

CIVIL DIVISION - LAW

Plaintiff

VS.

Defendant

**COUNSEL OF RECORD FOR
THIS PARTY:**
David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED
01/23/2007
FEB 26 2007
Atty pd. 85.00
2 cc's 2 writs
to Sheriff
William A. Shaw
Notary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

ROBERT R. HOOVER AND
JOLIE D. HOOVER, his wife,

Plaintiffs

vs.

QUEHANNA MILLWORK, LLC.;
EDMUND D. PLUBELL, individually and
t/d/b/a QUEHANNA MILLWORKS,

Defendants

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07-

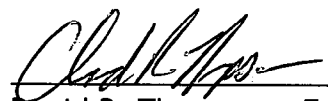
PRAECIPE TO ISSUE WRIT OF SUMMONS

TO THE PROTHONOTARY:

Kindly issue the attached Writ of Summons in the above-captioned matter.

Respectfully submitted,

DATE: 2-26-07


David R. Thompson, Esquire
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

ROBERT R. HOOVER AND
JOLIE D. HOOVER, his wife,

Plaintiffs

vs.

QUEHANNA MILLWORK, LLC;
EDMUND D. PLUBELL, individually and
t/d/b/a QUEHANNA MILLWORKS,

Defendants

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07-

WRIT OF SUMMONS

TO: QUEHANNA MILLWORK, LLC; EDMUND D. PLUBELL, individually and t/d/b/a
QUEHANNA MILLWORKS

You are hereby notified that **ROBERT R. HOOVER AND JOLIE D. HOOVER, his wife,**
the Plaintiffs, have commenced an action against you.

DATE: _____

Prothonotary

By: _____

SEAL OF THE COURT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102486
NO: 07-291-CD
SERVICE # 1 OF 2
PRAECIPE & SUMMONS

PLAINTIFF: ROBERT R. HOOVER and JOLIE D. HOOVER

vs.

DEFENDANT: QUEHANNA MILLWORK, LLC; EDMUND D. PLUBELL, Ind & t/d/b/a
QUEHANNA MILLWORKS

SHERIFF RETURN

NOW, March 06, 2007 AT 10:56 AM SERVED THE WITHIN PRAECIPE & SUMMONS ON QUEHANNA MILLWORK, LLC DEFENDANT AT 22792 SHAWVILLE FRENCHVILLE HWY., FRENCHVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ANNETTE PLUBELL, SECRETARY A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE & SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

FILED
013:56BN
JUN 14 2007
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102486
NO: 07-291-CD
SERVICE # 2 OF 2
PRAECIPE & SUMMONS

PLAINTIFF: ROBERT R. HOOVER and JOLIE D. HOOVER

vs.

DEFENDANT: QUEHANNA MILLWORK, LLC; EDMUND D. PLUBELL, Ind & t/d/b/a
QUEHANNA MILLWORKS

SHERIFF RETURN

NOW, March 06, 2007 AT 10:56 AM SERVED THE WITHIN PRAECIPE & SUMMONS ON EDMUND D. PLUBELL ind & t/d/b/a QUEHANNA MILLWORKS DEFENDANT AT 22792 SHAWVILLE FRENCHVILLE HWY., FRENCHVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO EDMUND HOOVER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE & SUMMONS AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102486
NO: 07-291-CD
SERVICES 2
PRAECIPE & SUMMONS

PLAINTIFF: ROBERT R. HOOVER and JOLIE D. HOOVER

vs.

DEFENDANT: QUEHANNA MILLWORK, LLC; EDMUND D. PLUBELL, Ind & t/d/b/a
QUEHANNA MILLWORKS

SHERIFF RETURN


RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	THOMPSON	12011	20.00
SHERIFF HAWKINS	THOMPSON	12011	39.91

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER and JOLIE
D. HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILLWORK, LLC.,
and EDMUND D. PLUBELL,
individually and t/d/b/a QUEHANNA
MILLWORKS,
Defendants.

CIVIL ACTION - LAW

Number 291 - 2007, C. D.

Type of Case: Civil Division

Type of Pleading: Appearance

Filed on Behalf of: Defendants

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED
m112:50/61
AUG 06 2007
NO CC
CR

William A. Shaw
Prothonotary/Clerk of Courts

ROBERT R. HOOVER and JOLIE
D. HOOVER,
Plaintiffs,

vs.

QUEHANNA MILLWORK, LLC.;
EDMUND D. PLUBELL, individually and
t/d/b/a QUEHANNA MILLWORKS,
Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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* Number 07 - 291 C. D.

