., who provided numerous personal services and care to the Plaintiff. It is admitted that Plaintiff was capable of handling and did in fact handle his financial matters.
6. Denied. According to information available to Defendant, it appears that Plaintiff's Social Security consists of a net deposit per month of \$1,205.00. Plaintiff also received a monthly sum of about \$346.00 which is believed to be a pension benefit.

7. Denied. On the contrary, responding Defendant, Beverly R. Copelli acted as Attorney in Fact from about March 29, 2006 to October 2006. She was appointed agent under a written power-of-attorney on or about March 29, 2006, copy attached. She continued to so serve until on or about October 2006 when First Commonwealth Bank advised her that she had been removed from Plaintiff's accounts as POA and asked her to surrender Plaintiff's checkbook which she did.

8. Denied. Responding Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in this paragraph for the reason that such information is strictly within the possession and control of Plaintiff and strict proof of the same, if relevant, is demanded at the trial of this action.

9. Denied. Responding Defendant states that she did not withdraw in excess of \$43,000.00 from Plaintiff's savings account and/or convert said funds for her own use nor did she withdraw any part thereof at any time and convert it for her own use.

10. Denied. Responding Defendant states that she did not convert several items of tangible personal property belonging to the Plaintiff for her own use and denies any such conversion.

(a) On the contrary, Responding Defendant has no knowledge of a 1988 Chevy Custom Conversion Van. On the contrary, she believes and therefore avers that the Defendant was a co-owner with her of a 1979 Chevy Custom Conversion Van that was titled and continues to be titled in joint names. Accordingly, it is denied that she wrongfully possessed, converted or utilized said Van. Said Van is presently possessed by Defendant and has been stored in a facility since Plaintiff was injured in 1988.

(b) Responding Defendant denies that she wrongfully possessed or converted a 1979 Honda Gold Wing Motorcycle. On the contrary, said motorcycle, the title of which is unknown at this time, is presently being held in storage for the benefit of it's owner and has been so stored since Plaintiff was injured in 1988.

**COUNT I**

**BREACH OF FIDUCIARY DUTY**

11. Denied. On the contrary, the facts and averments are as set forth in Paragraphs 1 through 10 of this Answer, all of which is incorporated herein by reference as if the same were set forth herein at length verbatim.

12. Admitted in part and denied in part. Responding Defendant acted as attorney-in-fact as indicated above. Whether or not and to what extent Responding Defendant owed a fiduciary duty to Plaintiff is a question of law to which no response is required.

13. Responding Defendant denies that she breached any duty to the Plaintiff and denies that she converted in excess of \$43,000.00 in funds belonging to the Plaintiff or any part thereof for her own use. Strict proof of the same is demanded at the trial of this action.

WHEREFORE, Defendant Beverly R. Copelli, a/k/a Beverly Coppella respectfully moves the Honorable Court to forthwith dismiss Count I of the Complaint and to enter judgment in her favor and against the Plaintiff with costs of this action taxed to the Plaintiff.

**COUNT II**

**CONVERSION**

14. Denied. On the contrary, the facts and matters are as set forth in Paragraphs 1 through 13 of this Answer, all of which is incorporated herein by reference as if the same were set forth herein at length verbatim.

15. Denied, as set forth in the above Answer, all of which is incorporated herein by reference, Responding Defendant denies that she has converted both tangible and intangible personal property belonging to the Plaintiff for her own use and benefit.

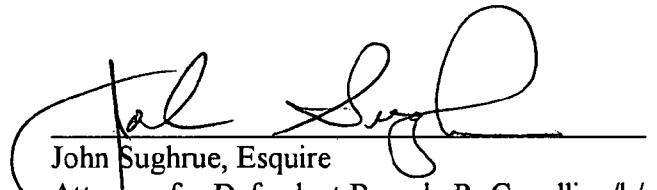
WHEREFORE, Defendant Beverly R. Copelli, a/k/a Beverly Coppella respectfully moves the Honorable Court to forthwith dismiss Count II of the Complaint and to enter judgment in her favor and against the Plaintiff with costs of this action taxed to the Plaintiff.

**COUNT III**

**FRAUD**

16 – 20. Concurrent with the filing of this Answer, Defendant has filed Preliminary Objections to Count III of this Complaint, as more fully appears of record.

Respectfully submitted,



John Sughrue, Esquire  
Attorney for Defendant Beverly R. Copelli, a/k/a  
Beverly Coppella

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

VERIFICATION

I, BEVERLY R. COPELLI, incorrectly referred to in the above caption and Complaint filed in this matter as BEVERLY COPPELLA, hereby state that I am a Defendant in this action and that the statements made in the foregoing ANSWER - COUNTS I & II are true and correct to the best of my information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsifications to authorities.

Date: Sept. 4, 2007

Beverly R. Copelli  
Beverly R. Copelli

**DURABLE POWER OF ATTORNEY FOR FINANCE  
OF  
EDWARD RAY WILLIAMS SR.**

**NOTICE**

THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, WHICH MAY INCLUDE POWERS TO SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU.

THIS POWER OF ATTORNEY DOES NOT IMPOSE A DUTY ON YOUR AGENT TO EXERCISE GRANTED POWERS, BUT WHEN POWERS ARE EXERCISED, YOUR AGENT MUST USE DUE CARE TO ACT FOR YOUR BENEFIT AND IN ACCORDANCE WITH THIS POWER OF ATTORNEY.

YOUR AGENT MAY EXERCISE THE POWERS GIVEN HERE THROUGHOUT YOUR LIFETIME, EVEN AFTER YOU BECOME INCAPACITATED, UNLESS YOU EXPRESSLY LIMIT THE DURATION OF THESE POWERS OR YOU REVOKE THESE POWERS OR A COURT ACTING ON YOUR BEHALF TERMINATES YOUR AGENT'S AUTHORITY.

YOUR AGENT MUST KEEP YOUR FUNDS SEPARATE FROM YOUR AGENT'S FUNDS.

A COURT CAN TAKE AWAY THE POWERS OF YOUR AGENT IF IT FINDS YOUR AGENT IS NOT ACTING PROPERLY.

THE POWERS AND DUTIES OF AN AGENT UNDER A POWER OF ATTORNEY ARE EXPLAINED MORE FULLY IN 20 P.A.C.S. CH. 56.

IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER OF YOUR OWN CHOOSING TO EXPLAIN IT TO YOU.

I HAVE READ OR HAD EXPLAINED TO ME THIS NOTICE AND I UNDERSTAND ITS CONTENTS.

Edward R. Williams Sr.  
(Principal)

3/29/06  
(Date)

**ARTICLE I**  
**Creation**

I, Edward Ray Williams Sr., as Principal and a resident of the State of Pennsylvania designate the following persons, in order of preference and succession, to serve as Attorney-In-Fact (my "Agent") for me and to act as the guardian or limited guardian of my estate should guardianship proceedings become necessary or desirable:

- 1) Beverly Copelli
- 2) Kimberly Williams (my daughter)
- 3) Edward R. Williams Jr. (my son)

**ARTICLE II**  
**Effectiveness; Effective Immediately**

This Power of Attorney shall become effective immediately and shall survive and continue during my disability, incompetence, incapacity, or partial incapacity. This Power of Attorney shall not be affected by my subsequent disability or incapacity or by lapse of time. Disability, incompetence, incapacity or partial incapacity shall include, without limitation, my inability to manage my property and affairs or caring for myself effectively, for reasons such as mental illness, mental deficiency or other mental incapacity, physical illness or disability, advanced age, senility, chronic use of drugs, chronic intoxication, which may be evidenced by a written statement of my regularly attending physician or two other qualified physicians or by court order.

**ARTICLE III**  
**When Successor Agent is Entitled to Act**

The successor Agent shall be entitled to act upon the death, disability or incapacity determined by the same criteria above, or upon the written resignation of the designated prior Agent or under a written delegation of authority by my Agent.

**ARTICLE IV**  
**Powers**

My Agent shall have all powers of an absolute owner over my assets and liabilities, whether located within or without the State of Pennsylvania, including, without limitation, the following power and authority:

**A. Power relating to tangible personal property transactions.** I empower my attorney-in-fact to:

1. accept as a gift or as security for a loan, reject, demand, buy, receive, or otherwise acquire ownership or possession of tangible personal property or an interest in tangible personal property;
2. sell, exchange, convey with or without covenants, release, surrender, mortgage, encumber, pledge, hypothecate, create a security interest in, pawn, grant options concerning, lease, sublease to others, or otherwise dispose of tangible personal property or an interest in tangible personal property;
3. release, assign, satisfy, or enforce, by litigation or otherwise, a mortgage, security interest, encumbrance, lien, or other claim on behalf of the principal with respect to tangible personal property or an interest in tangible personal property; and
4. do an act of management or conservation with respect to tangible personal property or an interest in tangible personal property on behalf of the principal, including:
  - a. insuring against casualty, liability, or loss;
  - b. obtaining or regaining possession or protecting the property or interest, by litigation or otherwise;
  - c. paying, compromising or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments;
  - d. moving from place to place;
  - e. storing for hire or on gratuitous bailment; and
  - f. using, altering, and making repairs or alterations.

**B. Power relating to stock and bond transactions.** I empower my attorney-in-fact to buy, sell, and exchange stocks, bonds, mutual funds, and all other types of securities and financial instruments except commodity futures contracts; call and put options on stocks and stock indexes; receive certificates and other evidences of ownership with respect to securities; exercise voting rights with respect to securities in person or by proxy; enter into voting trusts; and consent to limitations on the right to vote.

**C. Power relating to banking and other financial institution transactions.** I empower my attorney-in-fact to:

1. continue, modify, and terminate an account or other banking arrangement made by or on behalf of the principal;
2. establish, modify, and terminate an account or other banking arrangement with a bank, trust company, savings and loan association, credit union, thrift company, brokerage firm, or other financial institution selected by the agent;
3. hire a safe deposit box or space in a vault;
4. contract to procure other services available from a financial institution as the agent considers desirable;
5. withdraw by check, order, or otherwise money or property of the principal deposited with or left in the custody of a financial institution;
6. receive bank statements, vouchers, notices, and similar documents from a financial institution and to act with respect to them;
7. enter a safe deposit box or vault and withdraw or add to the contents;
8. borrow money at an interest rate agreeable to the agent and pledge as security personal property of the principal necessary in order to borrow, pay, renew, or extend the time of payment of a debt of the principal;
9. make, assign, draw, endorse, discount, guarantee, and negotiate promissory notes, checks, drafts, and other negotiable or nonnegotiable paper of the principal or payable to the principal or the principal's order; receive the cash or other proceeds of those transactions; and accept a draft drawn by a person upon the principal and pay it when due;
10. receive for the principal and act upon a sight draft, warehouse receipt, or other negotiable or nonnegotiable instrument;
11. apply for and receive letters of credit, credit cards, and traveler's checks from a financial institution and give an indemnity or other agreement in connection with letters of credit; and
12. consent to an extension of the time of payment with respect to commercial paper or a financial transaction with a financial institution.

D. **Power relating to insurance transactions.** I empower my attorney-in-fact to:

1. continue, pay the premium or assessment on, modify, rescind, release, or terminate a contract procured by or on behalf of the principal that insures or provides an annuity to either the principal or another person, whether or not the principal is a beneficiary under the contract;
2. procure new, different, and additional contracts of insurance and annuities for the principal and the principal's spouse, children, and other dependents and to select the amount, type of insurance or annuity, and mode of payment;
3. pay the premium or assessment on, modify, rescind, release, or terminate a contract of insurance or annuity procured by the agent;
4. designate the beneficiary of the contract; however, an agent may be named a beneficiary of the contract or of an extension, renewal, or substitute for the contract only to the extent that the agent was named as a beneficiary under a contract procured by the principal before executing the power of attorney;
5. apply for and receive a loan on the security of the contract of insurance or annuity;
6. surrender and receive the cash surrender value;
7. exercise an election;
8. change the manner of paying premiums;
9. change or convert the type of insurance contract or annuity, with respect to which the principal has or claims to have a power described in this section;
10. change the beneficiary of a contract of insurance or annuity; however, the agent may not be designated a beneficiary except to the extent permitted by subsection (4);
11. apply for and procure government aid to guarantee or pay premiums of a contract of insurance on the life of the principal;
12. collect, sell, assign, hypothecate, borrow upon, or pledge the interest of the principal in a contract of insurance or annuity; and

13. pay from proceeds or otherwise, compromise or contest, and apply for refunds in connection with a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or its proceeds or liability accruing by reason of the tax or assessment.

