

07-512-CD

James McGee et al vs Francis Badamo M.D.

James McGee et al vs Francis Badamo
2007-512-CD

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

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

Plaintiffs,

v.

FRANCIS BADAMO, M.D.,

Defendants.

CIVIL DIVISION

NO.: 2007-512-C.D

TYPE OF PLEADING:

PRAECIPE FOR WRIT OF SUMMONS

COUNSEL OF RECORD FOR THIS
PARTY:

ROLF LOUIS PATBERG, ESQUIRE
PA I.D. NO.: 65185

PATBERG, CARMODY & GING
DEUTSCHTOWN CENTER
801 VINIAL STREET - THIRD FLOOR
PITTSBURGH, PA 15212
412-232-3500

JURY TRIAL DEMANDED

FILED pd \$85.00 AMY
m/11/50 cm No CC
APR 02 2007 1 w/wit + envelope
to shfl.
(IS)

William A. Shaw
Prothonotary/Clerk of Courts

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

JAMES GEORGE MCGEE and CAROL) CIVIL DIVISION
MCGEE, his wife,)
) NO.:
Plaintiffs,)
)
v.)
)
FRANCIS BADAMO, M.D.,)
)
Defendants)

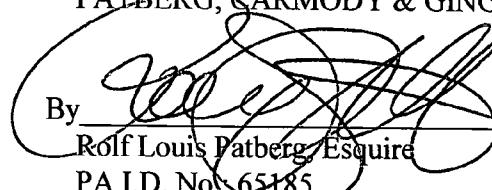
PRAECIPE FOR WRIT OF SUMMONS

TO: PROTHONOTARY

Kindly issue a Writ of Summons in the above-captioned matter. A Jury Trial is demanded.

RESPECTFULLY SUBMITTED:

PATBERG, CARMODY & GING

By 
Rolf Louis Patberg, Esquire
PA I.D. No. 65185

PATBERG, CARMODY & GING
Deutschtown Center
801 Vinial Street - Third Floor
Pittsburgh, PA 15212
(412) 232-3500

Attorney for Plaintiffs

JURY TRIAL DEMANDED

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

COPY

SUMMONS

**James George McGee and
Carol McGee, his wife**

Vs.

NO.: 2007-00512-CD

Francis Badamo MD

TO: FRANCIS BADAMO MD

To the above named Defendant(s) you are hereby notified that the above named Plaintiff(s) has/have commenced a Civil Action against you.

Date: 4/2/2007



William A. Shaw
Prothonotary

Issuing Attorney:

Rolf Louis Patberg
801 Vinial Street-Third Floor
Pittsburgh, PA 15212
(412) 232-3500

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102642
NO: 07-512-CD
SERVICE # 1 OF 1
SUMMONS

PLAINTIFF: JAMES GEORGE MCGEE and CAROL MCGEE his wife
vs.
DEFENDANT: FRANCIS BADAMO, MD

SHERIFF RETURN

NOW, April 13, 2007, SHERIFF OF BRADFORD COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN SUMMONS ON FRANCIS BADAMO, MD.

NOW, April 19, 2007 AT 11:43 AM SERVED THE WITHIN SUMMONS ON FRANCIS BADAMO, MD, DEFENDANT. THE RETURN OF BRADFORD COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

FILED

0/3/15 LM
AUG 15 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102642
NO: 07-512-CD
SERVICES 1
SUMMONS

PLAINTIFF: JAMES GEORGE MCGEE and CAROL MCGEE his wife

vs.

DEFENDANT: FRANCIS BADAMO, MD

SHERIFF RETURN

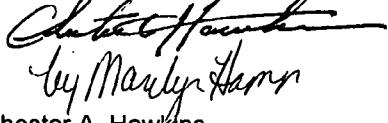
RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | PATBERG | 6804 | 10.00 |
| SHERIFF HAWKINS | PATBERG | 6804 | 18.39 |
| BRADFORD CO. | PATBERG | 6805 | 34.76 |

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


by Marilyn Harris
Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE
BRADFORD COUNTY, PENNSYLVANIA
COURTHOUSE, 301 MAIN ST., TOWANDA, PA 18848