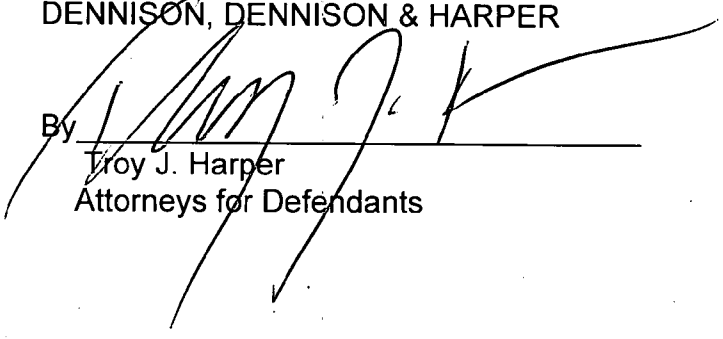
APPEARANCE

TO WILLIAM SHAW, PROTHONOTARY:

Enter our Appearance on behalf of Quehanna Millwork, LLC, and Edmund
D. Plubell, individually and t/d/b/a Quehanna Millworks, the Defendants in the above
captioned matter.

DENNISON, DENNISON & HARPER

By


Troy J. Harper

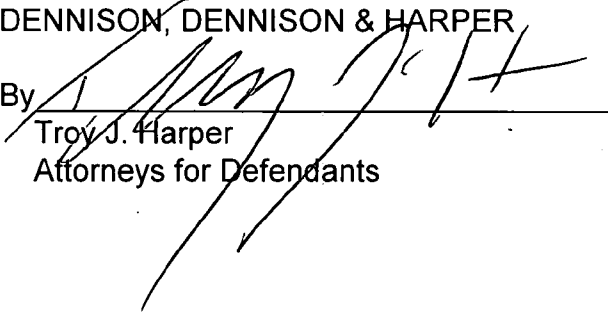
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of an Appearance filed on behalf of the Defendants in the above captioned matter by sending the same to the Plaintiffs' attorney, David R. Thompson, Esq., P. O. Box 587, 308 Walton Street, Suite 4, Philipsburg, PA 16866, by regular mail, postage prepaid, on the 3rd day of August, 2007.

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for Defendants

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER and JOLIE
D. HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILLWORK, LLC.,
and EDMUND D. PLUBELL,
individually and t/d/b/a QUEHANNA
MILLWORKS,
Defendants.

CIVIL ACTION - LAW

Number 291 - 2007, C. D.

Type of Case: Civil Division

Type of Pleading: Praecipe for Rule to
File Complaint

Filed on Behalf of: Defendants

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED 1CCD-1 Rule
m/12:59/64 to Atty
AUG 06 2007

William A. Shaw
Prothonotary/Clerk of Courts

(GK)

ROBERT R. HOOVER and JOLIE
D. HOOVER,
Plaintiffs,

vs.

QUEHANNA MILLWORK, LLC.;
EDMUND D. PLUBELL, individually and
t/d/b/a QUEHANNA MILLWORKS,
Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Action - Law

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* Number 07 - 291 C. D.

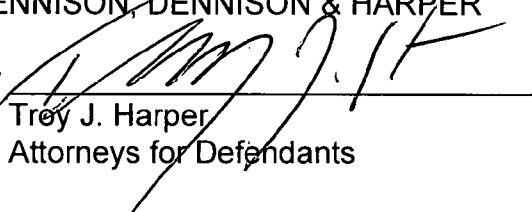
PRAECIPE FOR RULE TO FILE COMPLAINT

TO WILLIAM SHAW, PROTHONOTARY:

Enter a Rule upon the Plaintiff to file a Complaint within twenty (20) days after
service of the Rule, or judgment of non-pros will be entered.

DENNISON, DENNISON & HARPER

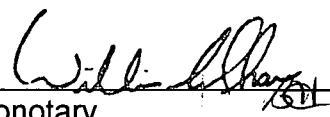
By


Trey J. Harper
Attorneys for Defendants

RULE:

TO THE PLAINTIFFS:

You are ruled to file a Complaint within twenty (20) days after the service hereof or
judgment of non-pros will be entered against you:


Prothonotary

Dated: 8/16/07

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of a Praecipe for Rule to File Complaint filed on behalf of the Defendants in the above captioned matter by sending the same to the Plaintiffs' attorney, David R. Thompson, Esq., P. O. Box 587, 308 Walton Street, Suite 4, Philipsburg, PA 16866, by regular mail, postage prepaid, on the 3rd day of August, 2007.

DENNISON, DENNISON & HARPER

By 

Troy J. Harper

Attorneys for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DKT PG. 102486

ROBERT R. HOOVER and JOLIE D. HOOVER

NO . 07-291-CD

-VS-

QUEHANNA MILLWORK, LLC al

PRAECIPE & SUMMONS

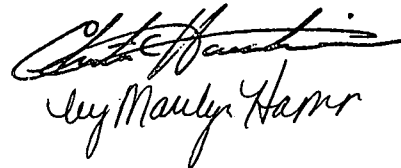
FILED
01/20/07
AUG 07 2007
William A. Shaw
Prothonotary/Clerk of Courts

AMENDED
SHERIFF'S RETURN

Now March 6, 2007 at 10:56 AM served the within Praecipe & Summons on Edmund D. Plubell ind & t/d/b/a Quehanna Millworks, defendant at 22792 Shawville Frenchville Hwy., Frenchville, Clearfield County, Pennsylvania by handing to Edmund **PLUBELL**, defendant a true and attested copy of the original Praecipe & Summons and made known to him the contents thereof. **Deputy had wrong last name on service sheet.**
SERVED BY: DeHaven

SWORN TO BEFORE THIS
____ DAY OF _____ 2007

So Answers,



CHESTER A. HAWKINS
SHERIFF

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER and JOLIE D.
HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILLWORK, LLC.,
and EDMUND D. PLUBELL,
individually and t/d/b/a QUEHANNA
MILLWORKS,
Defendants.