**E. Power relating to estate, trust, and other beneficiary transactions.** I empower my attorney-in-fact to act for me in all matters that affect a trust, probate estate, guardianship, conservatorship, escrow, custodianship, or other fund from which I am or may become, or may claim to be entitled as a beneficiary to a share or payment, including to:

1. accept, reject, disclaim, receive, receipt for, sell, assign, release, pledge, exchange, or consent to a reduction in or modification of a share in or payment from the fund;
2. demand or obtain, by litigation or otherwise, money or other thing of value to which the principal is, may become, or claims to be entitled by reason of the fund;
3. initiate, participate in, and oppose litigation to ascertain the meaning, validity, or effect of a deed, will, declaration of trust, or other instrument or transaction affecting the interest of the principal;
4. initiate, participate in, and oppose litigation to remove, substitute, or surcharge a fiduciary;
5. conserve, invest, disburse, and use anything received for an authorized purpose; and
6. transfer an interest of the principal in real property, stocks, bonds, accounts with financial institutions, insurance, and other property to the trustee of a revocable trust created by the principal as settlor.
7. This Power does NOT give my agent the power to revoke or change any estate planning or testamentary documents previously executed by me, unless the document authorizes changes with court approval.

**F. Power relating to claims and litigation.** I empower my attorney-in-fact to:

1. assert and prosecute before a court or administrative agency a claim, counterclaim, or offset, and defend against an individual, a legal entity, or government, including suits to recover property or

other thing of value, to recover damages sustained by the principal, to eliminate or modify tax liability, or to seek an injunction, specific performance, or other relief;

2. bring an action to determine adverse claims, intervene in litigation, and act as amicus curiae;
3. in connection with litigation, procure an attachment, garnishment, libel, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree;
4. in connection with litigation, perform any lawful act, including acceptance of tender, offer of judgment, admission of facts, submission of a controversy on an agreed statement of facts, consent to examination before trial, and binding the principal in litigation;
5. submit to arbitration, settle, and propose or accept a compromise with respect to a claim or litigation;
6. waive the issuance and service of process upon the principal; accept service of process; appear for the principal; designate persons upon whom process directed to the principal may be served; execute and file or deliver stipulations on the principal's behalf; verify pleadings; seek appellate review; procure and give surety and indemnity bonds; contract and pay for the preparation and printing of records and briefs; and receive, execute, and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation;
7. act for the principal with respect to bankruptcy or insolvency proceedings, whether voluntary or involuntary, concerning the principal or some other person, with respect to a reorganization proceeding or a receivership or application for the appointment of a receiver or trustee that affects an interest of the principal in property or other thing of value; and
8. pay a judgment against the principal or a settlement made in connection with litigation and receive and conserve money or other thing of value paid in settlement of or as proceeds of a claim or litigation.

**G. Power relating to personal and family maintenance.** I empower my attorney-in-fact to:

1. do the acts necessary to maintain the customary standard of living of the principal and the principal's spouse, children, and other individuals customarily or legally entitled to be supported by the principal, including providing living quarters by purchase, lease, or other contract or paying the operating costs, including interest, amortization payments, repairs, and taxes, on premises owned by the principal and occupied by those individuals;
2. provide for the individuals described in subsection (1) normal domestic help; usual vacations and usual travel expenses; and funds for shelter, clothing, food, appropriate education, and other current living costs;
3. pay for the individuals described in subsection (1) necessary medical, dental, and surgical care, hospitalization, and custodial care;
4. continue any provision made by the principal for the individuals described in subsection (1) for automobiles or other means of transportation, including registering, licensing, insuring, and replacing them;
5. maintain or open charge accounts for the convenience of the individuals described in subsection (1) and open new accounts the agent considers desirable to accomplish a lawful purpose; and
6. continue payments incidental to the membership or affiliation of the principal in a church, club, society, order, or other organization or continue contributions to those organizations.

**H. Power relating to benefits from Social Security, Medicare, Medicaid, or other governmental programs or from military service.** I empower my attorney-in-fact to:

1. execute vouchers in the name of the principal for allowances and reimbursements payable by the United States or a foreign government or by a state or subdivision of a state to the principal, including allowances and reimbursements for transportation of the principal and the principal's spouse, children, and other individuals customarily or legally entitled to be supported by the principal, and for shipment of their household effects;

2. take possession and order the removal and shipment of property of the principal from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose;
3. prepare, file, and prosecute a claim of the principal to a benefit or assistance, financial or otherwise, to which the principal claims to be entitled, under a statute or governmental regulation;
4. prosecute, defend, submit to arbitration, settle, and propose or accept a compromise with respect to any benefits the principal may be entitled to receive; and
5. receive the financial proceeds of a claim of the type described in this section and conserve, invest, disburse, or use anything received for a lawful purpose.

**I. Power relating to retirement plan transactions.** I empower my attorney-in-fact to:

1. select payment options under any retirement plan in which the principal participates, including plans for self-employed individuals;
2. designate beneficiaries under those plans and change existing designations;
3. make voluntary contributions to those plans;
4. exercise the investment powers available under any self-directed retirement plan;
5. make "rollovers" of plan benefits into other retirement plans;
6. if authorized by the plan, borrow from, sell assets to, and purchase assets from the plan; and
7. waive the right of the principal to be a beneficiary of a joint or survivor annuity if the principal is a spouse who is not employed.

**J. Power relating to tax matters.** I empower my attorney-in-fact to:

1. prepare, sign, and file federal, state, local, and foreign income, gift, payroll, Federal Insurance Contributions Act, and other tax returns; claims for refunds; requests for extension of time; petitions

regarding tax matters; and any other tax-related documents, including receipts, offers, waivers, consents (including consents and agreements under Internal Revenue Code section 2032A or any successor section), closing agreements, and any power of attorney required by the internal revenue service or other taxing authority with respect to a tax year upon which the statute of limitations has not run and the following 25 tax years;

2. pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the internal revenue service or other taxing authority;
3. exercise any election available to the principal under federal, state, local, or foreign tax law; and
4. act for the principal in all tax matters for all periods before the internal revenue service and any other taxing authority.

**K. Power relating to Gift Transfers.** I empower my attorney-in-fact with the following authority with respect to gift transactions, whether the gift is to be made outright, in trust, in custodial account or otherwise, whether the object of the gift is located in the state or elsewhere:

1. make gifts from any or all of the principal's real and personal property, and in the kinds or shares that the agent considers prudent for any purpose, except that the agent or a person whom the agent has a legal obligation to support when the gift is in full or partial satisfaction of that obligation may not be the beneficiary of the gift;
2. submit to arbitration or settle, and to propose or accept a compromise with respect to a controversy or claim that affects the gift;
3. hire, discharge, and compensate an attorney, accountant, expert witness, or assistant when the agent considers the action to be desirable for the proper execution of the powers described in the subsection, and for the keeping of records about that action;
4. do any other act or acts that the principal can do through an agent, with respect to any gift.

## **ARTICLE V**

### Purposes

My Agent shall have all powers as are necessary or desirable to provide for my support, maintenance, health, emergencies, and urgent necessities.

## **ARTICLE VI** **Limitations on Powers**

My Agent shall not exercise any of the powers for my Agent's own benefit or in satisfaction of a legal obligation of my Agent except and unless specifically provided for above.

## **ARTICLE VII** **Termination and Revocation**

**A. In General.** This power of attorney revokes and supersedes all prior financial powers of attorney executed by me, whether recorded or not. This power of attorney may be revoked, suspended or terminated by me at any time or by court order. If this Power of Attorney has been recorded, the written instrument of revocation may be recorded in the office of the recorder or auditor of the place where the power was recorded. Upon my death, this power of attorney shall terminate upon actual knowledge or receipt of written notice thereof by the Agent.

**B. By Guardian.** A Guardian of my estate appointed by the Court shall have the power to revoke, suspend or terminate this power of attorney, subject to the approval of the court. A Guardian of my person only shall not have the power to revoke, suspend or terminate this power.

**C. Dissolution/Legal Separation.** The designation of my spouse or domestic partner as Agent shall terminate upon the filing of a petition for dissolution of relationship, equitable distribution of property, separation or like instrument by either me or my partner, without further notice to my Agent/spouse/domestic partner.

## **ARTICLE VIII** **General Provisions**

**A. Accounting.** My Agent shall keep accurate records of my financial affairs, including documentation of all transactions in which the Agent is involved. My Agent shall account for all actions taken by my Agent for or on behalf of me upon request by me, any guardian or limited guardian of my estate or of my person, any subsequently appointed Agent, any successor Agent acting in such capacity, any primary or alternate Agent named herein, and/or to any subsequently appointed personal representative of my estate.

**B. Reliance.** Any person acting in good faith and in reasonable reliance on this power of attorney shall not incur any liability thereby, so long as such party has not received actual knowledge or actual notice of revocation, suspension or termination of this Power of Attorney by death or otherwise. Any action so taken unless otherwise invalid or unenforceable, shall be binding on my heirs, devisees, legatees, or personal representative.

**C. Indemnity.** My estate shall hold harmless and indemnify my Agent from all liability for acts or omissions done in good faith.

**D. Compensation.** My Agent serving hereunder shall be entitled to receive at least annually, and without court proceedings, reasonable compensation and reimbursement for costs expended. My Agent is authorized and encouraged when s/he deems it desirable or necessary to employ others to aid in the management of my assets, or the exercise of powers under this Power of Attorney or any Power of Attorney for Health Care that I have executed, including but not limited to, lawyers, accountants, financial advisors, physicians or other appropriate persons.

**E. Guardianship.** One of the purposes of this document is to avoid the need for a guardianship in the event of my disability or incapacity and this document should be broadly construed to accomplish that purpose. In the event a proceeding is initiated to appoint a guardian of my estate, I nominate the person designated as my Agent to serve as Guardian and if s/he is unwilling or unable to serve as Guardian, I nominate my alternate Agent above named.

If someone other than my first above-named Agent ("primary Agent") is appointed as Guardian or Limited Guardian of my estate, my primary Agent shall have the power and authority when s/he is competent, willing and able to act as Guardian to petition the Court to discharge my then appointed Guardian or Limited Guardian, and s/he shall be so appointed by the Court, unless the Court finds good cause against her/his appointment.

**F. Court Enforcement.** My Agent shall have the power to seek appropriate court orders mandating acts which my Agent deems appropriate if a third party refuses to comply with decisions made by my Agent which are authorized by this document, or enjoining acts by third parties which my Agent has not authorized. My Agent may bring legal action against any third party who fails to comply with actions I have authorized my Agent to take and demand damages on my behalf for such noncompliance.

**G Reliance On Photocopy.** Third parties shall be entitled to rely on a photocopy of the signed Original hereof.

**H. Applicable Law.** The laws of the State of Pennsylvania shall govern this Power of Attorney. This Power of Attorney is intended to be valid in any jurisdiction in which it is presented.

I. **HIPAA Release Authority.** I intend for my agent to be treated as I would be with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (aka HIPAA), 42 USC 1320d and 45 CFR 160-164. I authorize: any physician, health-care professional, dentist, health plan, hospital, clinic, laboratory, pharmacy or other covered health-care provider, any insurance company and the Medical Information Bureau Inc. or other health-care clearinghouse that has provided treatment or services to me, or that has paid for or is seeking payment from me for such services, to give, disclose and release to my agent, without restriction, all of my individually identifiable health information and medical records regarding any past, present or future medical or mental health condition, including all information relating to the diagnosis and treatment of HIV/AIDS, sexually transmitted diseases, mental illness, and drug or alcohol abuse.

The authority given my agent shall supersede any prior agreement that I may have made with my health-care providers to restrict access to or disclosure of my individually identifiable health information. The authority given my agent has no expiration date and shall expire only in the event that I revoke the authority in writing and deliver it to my health-care provider.

DATED this 24 day of MARCH, 2006.

Edward R Williams  
Edward Ray Williams Sr., Principal

Social Security Number: 171-32-7499

Residing at:

Cozy Lane  
Summerville, PA

STATE OF PENNSYLVANIA }  
COUNTY OF CLEARFIELD } ss.  
} }

This is to certify that on this 24<sup>th</sup> day of MARCH, 2006, before me, the undersigned Notary Public in and for the State of Pennsylvania, duly commissioned and qualified, personally appeared Edward Ray Williams Sr., to me known to be the person described in and who executed the within and foregoing Power of Attorney, and acknowledged to me that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Lisa Zocco  
Signature

Print Name: LISA M. ZOCCHI

NOTARY PUBLIC in and for the  
State of Pennsylvania, residing at \_\_\_\_\_.

My commission expires: 7/30/2009.