CIVIL ACTION - LAW

Number 291 of 2007, C. D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on Behalf of: Defendants

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

AUG 27 2007

12:50/1

William A. Shaw

Prothonotary/Clerk of Courts

No. C/C

ROBERT R. HOOVER and JOLIE
D. HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILLWORK, LLC.,
and EDMUND D. PLUBELL,
individually and t/d/b/a QUEHANNA
MILLWORKS,
Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
* Civil Division
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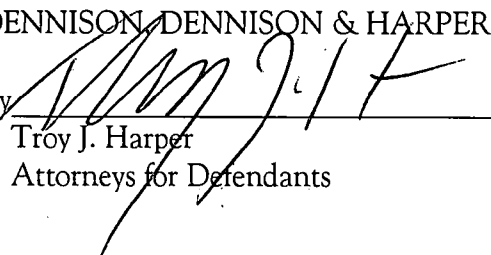
* Number 291 - 2007 C. D.

CERTIFICATE OF SERVICE

I hereby certify that I served a Rule to File Complaint issued by the Prothonotary of Clearfield County, Pennsylvania, upon the Plaintiffs in the above captioned matter by sending the same to the Plaintiffs' attorney, David R. Thompson, Esq., P. O. Box 587, 308 Walton Street, Suite 4, Philipsburg, PA 16866, by regular mail, postage prepaid, on the 24th day of August, 2007.

DENNISON DENNISON & HARPER

By


Troy J. Harper
Attorneys for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

ROBERT R. HOOVER, and JOLIE D.
HOOVER, his wife,
Plaintiff

vs.

QUEHANNA MILLWORK LLC AND
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendants

No. 07-291-CD

TYPE OF CASE:
Civil Action - Law

TYPE OF PLEADING:
Complaint

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED
DEC 12 2007

William A. Shaw
Prothonotary/Clerk of Courts

2cc
Amy Thompson
(62)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL ACTION - LAW

ROBERT R. HOOVER, and JOLIE D.
HOOVER, his wife,

Plaintiff

vs.

QUEHANNA MILLWORK LLC AND,
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendant

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No. 07-291-CD

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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 written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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


David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

ROBERT R. HOOVER and JOLIE D.
HOOVER, his wife,

Plaintiffs

vs.

QUEHANNA MILLWORK LLC AND
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendants

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No. 07-291-CD

COMPLAINT

AND NOW comes the Plaintiffs, by and through their attorney, David R. Thompson, Esquire, and files the following Complaint against the Defendants, and in support thereof avers the following:

1. Plaintiffs, **ROBERT R. HOOVER AND JOLIE D. HOOVER, his wife**, are adult individuals who presently resides at 249 State Street, P.O. Box 59, Sandy Ridge, Pennsylvania, 16677.

2. Defendant, **QUEHANNA MILLWORK, LLC**, is a Pennsylvania Limited Liability Company with a current business address of Highway RT 879, Frenchville, Clearfield County, Pennsylvania.

3. Defendant, **EDMUND D. PLUBELL** is an individual trading and doing business as Quehanna Millwork. By way of further pleading, he is the owner of various properties located in Girard Township, Clearfield County, Pennsylvania, upon which the business,

Quehanna Millwork, is situate.

4. The events hereinafter complained occurred on February 26, 2005, at approximately 10:30 A.M., at the Quehanna Mill Works located at Highway RT 879, Frenchville, Pennsylvania.

5. At or about the said time and on Defendant's real property and place of business, Plaintiff, Robert R. Hoover, was walking on Defendant's real property and got ready to step up onto the wooden porch to the entrance of the Defendant's business. The area below the porch was snow covered and icy with gravel underneath.

6. Plaintiff started to step onto the porch and his left foot slipped. Plaintiff fell and hit his head on the corner of post on the porch of Defendant's property and broke his left leg.

7. The incident was immediately reported to the wife of the owner.

8. Plaintiff was then transported to the Emergency Room at Clearfield Hospital, as he was unable to walk.

9. Plaintiff was then sent for x-rays and admitted to the Clearfield Hospital.

10. Plaintiff was operated on by physicians at the Clearfield Hospital on February 27, 2005 and transferred to the ICU unit of the Clearfield Hospital.

11. The Defendants had actual knowledge or should have had actual knowledge of this dangerous condition in its parking lot, which was unsafe for pedestrian traffic.

12. Plaintiff was an invitee for purposes of determining Defendants' duty to Plaintiff.

13. The Defendants owed a duty to Plaintiff to assure safety of its premises, which said duty was breached by Defendants.

14. The injuries and damages sustained by Robert R. Hoover were caused solely by and were a direct result of the negligence of the Defendants, as aforesaid generally and in the following particulars:

- a) in causing, allowing and permitting the surface of parking lot to remain snow covered with ice patches to such a degree that it was unsafe for pedestrian traffic ;
- b) in causing, allowing and permitting an obviously icy surface to remain open for pedestrians, even though Defendants knew or should have known of the hazardous and dangerous condition which existed;
- c) in causing, allowing and permitting a dangerous and hazardous condition to exist;
- d) in causing, allowing and permitting said snow covered and icy surface to exist on their property or leased property in negligent and careless disregard for the employees, agents, patrons, or any individual who would be entering the premises;
- e) in failing to adequately maintain said premises such that the surface caused a hazardous condition;
- f) in failing to take the necessary steps and precautions to see that the premises were maintained in a safe and secure manner such to guarantee its employees, agents and patrons a smooth, clear and non-hazardous parking lot surface;
- g) in failing to remove the hazardous and dangerous condition which existed at the premises when Defendants knew or should have known that negligent maintenance caused the problem and that the same existed;
- h) in failing to inspect said premises in an attempt to discover said hazardous and dangerous condition which existed on its parking area;
- I) in failing to adequately keep and maintain said premises in a safe condition free and clear of snow and ice which occurred as a direct result of negligence of the Defendants to properly inspect the surface;

- j) in failing to adequately warn Plaintiff and/or any other individuals who would use the premises of the dangerous and hazardous condition which existed due to lack of maintenance, causing a dangerous and hazardous condition for individuals attempting to enter or exist the establishment;

COUNT I

ROBERT D. HOOVER VS. QUEHANNA MILLWORK LLC AND EDMUND D. PLUBELL I/A/T/B/D/A QUEHANNA MILLWORK

Paragraphs 1 through 14 are incorporated herein by reference as though the same were set forth at length herein.

15. Solely as a direct and proximate result of the negligence and carelessness of the Defendants named herein, the Plaintiff, Robert R. Hoover, sustained the following serious and severe injuries, some or all of which may be permanent in nature:

- a) Break to left leg, both Tibia and Fibula..
- b) Loss of complete ability to ambulate for a substantial period of time.
- c) Severe shock, strain and sprain of the nerves, muscles, tissues, ligaments and vessels of the musculoskeletal system.
- d) Bruises, contusions, swelling, cuts and abrasions to his head.

16. As a direct and proximate result of the aforesaid injuries caused by the Defendants named herein, the Plaintiff Robert R. Hoover has been damaged as follows:

- a) He has suffered and will suffer into the future, severe pain and suffering, inconvenience, embarrassment, mental anguish, loss and enjoyment of life's pleasures;
- b) He has been and will be deprived of his health, strength and vitality;
- c) He has lost substantial earning and earning capacity and may continue to lose said earning or earning capacity into the future; and
- d) He has incurred and may in the future incur medical expenses and doctors' expenses which is recoverable;

17. As a result of the aforesaid injuries caused by the Defendant named herein, the Plaintiff, Robert R. Hoover, was caused to:

- a) Be admitted to Clearfield Hospital on 2/26/05;
- b) Undergo surgery with artificial hardware placed in his body for a fractured tibia/fibula on 2/27/05;
- c) Remain hospitalized for two more days until discharged on 3/1/05;
- d) Be prescribed Darvocet and Percocet for pain management; and
- e) Undergo physical therapy twice weekly from 5/16/05 to 6/10/05;

WHEREFORE, the Plaintiff, Robert R. Hoover, demands judgment in his favor and against Defendants named herein in an amount in excess of the jurisdictional limits of arbitration in Clearfield County, Pennsylvania.

A JURY TRIAL IS DEMANDED.

COUNT I
JOLIE D. HOOVER VS. QUEHANNA MILLWORK LLC AND EDMUND D. PLUBELL
I/A/T/B/D/A QUEHANNA MILLWORK

Paragraphs 1 through 17 are incorporated herein by reference as though the same were set forth at length herein.

18. At all times material hereto, Jolie D. Hoover, is and has been the lawful wife of Robert R. Hoover.

23. As a result of the injuries sustained by Plaintiff Robert R. Hoover, Plaintiff Jolie D. Hoover has suffered, suffers and will continue to suffer in the future, the loss of consortium, society, companionship and related conjugal benefits, as well as the loss of services of Plaintiff Robert R. Hoover.

24. Plaintiff Jolie D. Hoover's losses, above detailed, are the direct and proximate result of the slip and fall accident, and hence the negligence of Defendants, as enumerated above.