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Lisa M. Zocco, Notary Public  
Sandy Twp., Clearfield County  
My Commission Expires July 30, 2009

Member, Pennsylvania Association of Notaries

## ATTORNEY-IN-FACT ACCEPTANCE OF APPOINTMENT

I, Beverly A. Copelli, have read the attached power of attorney and am the person identified as the agent for the principal. I hereby acknowledge that in the absence of a specific provision to the contrary in the power of attorney or in 20 Pa.C.S. when I act as agent:

I shall exercise the powers for the benefit of the principal.

I shall keep the assets of the principal separate from my assets.

I shall exercise reasonable caution and prudence.

I shall keep a full and accurate record of all actions, receipts and disbursements on behalf of the principal.

Beverly A. Copelli

(Agent Signature)

3-29-06

(Date)

**CERTIFICATE OF SERVICE**

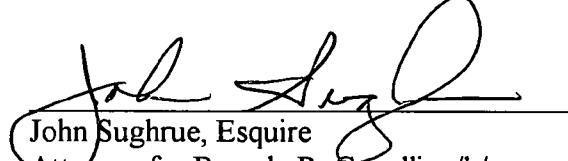
AND NOW, I do hereby certify that on Sept 4, 2007, I caused a true and correct copy of the ANSWER – COUNTS I & II to be served on the following and in the manner indicated below:

**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

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

Edward R. Williams, Jr., Pro Se  
321 Pifer Street  
DuBois, PA 16830

Date: Sept 4, 2007

  
John Sughrue, Esquire  
Attorney for Beverly R. Copelli, a/k/a  
Beverly Coppella, Defendant

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff,  
vs.  
EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA  
Defendants.

\*  
\*  
\* No. 2007-56-CD  
\*

FILED 4CC  
03:45 pm AM  
SEP 04 2007  
Sughrue  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

\* Type of Case: Civil

\* Type of Pleading: Preliminary Objections to  
Count III of the Complaint

\* Filed on Behalf of: Beverly Coppella, Defendant

\* Counsel of Record for this Party:

\* John Sughrue, Esquire  
\* Attorney I. D. No. 01037  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* Phone: (814) 765-1704  
\* Fax: (814) 765-6959

\* Other Counsel of Record:

\* Matthew B. Taladay, Esquire  
\* Supreme Court No. 49663  
\* Hanak, Guido and Taladay  
\* P.O. Box 487  
\* DuBois, PA 15801  
\* Phone: (814) 371-7768  
\* Fax: (814) 371-1974

\* Edward R. Williams, Jr., Pro Se  
\* 321 Pifer Street  
\* DuBois, PA 15801  
\*

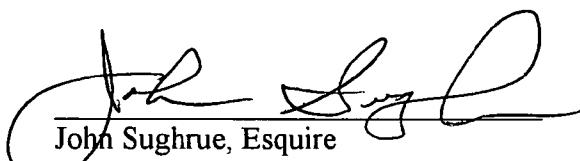
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION—LAW

EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPPELLA \*  
Defendants. \*

**NOTICE**

TO: Edward R. Williams, Sr., Plaintiff

**YOU ARE HEREBY NOTIFIED to file a written response to the enclosed  
Preliminary Objections to Count III of the Complaint within twenty (20) days from service  
hereof or a judgment may be entered against you.**



John Sughrue, Esquire  
Attorney for Defendant, Beverly Copelli  
a/k/a Beverly Coppella

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

EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPPELLA \*  
Defendants. \*

**PRELIMINARY OBJECTIONS TO COUNT III OF THE COMPLAINT**

AND NOW, comes Defendant, Beverly Copelli, incorrectly referred to in the Complaint as Beverly Coppella, by her attorney, John Sughrue, and files the following Preliminary Objections to Count III of the Complaint and in support thereof represents the following:

**MOTION FOR MORE SPECIFIC PLEADING**

1. Count III of the Complaint is titled “FRAUD”.

2. Paragraph 17, Count III, makes the following allegation:

**“Defendants made statements to Plaintiff regarding his finances knowing that said statements were false** (emphasis provided) and intending that Plaintiff would rely on said false statements.”

3. Paragraph 18, Count III states, “Plaintiff did, in fact, reasonably rely on Defendants’ false statements” (emphasis provided).

4. Pa.R.C.P. No. 1019(b) requires that averments of fraud be averred with particularity.

5. The Pennsylvania Supreme Court confirms that fraud must be averred with particularity and has stated that “although it is impossible to establish precise standards as to the degree of particularity required under this Rule, two conditions must be met to fulfill the requirement: (1) the pleadings (admittedly read as a whole) must adequately explain the nature of

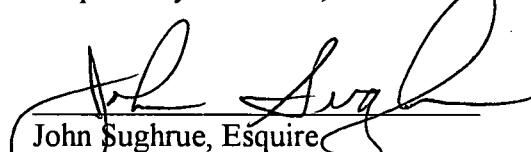
the claim to the opposing party so as to permit the preparation of a defense, and (2) they must be sufficient to convince the Court that the averments are not merely subterfuge. See Martin v. Lancaster Battery Co., Inc. 606 Atlantic 2<sup>nd</sup> 444, 448 (Pa. 1992).

6. The averments in paragraph 17 and 18 of Count III, referenced above are general allegations that do not comply with Rule 1019(b) and in particular fail to inform Defendant adequately of the particular false statements or even the nature of the false statements that she is alleged to have made. Similarly, no material facts are averred that state or describe the specific reliance Plaintiff was induced to take or make as a result of false statements.

7. As a result of the foregoing, Defendant is uninformed to such a degree that she cannot be expected and is, in fact, unable to make an intelligent, informed response to said general allegations and is deprived of the knowledge necessary to prepare a defense, including a proper response.

**WHEREFORE**, Defendant, Beverly Copelli, respectfully moves the Honorable Court to forthwith dismiss Count III of the Complaint for failure to comply with Pa.R.C.P. No. 1019(b) or, in the alternative, to enter an Order directing the Plaintiff to file within a certain time period, specific material facts, including the statements alleged to have been made by the Defendant and describing Plaintiff's reliance thereon.

Respectfully submitted,



John Sughrue, Esquire  
Attorney for Defendant, Beverly  
Copelli a/k/a Beverly Coppella

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on September 4, 2007, I caused a true and correct copy of PRELIMINARY OBJECTIONS TO COUNT III OF THE COMPLAINT to be served on the following and in the manner indicated below:

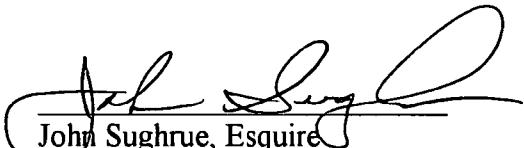
**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

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

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr., Pro Se  
321 Pifer Street  
DuBois, PA 16830

Date: September 4, 2007



John Sughrue, Esquire  
Attorney for Beverly Copelli a/k/a Beverly  
Coppella, Defendant

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff,  
vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA  
Defendants.

\*  
\*  
\* No. 2007-56-CD

FILED  
03:45pm  
SEP 04 2007  
Sughrue

William A. Shaw  
Prothonotary/Clerk of Courts

**Type of Case:** Civil

- \* **Type of Pleading:** Praeclipe to Schedule
- \* Argument on Preliminary
- \* Objections
- \*
- \* **Filed on Behalf of:** Beverly Coppella, Defendant

**\* Counsel of Record for this Party:**

\* John Sughrue, Esquire  
\* Attorney I. D. No. 01037  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* Phone: (814) 765-1704  
\* Fax: (814) 765-6959

\* Other Counsel of Record:

- \* Matthew B. Taladay, Esquire
- \* Supreme Court No. 49663
- \* Hanak, Guido and Taladay
- \* P.O. Box 487
- \* DuBois, PA 15801
- \* Phone: (814) 371-7768
- \* Fax: (814) 371-1974

\* Edward R. Williams, Jr., Pro Se  
\* 321 Pifer Street  
\* DuBois, PA 15801  
\*

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

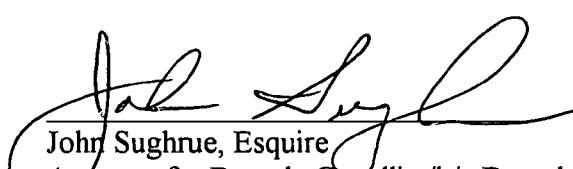
EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPPELLA \*  
Defendants. \*

**PRAECIPE TO SCHEDULE ARGUMENT**  
**ON PRELIMINARY OBJECTIONS**

To: Court Administrator of Clearfield County

Pursuant to Clearfield County Local Rule No. 211, kindly schedule **ARGUMENT FOR PRELIMINARY OBJECTIONS** filed by Defendant, Beverly Copelli, mistakenly identified as Beverly Coppella, to Count III of the Complaint.

Respectfully submitted,

  
John Sughrue, Esquire  
Attorney for Beverly Copelli a/k/a Beverly  
Coppella, Defendant

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on September 4, 2007, I caused a true and correct copy of PRAECIPE TO SCHEDULE ARGUMENT ON PRELIMINARY OBJECTIONS to be served on the following and in the manner indicated below:

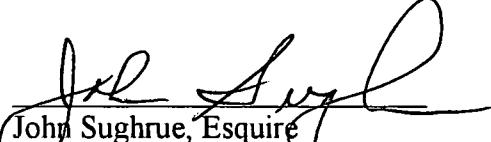
**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

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

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr., Pro Se  
321 Pifer Street  
DuBois, PA 16830

Date: September 4, 2007

  
John Sughrue, Esquire  
Attorney for Beverly Copelli a/k/a Beverly  
Coppella, Defendant

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R WILLIAMS, JR. and

Type of Case : Civil Action

BEVERLY COPPELLA,  
Defendants

Type of Pleading :  
Answer Counts I & II

File on Behalf of : Defendants

Ed Williams  
Pro Se

Other Counsel of Record:

John Sughrue, Esquire  
Supreme Ct I.D. 01037  
23 North Second Street  
Clearfield, Pa 16830  
814-765-1704  
814-765-6959 - facsimile

Matthew B Taladay, Esquire  
Hanak, Guido, and Taladay  
P.O. Box 487  
DuBois, Pa 15801  
814-371-7768

FILED NO CC  
11:33 AM  
SEP 07 2007  
69

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

**ANSWER - COUNTS I & II & III**

AND NOW, comes Defendant, Edward R Williams, JR to respond to Count I and Count II of the Complaint as follows:

1. Admitted
2. Admitted with exception of Defendants correct name being Beverly Copelli contrary to name provided on complaint
3. Admitted
4. Admitted
5. Admitted in part and Denied in part. Plaintiff does exhibit physical limitations requiring attention to certain personal attention and care. Plaintiff resided in defendant's, Edward R Williams Jr, home where personal care was provided. Despite physical limitations, Plaintiff was capable and did execute all of his own financial matters with no assistance.
6. Admitted strictly in terms of approximated monthly income
7. Denied. Responding Defendant, Edward R Williams Jr has never served as attorney-in-fact and no power ever granted to or requested by Defendant.
8. Denied. Responding Defendant is without knowledge, personal or otherwise, to support claims set forth in this averment
9. Denied. Responding Defendant states that I did not withdraw in excess of \$43,000 from plaintiffs account. Defendant further states that I did not withdraw any portion of the aforementioned funds and convert them for personal use.
10. Denied. Responding Defendant denies any conversion of tangible or intangible property belonging to Plaintiff for personal use.  
(a) Plaintiff is co-owner of a 1979 Chevy Custom Conversion Van with Co-Defendant Beverly Copelli. Responding defendant states that van has been in storage since Plaintiffs accident in 1988. Defendant has no knowledge of existence of a 1988 Chevy Custom Conversion Van  
(b) Responding Defendant denies possession and conversion of a 1979 Honda Goldwing Motorcycle. Responding Defendant states that motorcycle is currently in storage and has

remained so since Plaintiffs accident in 1988.

**COUNT I**

**BREACH OF FIDUCIARY DUTY**

11. Denied. Responding Defendant, Edward R Williams Jr incorporates all facts and averments previously presented in paragraphs 1 through 10 of this answer to be applied and acknowledged as if they were presented in their full text.
12. Denied. Responding Defendant has never acted as attorney -in- fact for Plaintiff therefore my fulfilling a fiduciary duty to Plaintiff was never established to breach .
13. Responding Defendant states that I never breached a fiduciary duty to Plaintiff and further denies converting an excess of \$43,000 or any part thereof for my own use.