WHEREFORE, the Plaintiff, Jolie D. Hoover, demands judgment in her favor and against Defendants named herein in an amount in excess of the jurisdictional limits of arbitration in Clearfield County, Pennsylvania.

A JURY TRIAL IS DEMANDED.

Respectfully submitted,

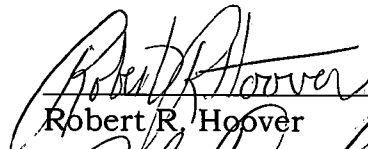
A handwritten signature in cursive script, appearing to read "D. R. Thompson", is written over a horizontal line.

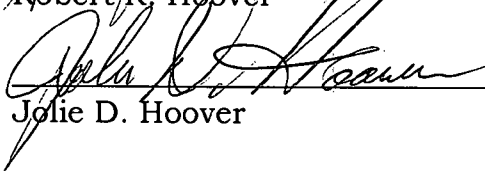
David R. Thompson, Esquire
Attorney for Plaintiff

VERIFICATION

I certify that the facts set forth in the foregoing **COMPLAINT** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated: 11/24/07


Robert R. Hoover


Jolie D. Hoover

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER and JOLIE D.
HOOVER, his wife,

Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL, individually
and t/d/b/a QUEHANNA MILLWORK,

Defendants.

CIVIL ACTION - LAW

Number 2007 - 291 C.D.

Type of Case: Civil Division

Type of Pleading: Certificate of Service

Filed on behalf of: Defendants

Counsel of Record for this Party:

Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER

293 Main Street

Brookville, Pennsylvania 15825

(814) 849-8316

FILED

3/10/57/34
JAN 23 2008

William A. Shaw
Prothonotary/Clerk of Courts

ROBERT R. HOOVER and JOLIE D.
HOOVER, his wife,

Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL, individually
and t/d/b/a QUEHANNA MILLWORK,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
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* Civil Division
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* Number 2007 - 291 C.D.

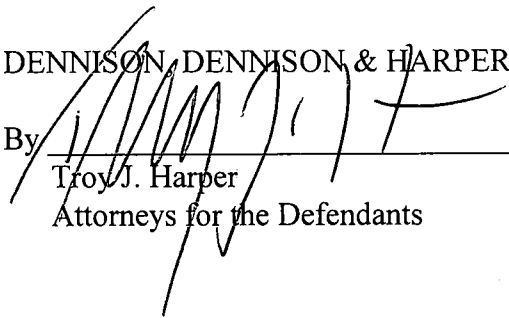
CERTIFICATE OF SERVICE

I certify that an original and two certified copies of the First Set of Interrogatories
Directed to the Plaintiffs and an original and two certified copies of the First Set of Request for
Production of Documents Directed to the Plaintiffs were served on the 21st day of January,
2008, by United States Mail, First Class, Postage Prepaid, addressed to:

David R. Thompson, Esquire
PO Box 587
308 Walton Street, Suite 4
Phillipsburg, PA 16866

DENNISON, DENNISON & HARPER

By


Troy J. Harper

Attorneys for the Defendants

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER, and JOLIE D.
HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL I/T/D/B/A
QUEHANNA MILLWORK,

Defendants.

CIVIL ACTION - LAW

Number 291 - 2007 C.D.

Type of Case: Civil Division

Type of Pleading: Answer and New Matter

Filed on behalf of: Defendants

Counsel of Record for this Party:

Troy J. Harper
Supreme Court Number: 74753

John C. Dennison, II
Supreme Court Number: 29408

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED ^{NO} CC
m/11/18/07
JAN 31 2008
(GK)

William A. Shaw
Prothonotary/Clerk of Courts

ROBERT R. HOOVER, and JOLIE B.
HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILL WORK LLC and
EDMUND D. PLUBELL I/T/D/B/A
QUEHANNA MILL WORK,
Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Division
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* Number 291 - 2007 C.D.

NOTICE TO PLEAD

TO: ROBERT R. HOOVER and JOLIE B. HOOVER, PLAINTIFFS:

You are hereby notified to plead to the within New Matter within twenty (20) days from service hereof or a default judgment may be entered against you.

DENNISON, DENNISON & HARPER

By 

Troy J. Harper
Attorneys for the Defendants

ROBERT R. HOOVER, and JOLIE B.
HOOVER, his wife,
Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL I/T/D/B/A
QUEHANNA MILLWORK,
Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania
*
* Civil Division
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* Number 291 - 2007 C.D.

ANSWER AND NEW MATTER

AND NOW, comes the Defendants, QUEHANNA MILLWORK, LLC and EDMUND D. PLUBELL, i/t/d/b/a QUEHANNA MILLWORK, by and through their attorneys, Dennison, Dennison & Harper, who file the following Answer and New Matter in response to the Plaintiffs' Complaint:

1. After reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 1 of the Plaintiffs' Complaint, and said averments are therefore denied.

2. Denied as stated. On the contrary, the Defendant, Quehanna Millwork, LLC, is a Pennsylvania limited liability company with a current business address of 22792 Shawville/Frenchville Highway, Frenchville, Clearfield County, Pennsylvania.