**WHEREFORE**, the Defendant Edward R Williams Jr respectfully requests this court to formally dismiss Count I of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**COUNT II**

**CONVERSION**

14. Denied. Responding Defendant, Edward R Williams Jr incorporates all facts and averments previously presented in paragraphs 1 through 13 of this answer to be applied and acknowledged as if they were presented in their full text.
15. Denied. Responding Defendant requests incorporation of averments set forth in the above answer to be applied herein. Defendant further denies any conversion of either tangible and intangible property presented by Plaintiff for my own use and benefit.

**WHEREFORE**, the Defendant Edward R Williams Jr respectfully requests this court to formally dismiss Count II of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**Count III**

**FRAUD**

16. Denied. Responding Defendant, Edward R Williams Jr incorporates all facts and averments previously presented in paragraphs 1 through 15 of this answer to be applied and acknowledged as if they were presented in their full text.
17. Denied. Responding Defendant provided no false statements to Plaintiff regarding finances and therefore any actions taken by the Plaintiff were done so based solely on his discretion.
18. Denied. Defendant states that no false statements given to Plaintiff to reasonably rely upon.
19. Denied. Responding Defendant states that Plaintiff had no false statements to rely on and further

denies any responsibility expressed or implied in regards to any alleged loss suffered in excess of \$25000 or any part thereof.

20. Denied. Responding Defendant denies any actions present to be deemed willful, wanton, arbitrary, and capricious, and therefore no grounds are present to entitle Plaintiff to punitive damages and reasonable attorney fees.

**WHEREFORE**, the Defendant Edward R Williams Jr respectfully requests this court to formally dismiss Count III of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

Respectfully Submitted,



Edward R Williams Jr  
Pro Se

**CERTIFICATE OF SERVICE**

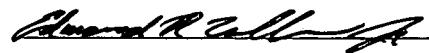
AND NOW, I do hereby certify that on Sept 16, 2007, I caused a true and correct copy of the ANSWER - COUNTS I & II & III to be served on the following and in the manner indicated below:

**By United States Mail, First class, Postage Prepaid, Addressed as Follows:**

Matthew B Taladay, Esquire  
Hanak, Guido, and Taladay  
P.O. Box 487  
DuBois, Pa 15801

John Sughrue, Esquire  
23 North Second Street  
Clearfield, Pa 16830

Date: Sept 16, 2007



Edward R Williams Jr  
Pro Se

**FILED**

SEP 07 2007

William A. Shaw  
Prothonotary/Clerk of Courts

**CERTIFICATE OF SERVICE**

AND NOW, I, the undersigned certifying that on Sept 5, 2007, I served a copy of this document on the

of the AMERICAN - COMMERCIAL AIR LINES, INC. to the following and in the manner indicated

below

By United States Mail, first class, postage prepaying, telephone 903-1000

Matthew B. Tidwell, Esquire  
Henry C. Mingo and Associates  
60 Box 482  
Duluth, GA 30090

John S. Schilder, Esquire  
25 North Second Street  
Cincinnati, OH 45202

Date: Sept 5, 2007

Edward R. Williams, Jr.  
Pro 27

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

EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPPELLA \*  
Defendants. \*

**SCHEDULING ORDER**

AND NOW, to wit this 6 day of September 2007, upon consideration of Defendant, Beverly Coppella's Preliminary Objections to Count III of the Complaint, filed in the above captioned matter, it is ORDERED that an **ARGUMENT** on the issues raised in said pleading shall be held on the 15<sup>th</sup> day of October 2007, at 10:00 o'clock A m in Courtroom No. 1.

By the Court

Judge

FILED 3cc Atty  
0/11:30 am SEP 07 2007 Sughrue  
(GK)

William A. Shaw  
Prothonotary/Clerk of Courts

DATE: 9-7-2007

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**

**SEP 07 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff,  
vs.  
EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA  
Defendants.

\*  
\*  
\* No. 2007-56-CD

\*

\*

\*

\*

\*

\*

\* Type of Case: Civil

FILED 4CC  
01/10/00 LM  
OCT 12 2007  
Sughrue  
JW

William A. Shaw  
Prothonotary/Clerk of Courts

\* Type of Pleading: Stipulation and Order

\*

\*

\* Filed on Behalf of: Beverly Coppella, Defendant

\*

\*

\*

\*

\* Counsel of Record for this Party:

\* John Sughrue, Esquire

\* Attorney I. D. No. 01037

\* 23 North Second Street

\* Clearfield, PA 16830

\* Phone: (814) 765-1704

\* Fax: (814) 765-6959

\*

\* Other Counsel of Record:

\* Matthew B. Taladay, Esquire

\* Supreme Court No. 49663

\* Hanak, Guido and Taladay

\* P.O. Box 487

\* DuBois, PA 15801

\* Phone: (814) 371-7768

\* Fax: (814) 371-1974

\*

\* Edward R. Williams, Jr., Pro Se

\* 321 Pifer Street

\* DuBois, PA 15801

\*

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff,  
vs.  
EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA  
Defendants.

No. 2007-56-CD

STIPULATION

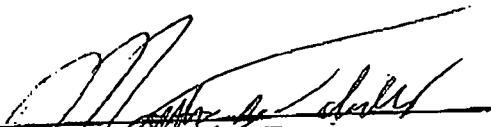
The undersigned, Matthew B. Taladay, Attorney for Plaintiff, and John Sughrue, Attorney for Defendant, Beverly Coppella hereby stipulate with respect to the Preliminary

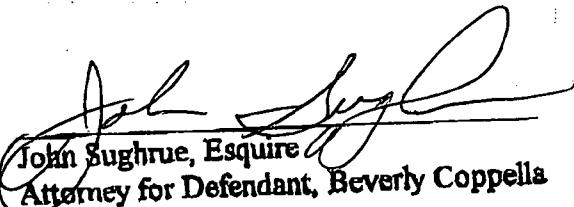
Objections filed by Defendant, Beverly Coppella, to Count III of the Complaint as follows:

1. Defendant Coppella's Preliminary Objections to Count III should be sustained and the Plaintiff should be granted twenty (20) days within which to amend and refile Count III; and
2. The Court is authorized by the parties and requested to execute and file of record, the proposed Court Order that is attached hereto; and

3. This Stipulation and proposed Order is intended to resolve the Argument on said Preliminary Objections, which is presently scheduled for Monday, October 15, 2007 at 10:00 a.m. before the Honorable Fredric J. Ammettman.

The parties hereby stipulate this 11<sup>th</sup> day of October 2007.

  
Matthew B. Taladay, Esquire  
Attorney for Plaintiff

  
John Sughrue, Esquire  
Attorney for Defendant, Beverly Coppella

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on October 12, 2007, I caused a true and correct copy of a STIPULATION to be served on the following and in the manner indicated below:

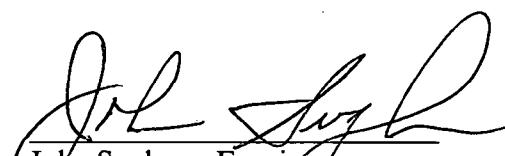
**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

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

Court Administrator  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr., Pro Se  
321 Pifer Street  
DuBois, PA 16830

Date: October 12, 2007



John Sughrue, Esquire  
Attorney for Beverly Coppella, Defendant

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

EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPPELLA \*  
Defendants. \*

FILED

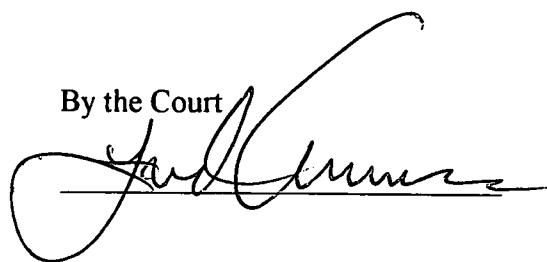
OCT 12 2007  
012:05 PM  
William A. Shaw  
Prothonotary/Clerk of Courts  
L. CENS. TO BOST  
GK

ORDER

AND NOW, this 11<sup>th</sup> day of October 2007, it appearing to the Court that Defendant, Beverly R. Coppella, has filed Preliminary Objections to Count III of the Complaint, that said Preliminary Objections are set for Argument on Monday, October 15, 2007, that the parties have stipulated that the Preliminary Objections should be sustained and the Plaintiff granted an additional twenty (20) days within which to re-plead or amend Count III, NOW THEREFORE, after consideration and with the agreement of the parties, it shall be and is hereby ORDERED as follows:

1. The Preliminary Objections of Defendant, Beverly R. Coppella, filed to Count III of the Complaint shall be and are hereby sustained;
2. The Plaintiff shall have twenty (20) days from the date of this Order within which to amend or restate Count III of his Complaint, failing which, Count III of the Complaint shall be dismissed;
3. Argument on said Preliminary Objections scheduled for Monday, October 15, 2007 is hereby cancelled.

By the Court



DATE: 10-12-07

- 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:

Prothonotary Clerk of Courts  
William A. Shaw

OCT 12 2007

FILED

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

-vs-

EDWARD R. WILLIAMS, JR., and  
BEVERLY COPPELLI,  
Defendant

Type of Case: Civil Action

No. 2007 - 00056 - CD

Type of Pleading:

AMENDED  
COMPLAINT

Filed on Behalf of:  
Plaintiff

Counsel of Record for This  
Party:

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

FILED  
M 11 0301 NO  
OCT 31 2001 cc  
(6W)

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007 - 00056 - CD

vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLI,  
Defendants

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 defense 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, 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.

Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814)765-2641, Ext 5982

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007 - 00056 - CD

vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLI,  
Defendants

**AMENDED COMPLAINT**

AND NOW, comes the Plaintiff, Edward R. Williams, Sr., and by and through his attorneys, Hanak, Guido and Taladay, and brings the within Amended Complaint to amend Count III of the Complaint, avering as follows:

1.- 10. Paragraphs 1-10 of the "Complaint" filed at the above-captioned number are incorporated herein by reference as though set forth at length. Paragraph 2 is amended only to correct the name of Defendant Beverly Coppelli, previously misstated as Beverly Coppella.

**COUNT I**  
**BREACH OF FIDUCIARY DUTY**

11. -13. Paragraphs 11-13 of the "Complaint" filed at the above-captioned number are incorporated herein by reference as though set forth at length.

WHEREFORE, Plaintiff respectfully requests this Court to direct defendants to give an accounting of any and all funds administered on plaintiff's behalf. Plaintiff further respectfully requests this Court to enter judgment in his favor and against defendants in an amount in excess of \$25,000 together with interest, costs of suit and any other relief this Court deems appropriate.

**COUNT II**  
**CONVERSION**

14 -15. Paragraphs 14-15 of the "Complaint" filed at the above-captioned number are incorporated herein by reference as though set forth at length.

WHEREFORE, Plaintiff demands judgment in his favor and against defendants in an amount in excess of \$25,000 together with interest, costs of suit and any other relief this Court deems just and appropriate.

**COUNT III**  
**FRAUD**

16. Plaintiff incorporates all prior paragraphs herein.

17. Since 1988, Defendants periodically made statements to plaintiff and failed to disclose information to Plaintiff regarding his finances knowing that said statements were false and intending that plaintiff would rely on said false statements and misrepresentations.

18. Defendants fraudulent statements and misrepresentations include, but are not limited to:

- a. Since 1988 Defendants received pension payments from McDowell Corporation of approximately \$330.00 per month on behalf of Plaintiff. Defendants failed to disclose to Plaintiff these receipts. Instead, Defendants converted the pension receipts for their own use, and misrepresented to Plaintiff the amount of funds received on his behalf each month.
- b. In 1995, Defendant Beverly Coppelli, acting as Attorney-in-fact for Plaintiff, released \$20,000 of Plaintiff's funds to Defendant Edward Williams, Jr. The funds were to be used to purchase a house and property located at 321 Pifer Street, DuBois, Pennsylvania, with the understanding that Plaintiff was to hold an interest in the property as joint tenant or life tenant. Instead, the property was purchased in the Defendant's name alone. Defendants

misrepresented to Plaintiff the use of the funds and title to the property.

c. At various times since 1988, Defendants have made requests to Plaintiff for release of his funds for expenditures such as home improvement expenses - replacing gutters, new windows, etc.. Plaintiff has periodically authorized use of his funds for such expenditures, thereafter learning that the funds were not used for the authorized purposes, but were converted for Defendants' own personal use.

18. Plaintiff did, in fact, reasonably rely on defendants' false statements and misrepresentations.

19. As a result of plaintiff's reliance on defendants' false statements and misrepresentations, Defendants have fraudulently misappropriated Plaintiff's funds causing Plaintiff to suffer loss in excess of \$25,000.

20. Defendants' actions, set forth herein, are willful, wanton, arbitrary, and capricious and, therefore, entitle plaintiff to an award of punitive damages and reasonable attorney fees.

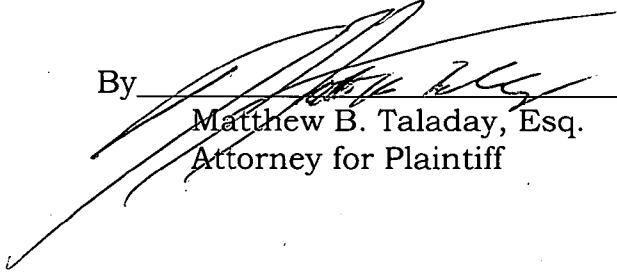
WHEREFORE, Plaintiff, Edward R. Williams, respectfully requests this Court to enter judgment against defendants and in his favor in an amount in excess of \$25,000 together with interest, costs of suit,

punitive damages, reasonable attorney's fees incurred, and any other relief this Court deems just and appropriate.

Respectfully submitted,

HANAK, GUIDO & TALADAY

By

  
Matthew B. Taladay, Esq.  
Attorney for Plaintiff

**VERIFICATION**

I, EDWARD R. WILLIAMS, SR., hereby state that I am the Plaintiff in this action and that the statements of fact made in the foregoing AMENDED COMPLAINT are true and correct to the best of my information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to the authorities.

10-24-07

Date

Edward R. Williams, Sr.

Edward R. Williams, Sr.

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

vs.

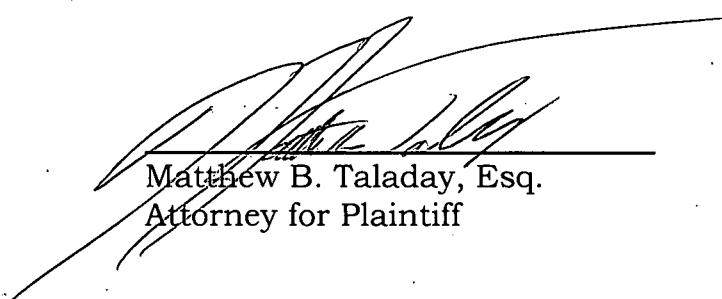
EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLI,  
Defendants

CERTIFICATE OF SERVICE

I certify that on the 30<sup>th</sup> day of October, 2007, a true and correct copy of Plaintiff's Amended Complaint was served via first class US mail, postage prepaid, to the following:

John Sughrue, Esquire  
Attorney for Defendant Beverly Coppelli  
23 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr.  
Defendant  
321 Pifer Street  
DuBois, PA 15801

  
Matthew B. Taladay, Esq.  
Attorney for Plaintiff

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff,  
vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLI  
Defendants.

\*  
\*  
\* No. 2007-56-CD  
\*

\*  
\*  
\*  
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\*

\* Type of Case: Civil

\*  
\*  
\*  
\*

\* Type of Pleading: Answer and New Matter of  
\* Defendant, Beverly Copelli,  
\* to Amended Complaint  
\*

\* Filed on Behalf of: Beverly Copelli, Defendant

\*  
\*  
\*

\* Counsel of Record for this Party:

\* John Sughrue, Esquire  
\* Attorney I. D. No. 01037  
\* 23 North Second Street  
\* Clearfield, PA 16830  
\* Phone: (814) 765-1704  
\* Fax: (814) 765-6959  
\*

\* Other Counsel of Record:

\* Matthew B. Taladay, Esquire  
\* Supreme Court No. 49663  
\* Hanak, Guido and Taladay  
\* P.O. Box 487  
\* DuBois, PA 15801  
\* Phone: (814) 371-7768  
\* Fax: (814) 371-1974  
\*

\* Edward R. Williams, Jr., Pro Se  
\* 321 Pifer Street  
\* DuBois, PA 15801  
\*

FILED

NOV 21 2007  
0/3/05 (w) (64)  
William A. Shaw  
Prothonotary/Clerk of Courts  
4 Cents To Return

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

EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPELLI \*  
Defendants. \*

**NOTICE**

TO: Edward R. Williams, Sr., Plaintiff

**YOU ARE HEREBY NOTIFIED to file a written response to the enclosed NEW  
MATTER OF DEFENDANT, BEVERLY COPELLI, TO AMENDED COMPLAINT  
within twenty (20) days from service hereof or a judgment may be entered against you.**

---

John Sughrue, Esquire  
Attorney for Defendant, Beverly Coppelli  
a/k/a Beverly Copelli

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

EDWARD R. WILLIAMS, SR., \*  
Plaintiff, \*  
vs. \* No. 2007-56-CD  
\*  
EDWARD R. WILLIAMS, JR. and \*  
BEVERLY COPPELLI \*  
Defendants. \*

**ANSWER AND NEW MATTER OF DEFENDANT,**  
**BEVERLY COPELLI TO AMENDED COMPLAINT**

AND NOW, comes Defendant, Beverly R. Copelli, incorrectly referred to in the caption and Complaint as Beverly Coppelli, by her attorney, John Sughrue, and responds to Plaintiff's Amended Complaint as follows:

**ANSWER**

1-10. The facts and averments set forth in paragraphs 1 through 10 of Defendant's original Answer filed in the above captioned matter on September 4, 2007 are incorporated herein by reference in response to the Amended Complaint, as though the same were set forth herein at length, verbatim.

**COUNT I**  
**BREACH OF FIDUCIARY DUTY**

11-13. The facts and averments set forth in paragraphs 11 through 13 of Defendant's original Answer filed in the above captioned matter on September 4, 2007 are incorporated herein by reference in response to the Amended Complaint, as though the same were set forth herein at length, verbatim.

WHEREFORE, Defendant, Beverly R. Copelli, a/k/a Beverly Coppelli, respectfully moves the Honorable Court to forthwith dismiss Count 1 of the Complaint and enter judgment in her favor and against the Plaintiff with costs of this action taxed to the Plaintiff.

**COUNT II**  
**CONVERSION**

14-15. The facts and averments set forth in paragraphs 14 through 15 of Defendant's original Answer filed in the above captioned matter on September 4, 2007 are incorporated herein by reference in response to the Amended Complaint, as though the same were set forth herein at length, verbatim. Further, Defendant recalls Plaintiff giving her \$500.00 to purchase a new washer after she had provided free laundry service to him for a number of years and paying her about \$900.00 to reimburse her for the cost of her Florida timeshare when Plaintiff used it in 2004.

WHEREFORE, Defendant Beverly R. Copelli, a/k/a Beverly Coppelli respectfully moves the Honorable Court to forthwith dismiss Count II of the Complaint and to enter judgment in her favor and against the Plaintiff with costs of this action taxed to the Plaintiff.

**COUNT III**  
**FRAUD**

16. Defendant's answers to paragraphs 1 through 15, as set forth above, are incorporated herein by reference as though the same were set forth herein at length, verbatim.

17. Denied. Defendant denies that she omitted any information or made any false statements or representations to Plaintiff regarding his finances knowing that said statements were false and intending Plaintiff to rely upon them or for any other purpose including to defraud Plaintiff and strict proof of the same, if relevant, is demanded at the trial of this action. On the contrary, Plaintiff was at all times, relevant hereto, aware of and in control of his finances.

18. Defendant denies making fraudulent statements and/or misrepresentations as set forth above, including the following:

a. Denied. On the contrary, Plaintiff knew he was entitled to a pension from McDowell Corporation, applied for it, executed the necessary papers and was informed as to his rights and receipts. Plaintiff received said pension and the funds were used by Plaintiff to pay his obligations and such other things as this Plaintiff determined from time to time. Co-Defendant denies converting any pension receipts for her own use at any time and denies misrepresenting the amount of funds received by Plaintiff each month. Strict proof of the allegations contained in this paragraph, if relevant, are demanded at the trial of this action.

b. It is admitted that the property purchased at 321 Pifer Street, DuBois, Pennsylvania was purchased in Defendant, Edward Williams, Jr.'s name and that Plaintiff contributed funds to said purchase. The amount of Plaintiff's funds used in that transaction is presently unknown. The property was purchased at Plaintiff's request to provide Plaintiff with a home, Plaintiff was fully informed, and the purchase was conducted by Edward Williams, Jr. at the time and in the manner directed by Plaintiff, his father, and with the full knowledge of his father. The property was titled as Plaintiff determined. It is denied that Plaintiff was to hold an interest in the property as joint tenant and/or life tenant, for to do so would have defeated Plaintiff's purpose. Plaintiff was, at the time, fully informed with respect to the amount of funds and the title to the property. Further, upon the property being purchased, Plaintiff moved into said property and resided at that property and was cared for by his said son for an extended period of time and until such time the Plaintiff was no longer able to reside on his own.

c. Defendant Copelli, at no time, resided at said property and at no time made requests with respect to any improvements to said property. Defendant, Edward Williams, Jr. and the Plaintiff resided together at said property for an extended period of time and to the best of Defendant Copelli's knowledge, the Plaintiff knowingly repaired and maintained the

home where he was residing for a period of time. All funds were knowingly and intelligently provided by Plaintiff and were utilized as Plaintiff directed. Copelli denies converting any of Plaintiff's funds for her own use and strict proof of the same, if relevant, is demanded at the trial of this action.

d. Denied. Defendant made no false statements and/or misrepresentations and accordingly, Plaintiff could not and did not, in fact, rely upon false statements and/or misrepresentations of Defendant.

19. Denied. Defendant denies making false statements and misrepresentations. On the contrary, the facts are as set forth above, all of which are incorporated herein by reference. Defendant denies misappropriating Plaintiff's funds or causing Plaintiff to suffer any loss in any amount and strict proof of the same, if relevant, is demanded at the trial of this action.

20. Denied. Defendant did not conduct herself in any willful, wanton and arbitrary and/or capricious way, which would entitle Plaintiff to an award of punitive damages or reasonable attorney fees. On the contrary, the facts are as set forth within this Answer and New Matter, all of which is incorporated herein by reference.

WHEREFORE, Defendant Beverly R. Copelli, a/k/a Beverly Coppelli respectfully moves the Honorable Court to forthwith dismiss Count III of the Complaint and to enter judgment in her favor and against the Plaintiff with costs of this action taxed to the Plaintiff.

**NEW MATTER**

21. In the Amended Complaint, Plaintiff complains of events that are alleged to have occurred in 1988, 1995, and at unspecified times between said dates.

22. The original Complaint was filed on September 4, 2007.

23. Causes of action averred in the original Complaint and the Amended Complaint are barred by the applicable statute of limitations, including the statute, which requires tort actions to be brought within a two-year period.

24. The causes of action alleged in the original Complaint and Amended Complaint are barred by the Equitable Doctrine of Laches.

25. That all transactions or substantially all transactions relating to Plaintiff's funds and finances were transacted with Plaintiff's consent.

26. The causes of action alleged in the original Complaint and the Amended Complaint are barred by the Equitable Doctrines of Collateral Estoppel and/or Equitable Estoppel.

27. In April 1988, Plaintiff was seriously injured in an automobile accident, which resulted in Plaintiff sustaining serious and permanent injuries and serious and permanent disabilities.

28. As a result of said total disability, Plaintiff received and is presently receiving social security disability benefits.

29. Because of the injuries and disabilities resulting from the aforesaid automobile accident, including a serious closed head injury and as a result of Plaintiff's deteriorating mental and physical condition, Plaintiff's ability to remember or recall many past events is impaired.

WHEREFORE, Defendant, Beverly R. Copelli a/k/a Beverly Coppelli, respectfully moves the Honorable Court to dismiss Plaintiff's Amended Complaint with prejudice and to enter Judgment in her favor and against the Plaintiff with costs of this action taxed to the Plaintiff.

Respectfully submitted,



John Sughrue, Esquire  
Attorney for Defendant, Beverly Copelli a/k/a  
Beverly Coppelli

VERIFICATION

I, BEVERLY R. COPPELLI, hereby state that I am a Defendant in this action and that the statements made in the foregoing ANSWER AND NEW MATTER are true and correct to the best of my information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsifications to authorities.