3. Admitted in part and denied in part. The averments of Paragraph 3 of the Plaintiffs' Complaint are admitted insofar as the Defendant, Edmund Plubell, is an adult individual, and that

he is the owner of various properties located in Girard Township, Clearfield County, Pennsylvania upon which Quehanna Millwork, LLC conducts business operations. It is denied that the Defendant, Edmund Plubell, is an individual trading and doing business as Quehanna Millwork. On the contrary, Quehanna Millwork, LLC is a duly authorized limited liability company doing business as Quehanna Millwork, LLC.

4. The averments of Paragraph 4 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

5. With respect to the averments of Paragraph 5 of the Plaintiffs' Complaint concerning the Defendants' real property and place of business, said averments are admitted only insofar as the Defendant, Edmund Plubell, is the owner of real property upon which the Defendant, Quehanna Millwork, LLC, conducts business. With regard to the remaining averments of Paragraph 5 of the Plaintiffs' Complaint, said averments are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

6. With respect to the averments of Paragraph 6 of the Plaintiffs' Complaint concerning the Defendants' real property and place of business, said averments are admitted only insofar as the Defendant, Edmund Plubell, is the owner of real property upon which the Defendant, Quehanna Millwork, LLC, conducts business. With regard to the remaining averments of Paragraph 6 of the Plaintiffs' Complaint, said averments are denied pursuant to Pa.R.C.P. 1029(e), and no further response is required.

7. The averments of Paragraph 7 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e).

8. The averments of Paragraph 8 of the Plaintiffs' Complaint are denied pursuant to Pa.R.C.P. 1029(e).

9. After reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 9 of the Plaintiffs' Complaint, and said averments are therefore denied.

10. After reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 10 of the Plaintiffs' Complaint, and said averments are therefore denied.

11. The averments of Paragraph 11 of the Plaintiffs' Complaint constitute conclusions of law to which no response is required and are otherwise denied pursuant to Pa.R.C.P. 1029(e).

12. The averments of Paragraph 12 of the Plaintiffs' Complaint constitute conclusions of law to which no response is required.

13. The averments of Paragraph 13 of the Plaintiffs' Complaint constitute conclusions of law to which no response is required and are otherwise denied pursuant to Pa.R.C.P. 1029(e).

14. With regard to the averments of Paragraph 14 of the Plaintiffs' Complaint alleging any injuries or damages, after reasonable investigation, the Defendants, Quehanna Millwork,

LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied. With regard to the remaining averments of Paragraph 14 of the Plaintiffs' Complaint and subparagraphs a) through j) thereof, said averments are denied pursuant to Pa.R.C.P. 1029(e).

COUNT I
ROBERT D. HOOVER VS. QUEHANNA MILLWORK, LLC AND EDMUND D.
PLUBELL I/T/D/B/A QUEHANNA MILLWORK

15. The averments of Paragraph 15 of the Plaintiffs' Complaint alleging any negligence and carelessness by the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 15 of the Plaintiffs' Complaint and subparagraphs a) through d) thereof, after reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

16. The averments of Paragraph 16 of the Plaintiffs' Complaint alleging that the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, caused any injury are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 16 of the Plaintiffs' Complaint and subparagraphs a) through d) thereof, after reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

17. The averments of Paragraph 17 of the Plaintiffs' Complaint alleging that the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, caused any injury are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 17 of the Plaintiffs' Complaint and subparagraphs a) through e) thereof, after reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

WHEREFORE, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, demand judgment in their favor and against the Plaintiffs. **JURY TRIAL OF TWELVE DEMANDED.**

COUNT II (incorrectly identified as Count I in the Complaint)
JOLIE D. HOOVER VS. QUEHANNA MILLWORK, LLC AND EDMUND D. PLUBELL
I/T/D/B/A QUEHANNA MILLWORK

18. After reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments of Paragraph 18 of the Plaintiffs' Complaint, and said averments are therefore denied.

23. (The Plaintiffs' Complaint fails to contain any numbered paragraphs between 19 and 22). After reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form

a belief as to the truth of the averments of Paragraph 23 of the Plaintiffs' Complaint, and said averments are therefore denied.

24. The averments of Paragraph 24 of the Plaintiffs' Complaint alleging any negligence by the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are denied pursuant to Pa.R.C.P. 1029(e). With respect to the remaining averments of Paragraph 24 of the Plaintiffs' Complaint, after reasonable investigation, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, are without sufficient knowledge and information to form a belief as to the truth of the averments, and said averments are therefore denied.

WHEREFORE, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, demand judgment in their favor and against the Plaintiffs. **JURY TRIAL OF TWELVE DEMANDED.**

NEW MATTER DIRECTED TO PLAINTIFFS

25. The Hills and Ridges Doctrine as defined and adopted by the Courts of the Commonwealth of Pennsylvania is hereby incorporated herein by reference thereto as fully as the same bar and/or diminish any claim or cause of action of the Plaintiffs.