Date: November 20, 2007

Beverly R. Coppelli  
Beverly R. Coppelli

**CERTIFICATE OF SERVICE**

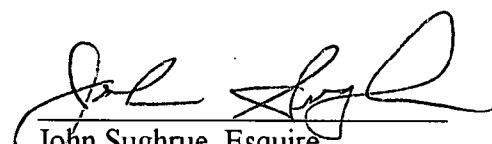
AND NOW, I do hereby certify that on November 21, 2007, I caused a true and correct copy of ANSWER AND NEW MATTER OF DEFENDANT, BEVERLY COPELLI TO AMENDED COMPLAINT to be served on the following and in the manner indicated below:

**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

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

Edward R. Williams, Jr., Pro Se  
321 Pifer Street  
DuBois, PA 15801

Date: November 21, 2007



John Sughrue, Esquire  
Attorney for Defendant, Beverly Copelli  
a/k/a Beverly Coppelli

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R WILLIAMS, JR. and

Type of Case: Civil Action

BEVERLY COPPELLA,  
Defendants

Type of Pleading:  
Answer Counts I & II & III

File on Behalf of: Defendants

Ed Williams  
Pro Se

Other Counsel of Record:

John Sughrue, Esquire  
Supreme Ct I.D. 01037  
23 North Second Street  
Clearfield, Pa 16830  
814-765-1704  
814-765-6959 - facsimile

Matthew B Taladay, Esquire  
Hanak, Guido, and Taladay  
P.O. Box 487  
DuBois, Pa 15801  
814-371-7768

FILED NOCC  
7/3/07 NOV 26 2007 (GK)

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

**ANSWER - COUNTS I & II & III**

AND NOW, comes Defendant, Edward R Williams Jr., to respond to Count I and Count II of the Complaint as follows:

1. Admitted
2. Admitted with exception of Defendants correct name being Beverly Copelli contrary to name provided on complaint
3. Admitted
4. Admitted
5. Admitted in part and Denied in part. Plaintiff does exhibit physical limitations requiring attention to certain personal attention and care. Plaintiff resided in defendant's, Edward R Williams Jr., home where personal care was provided. Despite physical limitations, Plaintiff was capable and did execute all of his own financial matters with no assistance.
6. Admitted strictly in terms of approximated monthly income
7. Denied. Responding Defendant, Edward R Williams Jr. has never served as attorney-in-fact and no power ever granted to or requested by Defendant.
8. Denied. Responding Defendant is without knowledge, personal or otherwise, to support claims set forth in this averment
9. Denied. Responding Defendant states that I did not withdraw in excess of \$43,000 from plaintiffs account. Defendant further states that I did not withdraw any portion of the aforementioned funds and convert them for personal use.
10. Denied. Responding Defendant denies any conversion of tangible or intangible property belonging to Plaintiff for personal use.
  - (a) Plaintiff is co-owner of a 1979 Chevy Custom Conversion Van with Co-Defendant Beverly Copelli. Responding defendant states that van has been in storage since Plaintiffs accident in 1988. Defendant has no knowledge of existence of a 1988 Chevy Custom Conversion Van
  - (b) Responding Defendant denies possession and conversion of a 1979 Honda Goldwing Motorcycle. Responding Defendant states that motorcycle is currently in storage and has remained so since Plaintiffs accident in 1988.

**COUNT I**

**BREACH OF FIDUCIARY DUTY**

11. Denied. Responding Defendant, Edward R Williams Jr. incorporates all facts and averments previously presented in paragraphs 11 through 13 of previously filed answer to be applied and acknowledged as if they were presented in their full text.
12. Denied. Responding Defendant has never acted as attorney -in- fact for Plaintiff therefore my fulfilling a fiduciary duty to Plaintiff was never established to breach .
13. Responding Defendant states that I never breached a fiduciary duty to Plaintiff and further denies converting an excess of \$43,000 or any part thereof for my own use.

**WHEREFORE**, the Defendant Edward R Williams Jr. respectfully requests this court to formally dismiss Count I of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**COUNT II**

**CONVERSION**

14. Denied. Responding Defendant, Edward R Williams Jr. incorporates all facts and averments previously presented in paragraphs 14 through 15 of previously filed answer to be applied and acknowledged as if they were presented in their full text.
15. Denied. Responding Defendant requests incorporation of averments set forth in the above answer to be applied herein. Defendant further denies any conversion of either tangible and intangible property presented by Plaintiff for my own use and benefit.

**WHEREFORE**, the Defendant Edward R Williams Jr. respectfully requests this court to formally dismiss Count II of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**Count III**

**FRAUD**

- 16-20. Responding Defendant unable to properly answer on the grounds of improper format of the amended complaint. The amended complaint contains a multiple presence of averment 18. Defendant requests this error be corrected, enabling a proper answer be filed.

**WHEREFORE**, the Defendant Edward R Williams Jr respectfully requests this court to formally dismiss Count III of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

Respectfully Submitted,



Edward R. Williams Jr.  
Pro Se

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on November 19, 2007, I caused a true and correct copy of the ANSWER - COUNTS I & II & III to be served on the following and in the manner indicated below:

**By United States Mail, First class, Postage Prepaid, Addressed as Follows:**

Matthew B Taladay, Esquire  
Hanak, Guido, and Taladay  
P.O. Box 487  
DuBois, Pa 15801

John Sughrue, Esquire  
23 North Second Street  
Clearfield, Pa 16830

Date : November 19, 2007

*Edward R Williams Jr*

Edward R Williams Jr  
Pro Se

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R WILLIAMS, SR.,  
Plaintiff

Vs.

EDWARD R WILLIAMS, JR. and

BEVERLY COPPELLA,  
Defendants

No. 2007-00056-CD

Type of Case: Civil Action

Type of Pleading:

Answer and New Matter of  
Defendant, Ed Williams Jr., to  
Amended complaint

File on Behalf of: Defendants

Ed Williams  
Pro Se

Other Counsel of Record:

John Sughrue, Esquire  
Supreme Ct I.D. 01037  
23 North Second Street  
Clearfield, Pa 16830  
814-765-1704  
814-765-6959 - facsimile

Matthew B Taladay, Esquire  
Hanak, Guido, and Taladay  
P.O. Box 487  
DuBois, Pa 15801  
814-371-7768

2  
FILED

DEC 05 2007

WILLIAM A. SHAW  
Prothonotary/Clerk of Courts

NO 4/4

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

Vs.

EDWARD R WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

**ANSWER and NEW MATTER**

AND NOW, comes Defendant, Edward R Williams Jr., to respond to Count I, Count II, and Count III of the Amended Complaint as follows:

1-10 All statements presented in paragraphs 1 through 10 of Defendant, Ed Williams, original answer are presented herein by reference in response to the Amended Complaint and are to be referred to as if in full text.

**COUNT I**

**BREACH OF FIDUCIARY DUTY**

11-13 All statements presented in paragraphs 11 through 13 of Defendant, Ed Williams, original answer are presented herein by reference in response to the Amended Complaint and are to be referred to as if in full text.

**WHEREFORE**, the Defendant Edward R Williams Jr. respectfully requests this court to formally dismiss Count I of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**COUNT II**

**CONVERSION**

14-15 All statements presented in paragraphs 14 through 15 of Defendant, Ed Williams, original answer are presented herein by reference in response to the Amended Complaint and are to be referred to as if in full text.

**WHEREFORE**, the Defendant Edward R Williams Jr. respectfully requests this court to formally dismiss Count II of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**Count III**

**FRAUD**

16. All statements presented in paragraphs 1 through 15 of Defendant, Ed Williams, original answer are presented herein by reference in response to the Amended Complaint and are to be referred to as if in full text.
17. Denied. Defendant, Ed Williams Jr., denies providing or omitting of any information, false or otherwise of plaintiffs finances for the plaintiff to rely upon.
18. Denied. Defendant denies fraudulent and/or misrepresented statements mentioned above including, but not limited to:
  - a. Denied. Defendant denies any and all activities regarding Plaintiffs pension benefits. Furthermore, Defendant had knowledge of his benefits and allotted them in accordance with what he determined to be fit, including but not limited to, his monthly utilities.
  - b. Admitted in part and Denied in part. The property known as 321 Pifer St was purchased under the name of the Defendant, Ed Williams Jr., although Plaintiff had full knowledge of the title to said property being issued to aforementioned Defendant. The purchase of property was conducted by means of a personal loan in the name of Ed Williams Jr. and paid in part by Plaintiff although the exact amount is unknown at this time. Furthermore, Plaintiff did indeed reside at property as a joint tenant, as agreed, for approximately 10 years. Plaintiff had full knowledge of all arrangements regarding purchase of the aforementioned property.
  - c. Admitted in part and Denied in part. Throughout the Plaintiffs residence at 321 Pifer St, funds have been released for the improvement of the property. However, all repairs were conducted in accordance with Plaintiffs wishes and knowledge to the extent that the allotted funds permitted. No conversion occurred with appropriated funds which varied from the agreed upon intent for said funds.
  - d. Denied. No false statements or misrepresentations were made by Defendant, Ed Williams Jr., for Plaintiff to reasonably rely upon.
19. Denied. All facts and averments set forth in this answer, which are to be referred to as if in full text, refutes the presence of any false statements or misrepresentations to be relied upon to facilitate any misappropriation of funds to cause any loss suffered by Plaintiff in excess of \$25,000 or any part thereof.
20. Denied. Defendant, Ed Williams Jr., failed to execute any conduct to be interpreted as willful, wanton, and/or capricious which would entitle Plaintiff to punitive damages or reasonable attorney fees.

**WHEREFORE**, the Defendant Edward R Williams Jr. respectfully requests this court to formally dismiss Count III of complaint and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

**NEW MATTER**

21. All references made to any activity prior to Sept 4, 2005 exceeds the applicable statute of limitations requiring tort actions be filed within a two-year period.
22. The original complaint was filed on Sept. 4, 2007, therefore, any compliant regarding any actions prior to the two-year statute of limitations are barred.

23. Equitable Doctrines of Collateral Estoppel and/or Equitable Estoppel bar the causes of action set forth in the original Complaint and the Amended Complaint.
24. Both the original Complaint and the Amended Complaint allege causes of action barred by the Equitable Doctrine of Laches.
25. Plaintiff had full knowledge and consent of all transactions conducted with any, and all, his funds, all of which were performed in accordance with his wishes.
26. Plaintiff suffered severe and permanent injuries resulting in permanent disabilities due to an automobile accident in April of 1988.
27. Social Security Disability Benefits have been, and are currently being received, for aforementioned disabilities.
28. Plaintiff's ability to accurately recall many past events are compromised as result of previously mentioned injuries, including, but not limited to, a severe closed head injury from the aforementioned automobile accident.

WHEREFORE, the Defendant Edward R Williams Jr. respectfully requests this court to formally dismiss the Amended Complaint with prejudice and to enter judgment in my favor and further requests judgment against Plaintiff for any costs of this action taxed to the Plaintiff.

Respectfully Submitted,



Edward R Williams Jr.  
Pro Se

**CERTIFICATE OF SERVICE**

AND NOW, I do hereby certify that on Dec 4, 2007, I caused a true and correct copy of the ANSWER - COUNTS I & II & III to be served on the following and in the manner indicated below:

**By United States Mail, First class, Postage Prepaid, Addressed as Follows:**

Matthew B Taladay, Esquire  
Hanak, Guido, and Taladay  
P.O. Box 487  
DuBois, Pa 15801

John Sughrue, Esquire  
23 North Second Street  
Clearfield, Pa 16830

Date: Dec 4, 2007



Edward R. Williams Jr  
Pro Se

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

EDWARD R WILLIAMS, SR.  
Plaintiff

Vs.

No. 2007-56-CD

EDWARD R WILLIMAS JR. and  
BEVERLY COPELLI  
Defendants

NOTICE

TO: Edward R Williams, Sr., Plaintiff

**YOU ARE HEREBY NOTIFIED to file a written response to the enclosed  
NEW MATTER OF DEFENDANT, EDWARD R WILLIAMS, JR., TO  
AMENDED COMPLAINT within twenty (20) days from service hereof or a  
judgment may be entered against you.**



Edward R Williams Jr.  
Pro Se

**FILED**

DEC 24 2007

12/8/07  
William A. Shaw  
Prothonotary/Clerk of Courts  
WIC (6K)

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR., : Type of Case: Civil Action  
Plaintiff :  
: No. 2007-00056-CD  
-vs- :  
EDWARD R. WILLIAMS, JR., and : Type of Pleading:  
BEVERLY COPPELLA, : REPLY TO NEW  
Defendant : MATTER OF EDWARD  
: WILLIAMS, JR.  
: Filed on Behalf of:  
: Plaintiff  
: Counsel of Record for This  
: Party:  
: Matthew B. Taladay, Esq.  
: Supreme Court No. 49663  
: Hanak, Guido and Taladay  
: 528 Liberty Boulevard  
: P.O. Box 487  
: DuBois, PA 15801  
: (814) 371-7768

Dated: December 21, 2007

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

EDWARD R. WILLIAMS, SR., :  
Plaintiff :  
vs. : No. 2007-00056-CD  
EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLI, :  
Defendants :  
:

**REPLY TO NEW MATTER**

AND NOW comes the Plaintiff, Edward R. Williams, Sr., by his attorneys, Hanak, Guido and Taladay, and hereby responds to New Matter of Defendant Edward Williams, Jr., as follows:

21. Denied. The activities of the Defendant prior to September 4, 2005 were not discoverable by the Plaintiff or were deliberately obscured by the Defendants and therefore not barred by any applicable Statute of Limitations.