26. The Plaintiffs have failed to state a cause of action against the Defendants under the Hills and Ridges Doctrine.

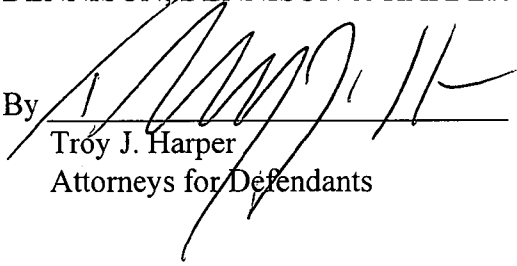
27. The terms and conditions of the Pennsylvania Motor Vehicle Financial Responsibility Law, as amended, 75 Pa.C.S.A. §1701 et seq., are hereby incorporated herein by reference thereto as fully as the same bar and/or diminish any claim or cause of action of the Plaintiffs.

28. The Plaintiffs have failed to state a cause of action upon which relief may be granted.

WHEREFORE, the Defendants, Quehanna Millwork, LLC and Edmund D. Plubell, i/t/d/b/a Quehanna Millwork, demand judgment in their favor and against the Plaintiffs. **JURY TRIAL OF TWELVE DEMANDED.**

DENNISON, DENNISON & HARPER

By


Troy J. Harper
Attorneys for Defendants

VERIFICATION

I verify that the averments made in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa.C.S.A. Section 4904, relating to unsworn falsification to authorities.

QUEHANNA MILLWORK, LLC

By Edmund Plubell *SOLE MEMBER*
Edmund Plubell

Edmund Plubell
Edmund Plubell, individually

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Answer and New Matter was served on the 30th day of January, 2008, by United States Mail, First Class, Postage Prepaid, addressed to the following:

David R. Thompson, Esq.
308 Walton Street, Suite 4
Philipsburg, Pennsylvania 16866

DENNISON, DENNISON & HARPER

By 

Troy J. Harper
Attorneys for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

ROBERT R. HOOVER and JOLIE D.
HOOVER, his wife

Plaintiffs

vs.

QUEHANNA MILLWORK LLC and,
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendants

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No. 07-291-CD

REPLY TO NEW MATTER

AND NOW COMES, the Plaintiff's, Robert R. Hoover and Jolie D. Hoover, his wife, by and through his attorney, David R. Thompson, Esquire and files the following Reply to Defendant's New Matter:

Paragraphs 1 through 24 of Plaintiff's Complaint is incorporated by reference as though the same were set forth at length herein.

25. Paragraph 25 is conclusion of law to which no response is necessary. To the extent that a response is deemed necessary, the same is denied, and strict proof is demanded at the time of trial.

26. Paragraph 26 is conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied, and strict proof is demanded at the time of trial.

27. Paragraph 27 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied, and strict proof is demanded

at the time of trial.

28. Paragraph 28 of is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is denied, and strict proof is demanded at the time of trial.

WHEREFORE, Plaintiff's respectfully requests this Honorable Court enter Judgment in their favor and against the Defendant's, jointly and severally as stated in Plaintiff's Complaint.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David R. Thompson", with a horizontal line extending from the end of the signature.

David R. Thompson, Esquire
Attorney for Plaintiffs

VERIFICATION

I certify that the facts set forth in the foregoing ***Reply to New Matter*** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated: 2/13/08


Robert R. Hoover

CIVIL DIVISION - LAW

V.

Defendants

**COUNSEL OF RECORD FOR
THIS PARTY:**
David R. Thompson, Esquire
Attorney at Law
Supreme Court 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

ROBERT R. HOOVER and JOLIE D.
HOOVER, his wife

Plaintiffs

QUEHANNA MILLWORK LLC and,
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendants

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No. 07-291-CD

CERTIFICATE OF SERVICE

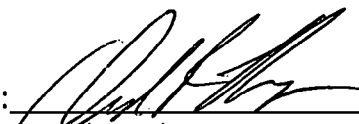
TO THE PROTHONOTARY:

I, DAVID R. THOMPSON, ESQUIRE, do hereby certify that I served **REPLY TO NEW
MATTER**, in the above captioned matter on the following by depositing the original and
one copy of same by Prepaid, First Class, United States Mail, addressed as follows:

Troy Harper, Esquire
DENNISON, DENNISON & HARPER
293 Main Street
Brookville, PA 15825

DATE: 2 - -08

BY:


David R. Thompson, Esquire

COURT OF COMMON PLEAS OF CLEARFIELD, COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER and JOLIE
HOOVER, his wife,

Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL i/a/t/d/b/a
QUEHANNA MILLWORK,

Defendants.