22. Denied in accordance with response No. 21 which is incorporated by reference.

23. This paragraph constitutes a conclusion of law to which no response is required.

24. This paragraph constitutes a conclusion of law to which no response is required.

25. Denied. In accordance with the allegations of the Complaint, which are incorporated by reference.

26. It is admitted that Plaintiff was injured in an accident in April of 1988.

27. Objection. This allegation is irrelevant and impertinent to the subject litigation.

28. Objection. The allegations set forth in paragraph 28 deal with issues of witness, competence and credibility and are not properly raised in New Matter.

WHEREFORE, Plaintiff demands judgment in his favor.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By

Matthew B. Taladay, Esq.  
Attorney for Plaintiff

VERIFICATION

I, EDWARD R. WILLIAMS, SR., hereby state that I am the Plaintiff in this action and that the statements of fact made in the foregoing REPLY TO NEW MATTER are true and correct to the best of my information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to the authorities.

12-18-07  
Date

Edward R. Williams  
Edward R. Williams, Sr.

SR

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

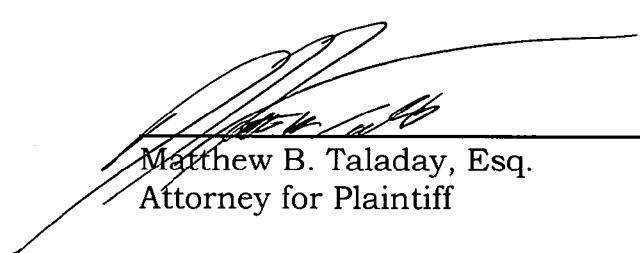
EDWARD R. WILLIAMS, SR., :  
Plaintiff :  
vs. : No. 2007-00056-CD  
EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLI, :  
Defendants :  
:

CERTIFICATE OF SERVICE

I certify that on the 21st day of December, 2007, a true and correct copy of the foregoing Reply to New Matter was served via first class US mail, postage prepaid, to the following:

John Sughrue, Esquire  
Attorney for Defendant Beverly Copelli  
23 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr.  
Defendant  
321 Pifer Street  
DuBois, PA 15801

  
Matthew B. Taladay, Esq.  
Attorney for Plaintiff

FILED

DEC 24 2007

18:30

William A. Shaw  
Prothonotary/Clerk of Courts

no 46 C

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

-vs-

EDWARD R. WILLIAMS, JR., and  
BEVERLY COPPELLA,  
Defendant

Type of Case: Civil Action

No. 2007-00056-CD

Type of Pleading:  
REPLY TO NEW  
MATTER

Filed on Behalf of:  
Plaintiff

Counsel of Record for This  
Party:

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

Dated: December 21, 2007

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

EDWARD R. WILLIAMS, SR., :  
Plaintiff :  
vs. : No. 2007-00056-CD  
EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLI, :  
Defendants :  
.

**REPLY TO NEW MATTER**

AND NOW comes the Plaintiff, Edward R. Williams, Sr., by his attorneys, Hanak, Guido and Taladay, and hereby responds to New Matter of Defendant Beverly R. Copelli, a/k/a Beverly Copelli, as follows:

21. Denied as stated. The Complaint contains allegations of ongoing patterns of behavior from various time periods, some which include the time period between 1988 and 1995.

22. Admitted.

23. The averments set forth in this paragraph constitute a conclusion of law to which no response is required. To the extent that a response may be required, Plaintiff contends that the Defendant's wrongful and fraudulent acts and breaches of financial duty were deliberately construed by the Defendant so that Plaintiff could not have reasonably discovered these wrongful acts. Therefore, the Statute of Limitations does not apply.

24. This averment constitutes a conclusion of law to which no response is required.

25. Denied. To the contrary, the transactions complained of in the Complaint were without the Plaintiff's knowledge or consent.

26. This averments constitutes a conclusion of law to which no response is required.

27. Admitted.

28. Objection in that the averments of paragraph 28 constitute irrelevant and impertinent matters not properly the subject of a new matter.

29. Objection in that the averments of paragraph 28 constitute irrelevant and impertinent matters not properly the subject of a new matter. By further objection, Defendant contends that the contents of paragraph 29 impute the competency and/or credibility of the Plaintiff and are not the proper subject of pleading.

WHEREFORE, Plaintiff demands judgment in his favor.

Respectfully submitted,

HANAK, GUIDO and TALADAY

By

Matthew B. Taladay, Esq.  
Attorney for Plaintiff

VERIFICATION

I, EDWARD R. WILLIAMS, SR., hereby state that I am the Plaintiff in this action and that the statements of fact made in the foregoing REPLY TO NEW MATTER are true and correct to the best of my information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to the authorities.

12-18-07  
Date

Edward R Williams  
Edward R. Williams, Sr.  
SR

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

No. 2007-00056-CD

vs.

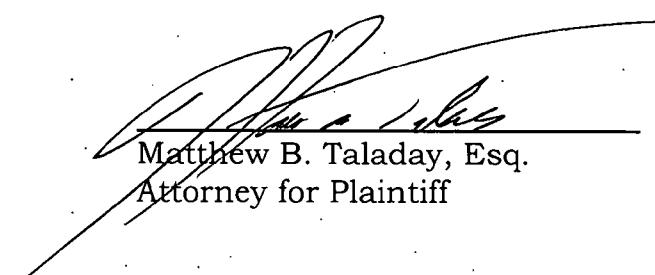
EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLI,  
Defendants

CERTIFICATE OF SERVICE

I certify that on the 21<sup>st</sup> day of December, 2007, a true and correct copy of the foregoing Reply to New Matter was served via first class US mail, postage prepaid, to the following:

John Sughrue, Esquire  
Attorney for Defendant Beverly Copelli  
23 North Second Street  
Clearfield, PA 16830

Edward R. Williams, Jr.  
Defendant  
321 Pifer Street  
DuBois, PA 15801

  
Matthew B. Taladay, Esq.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR.,  
Plaintiff

v.

EDWARD R. WILLIAMS, JR. and  
BEVERLY R. COPELLI,  
Defendants

NO. 2007-0056-CD

Type of Case: Civil Action

Type of Pleading:  
Substitution of Counsel

Filed on behalf of:  
Plaintiff

Filed by:  
Michael S. Marshall, Esquire  
Supreme Court No. 64087  
254 Northwood Avenue  
DuBois, PA 15801  
(814) 371-1649

FILED 4CC  
01/10/17 604 Atty Marshall  
MAY 05 2008  
copy to CIA  
William A. Shaw  
Prothonotary/Clerk of Courts  
(6K)

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR., : NO. 2007-0056-CD  
Plaintiff : .

vi.

EDWARD R. WILLIAMS, JR. and  
BEVERLY R. COPELLI,  
Defendants

## SUBSTITUTION OF COUNSEL WITHOUT LEAVE OF COURT

## **Praecipe for Entry of Appearance**

### To the Prothonotary:

Enter my appearance on behalf of Edward R. Williams, Sr., Plaintiff

I hereby certify that this change is not intended to, nor will it, delay the proceedings to the best of my knowledge, information and belief.

Papers may be served at the address set forth below:

Michael S. Marshall, Esquire  
ID No. 64087  
254 Northwood Avenue  
DuBois, PA 15801  
(814) 371-1649

Dated: 4-30-08

  
Michael S. Marshall, Esquire

## **Praecipe for Withdrawal of Appearance**

### To the Prothonotary:

Withdraw my appearance on behalf of Edward R. Williams, Sr., Plaintiff

Dated: 04-30-08

Matthew B. Taladay, Esquire  
Hanak, Guido and Taladay

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

EDWARD R. WILLIAMS, SR., : NO. 2007-0056-CD  
Plaintiff :  
:

vii.

EDWARD R. WILLIAMS, JR. and  
BEVERLY R. COPELLI,  
Defendants

CERTIFICATE OF SERVICE

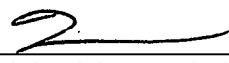
I hereby certify that on the 5<sup>th</sup> day of May, 2008, a true and  
correct copy of the foregoing Substitution of Counsel was served upon the following as  
specified:

By hand delivery:

John Sughrue, Esquire  
23 North Second Street  
Clearfield, PA 16830

By first class mail, postage prepaid:

Edward R. Williams, Jr.  
321 Pifer Street  
DuBois, PA 15801

  
\_\_\_\_\_  
Michael S. Marshall, Esquire  
Attorney for Plaintiff

GA

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

EDWARD R. WILLIAMS, SR.  
Plaintiff  
vs.  
EDWARD R. WILLIAMS, JR.  
BEVERLY COPPELLA  
Defendants

\* NO. 2007-56-CD  
\*  
\*  
\*  
\*  
\*

**ORDER**

NOW, this 15<sup>th</sup> day of April, 2013, following a review of the docket, due to the case's extended period of time in pending status; it is the ORDER of this Court that a **status conference** be and is hereby scheduled for the **8th day of May, 2013 at 1:30 p.m.** in Courtroom No. 1, Clearfield County Courthouse, Clearfield, Pennsylvania.

If this case has been concluded, the moving party is directed to file the appropriate Praeclipe with the Prothonotary of Clearfield County to finalize that status of the case.

BY THE COURT,



FREDRIC J. AMMERMAN  
President Judge

**FILED**  
O 3:26 am  
APR 17 2013

William A. Shaw  
Prothonotary/Clerk of Courts

m. Marshall  
Bowers  
Sughrue

deft @  
E. Williams  
321 Rider St  
DuBois 15801  
GK

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff

vs.

EDWARD R. WILLIAMS, JR., and  
BEVERLY COPPELLA,  
Defendants

: No. 2007-56-CD  
: Type of Case: Civil Action  
: Type of Pleading: Praeclipe  
for Discontinuance  
: Filed on Behalf of:  
Plaintiff  
: Counsel of Record for This  
Party:  
Matthew B. Taladay, Esq.  
Supreme Court No. 49663  
Hanak, Guido and Taladay  
528 Liberty Boulevard  
P.O. Box 487  
DuBois, PA 15801  
(814) 371-7768

FILED

MAY 07 2013

ml 10:40h  
William A. Shaw  
Prothonotary/Clerk of Courts

ccs to MTT

**HANAK, GUIDO and TALADAY**  
**Attorneys at Law**

Robert M. Hanak  
Anthony S. Guido  
Matthew B. Taladay \*

Nicole Hanak Bankovich

Telephone: (814) 371-7768  
Fax: (814) 371-1974

May 6, 2013

528 Liberty Blvd.  
P.O. Box 487  
DuBois, PA 15801

mbtaladay@verizon.net

William A. Shaw  
Clearfield County Courthouse  
P.O. Box 549  
Clearfield, PA 16830

Re: Edward R. Williams, Sr. vs. Edward R.  
Williams, Jr. and Bevery Coppella  
No. 2007-56-CD

Dear Bill:

Enclosed for filing is a Praecipe to Discontinue the above captioned matter. Kindly return a Certificate of Discontinuation to my office. I have enclosed a self-addressed, stamped envelope for this purpose. Thank you for your consideration.

Sincerely,

*Matthew B. Taladay*

Matthew B. Taladay

MBT:kam

Encs.

cc: Hon. Fredric J. Ammerman

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

EDWARD R. WILLIAMS, SR., :  
Plaintiff :  
: :  
-vs- : No. 2007-56-CD  
: :  
EDWARD R. WILLIAMS, JR., and :  
BEVERLY COPPELLA, :  
Defendants :  
:

**PRAECIPE FOR DISCONTINUANCE**

TO THE PROTHONOTARY:

Kindly mark the above referenced matter settled, discontinued and terminated.

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

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

**CIVIL DIVISION**

**Edward R. Williams Sr.**

**Vs.**

**No. 2007-00056-CD**

**Edward R. Williams Jr.  
Beverly Coppella**

**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 May 7, 2013, marked:

Settled and Discontinued and Terminiated

Record costs in the sum of \$85.00 have been paid in full by Plaintiff.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 7th day of May A.D. 2013.

---

William A. Shaw, Prothonotary

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

EDWARD R. WILLIAMS, SR.                    }  
VS    } NO. 2007-56-CD  
EDWARD R. WILLIAMS, JR.                    }  
AND BEVERLY COPPELLA                    }

O R D E R

NOW, this 8th day of May, 2013, following status conference between counsel for defendant, Beverly Coppella, and the Court relative this case being inactive for a period of years, it is the ORDER of this Court that further status conference shall be scheduled for 11:00 a.m. on Friday, July 19, 2013, to be held in Honorable Fredric J. Ammerman's chambers.

BY THE COURT,



President Judge

**FILED**

01/9/13  
MAY 10 2013

William A. Shaw  
Prothonotary/Clerk of Courts

ICC Atts:  
m. marshall  
Sughne  
Bowers  
ICC doft

E. Williams

44

DATE: 5-10-13

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**

MAY 10 2013

William A. Shaw  
Prothonotary/Clerk of Courts

debt

E. Williams  
321 Pifer St  
DuBois 15801

FILED

S MAY 22 2013  
M 11:30 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

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

EDWARD R. WILLIAMS, SR.,  
Plaintiff

vs.

EDWARD R. WILLIAMS, JR., and  
BEVERLY COPPELLA,  
Defendants

: No. 2007-56-CD  
:  
: Type of Case: Civil Action  
:  
: Type of Pleading: Praecep  
: to Withdraw Praecep for  
: Discontinuance  
:  
: Filed on Behalf of:  
: Plaintiff  
:  
: Counsel of Record for This  
: Party:  
: Matthew B. Taladay, Esq.  
: Supreme Court No. 49663  
: Hanak, Guido and Taladay  
: 528 Liberty Boulevard  
: P.O. Box 487  
: DuBois, PA 15801  
: (814) 371-7768

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

EDWARD R. WILLIAMS, SR., :  
Plaintiff :  
:  
-vs- : No. 2007-56-CD  
:  
EDWARD R. WILLIAMS, JR., and :  
BEVERLY COPPELLA, :  
Defendants :  
:

**PRAECIPE TO WITHDRAW PRAECIPE FOR DISCONTINUANCE**

TO THE PROTHONOTARY:

Kindly withdraw the Praecipe to Discontinue that was previously submitted in this matter.

151 Matthew B. Taladay  
Matthew B. Taladay, Esq.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

EDWARD R. WILLIAMS, SR.  
Plaintiff

vs.

EDWARD R. WILLIAMS, JR.  
BEVERLY COPPELLA  
Defendants

NO. 2007-56-CD

Type of Pleading:  
Praecipe to Discontinue

Filed on behalf of:  
Plaintiff

Counsel of Record:  
Michael S. Marshall, Esquire  
ID No. 64087  
254 Northwood Avenue  
DuBois, PA 15801  
814-591-7266

5 FILED

JUL 08 2013

William A. Shaw  
Prothonotary/Clerk of Courts

B. C. M. D. M.

D. M.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

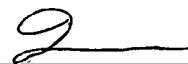
CIVIL DIVISION

EDWARD R. WILLIAMS, SR.	:	
Plaintiff	:	NO. 2007-56-CD
	:	
vs.	:	
	:	
EDWARD R. WILLIAMS, JR.	:	
BEVERLY COPPELLA	:	
Defendants	:	

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Please mark the above-captioned case discontinued and settled.

  
\_\_\_\_\_  
Michael S. Marshall, Esquire  
Attorney for Plaintiff

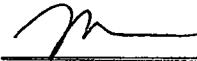
PROOF OF SERVICE

I hereby certify that I am serving the foregoing document on the persons listed below by first class mail, postage prepaid:

John Sughrue, Esquire  
225 East Market Street  
Clearfield, PA 16830

Edward R. Williams, Jr.  
321 Pifer Street  
DuBois, PA 15801

Dated: 7/8/13

  
\_\_\_\_\_  
Michael S. Marshall, Esquire  
Attorney for Plaintiff

**FILED**

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

JUL 19 2013  
07/19/2013  
William A. Shaw  
Prothonotary/Clerk of Courts  
46 C5nt 70

Att 6K

EDWARD R. WILLIAMS, SR.,  
Plaintiff

Vs.

EDWARD R. WILLIAMS, JR. and  
BEVERLY COPPELLA,  
Defendants

: No. 2007-00056-CD

: Type of Case: Civil Action

: Type of Pleading: Praecep to File  
Documents

: File on Behalf of: Beverly Coppella,  
Defendant

: Counsel of Record for this Party:

: John Sughrue, Esquire  
Supreme Ct. I.D. 01037

: 225 E. Market Street  
Clearfield, Pa 16830  
814-765-1704  
814-765-6959 - facsimile

: Other Counsel of Record:

: Michael S. Marshall, Esq.  
254 Northwood Avenue  
DuBois, PA 15801  
814-591-7266

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

EDWARD R. WILLIAMS, SR., :  
Plaintiff : No. 2007-00056-CD  
Vs. :  
EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLA, :  
Defendants :  
:

**PRAECIPE TO FILE DOCUMENTS**

TO: WILLIAM A. SHAW, PROTHONOTARY

Kindly file of record in the above captioned matter the following documents:

1. Copy of letter to the Hon. Judge Ammerman from Edward R. Williams, Jr., above named Defendant;
2. Copy of Petition for Probate and Grant of Letters in the Estate of Edward R. Williams, Sr., above named Plaintiff, filed December 13, 2010, in the Register of Wills Office of Jefferson County, Pennsylvania, granting Letters of Administration to Edward R. Williams, Jr.

Respectfully submitted,



John Sughrue, Esq.  
Attorney for Beverly Copelli, a/k/a  
Beverly Coppella, Defendant

Honorable Judge Ammerman,

I received a summons to appear at a status conference regarding a civil suit with Edward R. Williams Sr., my father, as plaintiff naming Beverly Copelli, my mother, and myself as defendants. I write in hopes of satisfying any questions regarding the status of the suit in lieu of my personal appearance. My father is deceased as of December 7, 2010 at which point I was sworn in as Administrator of his Estate before the Recorder in Jefferson County. As my father is deceased, I request that the case be closed because there is no entity/authority able/ to proceed with the suit on his behalf. I will furnish any documentation to support my claims upon request but am unable to enclose said documentation at this time. I am out of town for work throughout the week and have no access to those files until I return home on the weekends. Please contact me at 814-661-9061 with any additional questions/concerns regarding this matter and with your determination on my personal appearance before your court.

Respectfully,



Edward R. Williams Jr.

## PETITION FOR PROBATE and GRANT OF LETTERS

Estate of Edward R. Williams Jr.  
also known as \_\_\_\_\_

No. 3310-0325

To:

Register of Wills for the County of

Jefferson

in the

Commonwealth of Pennsylvania

Deceased.  
Social Security No. 171-32-7489

The petition of the undersigned respectfully represents that:  
Your petitioner(s) is/are 18 years of age or older and the executor/executrix named in the Last Will of the  
above decedent, Will dated none, 20

(state relevant circumstances, e.g. renunciation, death of executor, etc.)

Decedent was domiciled at death in Jefferson County, Pennsylvania  
with principal residence at 313 Madison Ave, Falls Creek, PA

(list street, number and municipality)

Decedent, then 67 years of age, died December 5, 2010, 2010  
at 313 Madison Ave, Falls Creek, PA

Except as follows, decedent did not marry, was not divorced and did not have a child born or adopted after  
execution of the will offered for probate; was not the victim of a killing and was never adjudicated incompetent.

That said decedent left surviving - a husband, widow - whose name and residence is none

and the following next of kin:

NAMES	RELATIONSHIP	RESIDENCE
<u>Terri Williams - Posnick</u>	daughter	<u>Jefferson, PA</u>
<u>Edward R. Williams Jr.</u>	son	<u>Jefferson, PA</u>
<u>Terri Williams</u>	daughter	<u>Jefferson, PA</u>

FILED

DEC 19 2010

DIANE ANN KIEHL  
CLERK OF ORPHAN'S COURT  
REGISTER OF WILLS

Decedent at death owned property with estimated values as follows:

(If domiciled in PA)

All personal property \$ unknow

(If not domiciled in PA)

Personal property in Pennsylvania \$ unknow

(If not domiciled in PA)

Personal property in County \$ unknow

Value of real estate in Pennsylvania

\$ unknow

situated as follows:

\$ unknow

WHEREFORE, petitioner(s) respectfully request(s) the probate of the Last Will and codicil(s) presented  
herewith and the grant of letters

administration c.t.n.; administration d.b.n.c.t.a. thereon. testamentary;

Signature(s) and Residence(s) of Petitioner(s)

Edward R. Williams Jr.  
321 Madison St.  
Jefferson, PA 15640

2 short cert issued 12-13-10

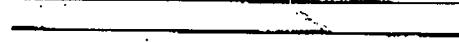
**OATH OF PERSONAL REPRESENTATIVE**

COMMONWEALTH OF PENNSYLVANIA

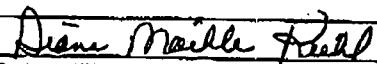
COUNTY OF JEFFERSON ss:

The petitioner(s) above-named swear(s) or affirm(s) that the statements in the foregoing petition are true and correct to the best of the knowledge and belief of petitioner(s) and that as personal representative(s) of the above decedent petitioner(s) will well and truly administer the estate according to law.

Sworn to or affirmed and subscribed  
before me this 13 day of  
December, 2010  
Diane Maile Field  
(For the Register)

  
  
**DECREE OF PROBATE AND GRANT OF LETTERS**

AND NOW December 13, 2010, in consideration of the petition  
on the reverse side hereof, satisfactory proof having been presented before me, IT IS DECREED that the  
instrument(s), dated \_\_\_\_\_ described therein be admitted to probate and  
filed of record as the last will of \_\_\_\_\_  
and Letters Administration  
are hereby granted to Edward R. Williams Jr.

  
Register of Wills

ATTORNEY (Sup. Ct.I.D. No.)

ADDRESS

PHONE

**CERTIFICATE OF SERVICE**

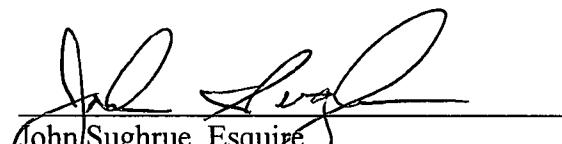
AND NOW, I do hereby certify that on July 19, 2013, I caused a true and correct copy of the PRAECIPE TO FILE DOCUMENTS to be served on the following and in the manner indicated below:

**By United States Mail, First Class, Postage Prepaid**  
**Addressed as Follows:**

Michael S. Marshall, Esq.  
254 Northwood Avenue  
DuBois, PA 15801

Edward R. Williams, Jr.  
321 Pifer Street  
DuBois, PA 15801

Date: July 19, 2013



John Sughrue, Esquire  
Attorney for Beverly R. Copelli, a/k/a  
Beverly Coppella, Defendant

Edward R. Williams, Jr.  
321 Pifer Street  
DuBois, PA 15801

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

EDWARD R. WILLIAMS, SR., :  
Plaintiff : No. 2007-00056-CD

Vs. :

EDWARD R. WILLIAMS, JR. and :  
BEVERLY COPPELLA, :  
Defendants :  
:

**FILED**

JUL 19 2013  
07/19/2013  
William A. Shaw  
Z Prothonotary/Clerk of Courts  
4 6K →  
ATT  
6K

**ORDER**

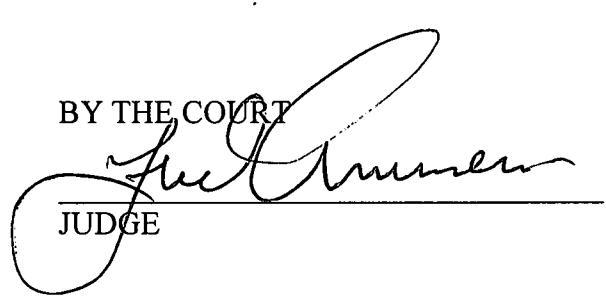
AND NOW, this 19<sup>th</sup> day of July, 2013, this being the date set for Status Conference in the above captioned matter and all parties having been given notice of the same and it appearing to the Court that the Plaintiff is deceased and the successor in interest to the Plaintiff is Edward R. Williams, Jr., Defendant, as Administrator of Plaintiff's Estate, pursuant to Letters of Administration granted by the Register of Wills of Jefferson County, Pennsylvania;

FURTHER, it appearing to the Court that the said Administrator has advised the Court that he does not intend to continue prosecution of this action, that the Attorney of record for the Plaintiff has filed a Praecept to mark this action "discontinued and settled" and all parties desire this action to be terminated;

NOW, THEREFORE, the Prothonotary is directed to mark the above captioned action

~~Discontinued~~  
~~terminated~~ and ended with prejudice.

BY THE COURT

  
JUDGE