CIVIL ACTION - LAW

Number 07 - 291 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of
Deposition of Plaintiff, Jolie Hoover

Filed on behalf of: Defendants

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED
MAR 19 2016
William A. Shaw
Prothonotary/Clerk of Courts

ROBERT R. HOOVER and JOLIE
HOOVER, his wife,

Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL i/a/t/d/b/a
QUEHANNA MILLWORK,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania

*

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* Civil Action Law

*

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* Number 07 - 291 C.D.

NOTICE OF DEPOSITION

TO: JOLIE HOOVER

c/o David R. Thompson, Esquire
PO Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

Take notice that the deposition of **JOLIE HOOVER** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, **on Tuesday, May 27, 2008, at 2:00 p.m.**, at the law offices of David R. Thompson, Esquire, 308 Walton Street, Suite 4, Philipsburg, PA 16866. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

Date: March 17, 2008

By: 

Troy J. Harper
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of March, 2008, a true and correct copy of the foregoing Notice of Deposition for Jolie Hoover was mailed by United States mail, first class, postage prepaid, addressed to the following:

David R. Thompson, Esquire
PO Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

Sargent's Court Reporting Service, Inc.
210 Main Street
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

By: 

Troy J. Harper
Attorneys for Defendants

COURT OF COMMON PLEAS OF CLEARFIELD, COUNTY,
PENNSYLVANIA

ROBERT R. HOOVER and JOLIE
HOOVER, his wife,

Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL i/a/t/d/b/a
QUEHANNA MILLWORK,

Defendants...

CIVIL ACTION - LAW

Number 07 - 291 C. D.

Type of Case: Civil Division

Type of Pleading: Notice of
Deposition of Plaintiff, Robert Hoover

Filed on behalf of: Defendants

Counsel of Record for this Party:
Troy J. Harper

Supreme Court Number: 74753

DENNISON, DENNISON & HARPER
293 Main Street
Brookville, Pennsylvania 15825
(814) 849-8316

FILED

M10:5834
MAR 19 2008

NO
CC

William A. Shaw
Prothonotary/Clerk of Courts

ROBERT R. HOOVER and JOLIE
HOOVER, his wife,

Plaintiffs,

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL i/a/t/d/b/a
QUEHANNA MILLWORK,

Defendants.

* In the Court of Common Pleas of
* Clearfield County, Pennsylvania

*

*

* Civil Action Law

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* Number 07 - 291 C.D.

NOTICE OF DEPOSITION

TO: ROBERT R. HOOVER
c/o David R. Thompson, Esquire
PO Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

Take notice that the deposition of **ROBERT R. HOOVER** will be taken pursuant to the Pennsylvania Rules of Civil Procedure, as amended, before a Notary Public duly authorized by law to administer oaths, **on Tuesday, May 27, 2008, at 1:00 p.m.**, at the law offices of David R. Thompson, Esquire, 308 Walton Street, Suite 4, Philipsburg, PA 16866. The deposition will be taken upon oral examination for all purposes provided for and allowed by the Pennsylvania Rules of Civil Procedure.

DENNISON, DENNISON & HARPER

Date: March 17, 2008

By:

Troy J. Harper
Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of March, 2008, a true and correct copy of the foregoing Notice of Deposition for Robert R. Hoover was mailed by United States mail, first class, postage prepaid, addressed to the following:

David R. Thompson, Esquire
PO Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866

Sargent's Court Reporting Service, Inc.
210 Main Street
Johnstown, PA 15901

DENNISON, DENNISON & HARPER

By: 

Troy J. Harper
Attorneys for Defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA

CIVIL DIVISION - LAW

ROBERT R. HOOVER, and
JOLIE D. HOOVER, his wife,

Plaintiffs

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendants

No. 07-291-CD

TYPE OF CASE:
Civil Division

TYPE OF PLEADING:
Praecipe to Settle and Discontinue

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esquire
Supreme Court I.D. No. 73053
Attorney at Law
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED 2cc @ 2 Certificates
012:54/34 to Atty Thompson
OCT 06 2008

§ William A. Shaw
Prothonotary/Clerk of Courts

(610)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

CIVIL DIVISION - LAW

ROBERT R. HOOVER, and
JOLIE D. HOOVER, his wife,

Plaintiffs

vs.

QUEHANNA MILLWORK LLC and
EDMUND D. PLUBELL I/A/T/D/B/A
QUEHANNA MILLWORK,

Defendants

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No. 07-291-CD

PRAECIPE TO SETTLE AND DISCONTINUE

TO THE PROTHONOTARY:

Kindly mark the above captioned matter as settled and discontinue.

DATE: 10-1-08

Respectfully submitted,



David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Robert R. Hoover
Jolie D. Hoover

Vs.

No. 2007-00291-CD

Quehanna Millwork, LLC
Edmund D. Plubell

CERTIFICATE OF DISCONTINUATION

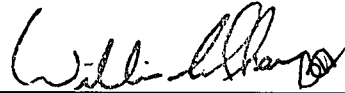
Commonwealth of PA
County of Clearfield

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 October 6, 2008, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by David R. Thompson, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 6th day of October A.D. 2008.



William A. Shaw, Prothonotary