Steven A. Evans, Sheriff
 PH. 570-265-1701

Clinton J. Walters Chief Deputy
 FAX 570-265-1734

SHERIFF SERVICE PROCESS RECEIPT, and AFFIDAVIT OF RETURN

| | |
|---|-------------------------|
| PLNTFF JAMES GEORGE MCGEE, CAROL MCGEE | DOCKET# 07-BAD-037 |
| DEF FRANCIS BADAMO, MD | Type of case SUMMONS |

| INDICATE SERVICE: | | X PERSONAL | PERSON IN CHARGE | DEPUTIZE | CERT. MAIL | POST |
|-------------------|---|------------|------------------|----------|------------|------|
| SERVE | FRANCIS BADAMO, MD | | | | | |
| AT: | MEMORIAL HOSPITAL, ONE HOSPITAL DRIVE TOWANDA | | | | | |
| | | | | | | |

NOW, April 19, 2007, I, SHERIFF OF BRADFORD COUNTY, PA do hereby depose the Sheriff of _____ County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff.

, SHERIFF OF BRADFORD COUNTY

******* SPECIAL INSTRUCTIONS OR OTHER INFO. THAT WILL ASST. IN EXPEDITING SERVICE:**

| SPACE BELOW FOR USE OF SHERIFF ONLY – DO NOT WRITE BELOW THIS LINE | | |
|---|----------------------------|-------------------------------------|
| ATTY OR ORIGINATOR REQUESTING SERVICE PATBERG CARMODY GING(CLEARFIELD CO SHERIFF) | DATE RECEIVED: 04-16-07 | HEARING EXPIRATION DATE 05-16-07 |
| PHONE # OF ORIGINATOR 412-232-3500 | | |

I hereby CERTIFY and RETURN that I have personally served have served person in charge, served by: _____ the writ or complaint described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc. at the address inserted below by handing (or posting) a TRUE and ATTESTED COPY THEREOF.

I hereby certify and return a NOT FOUND because I am unable to locate the individual, company, corp., etc. named above.

| | |
|---|--|
| Name and title of individual served: <i>Charlotte Parks, risk manager - emeritus manager</i> | <input checked="" type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode. |
|---|--|

| LOCATION SERVED: | | | | TIME SERVED: | | DATE SERVED: | | | |
|--|----------------|-----------------|----------------|----------------|--------------------|-----------------|--------------|----------------------|--------------------------------|
| <i>One Hospital Drive, Towanda, PA 18848</i> | | | | 1143 | | 4-19-07 | | | |
| attempts: | 4-19 01 303 | | Car# 01 | | | | | | |
| advance costs | docket 9.00 | service 9.00 | mileage .76 | notary 5.00 | surcharge 10.00 | postage 1.00 | misc 0.00 | total costs 34.76 | deductible /refund 40.24 |

AFFIRMED and subscribed to before me this 10th
 day of April, 2007
 NOTARY: Tammy J. Place
June 30, 2010

SO ANSWER
 COMMONWEALTH OF PENNSYLVANIA

| | |
|--|--|
| NOTARIAL SEAL | |
| Sheriff TAMMY J. PLACE, NOTARY PUBLIC TOWANDA BORO, BRADFORD COUNTY MY COMMISSION EXPIRES JUNE 30, 2010 | |

4-19-07
 Date:

Date:

Date:



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

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

OFFICE (814) 765-2641 EXT. 5986

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM

DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

07-BAD-037

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 102642

TERM & NO. 07-512-CD

JAMES GEORGE MCGEE and CAROL MCGEE his wife

SUMMONS

VS.

FRANCIS BADAMO, MD

SERVE BY: 05/01/07

HEARING:

MAKE REFUND PAYABLE TO PATBERG, CARMODY & GING, ESQ.

SERVE: FRANCIS BADAMO, MD

ADDRESS: MEMORIAL HOSP., ONE HOSPITAL DRIVE, TOWANDA, PA 18848

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby deputize the SHERIFF OF BRADFORD COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, April 13, 2007.

RESPECTFULLY,

RECEIVED

APR 16 2007

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

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

BRADFORD COUNTY
SHERIFF'S OFFICE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

Plaintiffs,

v.

FRANCIS BADAMO, M.D.

Defendant.

CIVIL ACTION

No.: 2007-00512-CD

FILED

OCT 29 2008

5
m/12/08/c
William A. Shaw
Prothonotary/Clerk of Courts
no. 91

PRAECLYPE FOR APPEARANCE

Filed on behalf of Defendant

Counsel of Record for this Party:

JAMES W. KRAUS, ESQUIRE
PA. I.D. No.: 56881

KATHRYN M. KENYON, ESQUIRE
PA. I.D. No.: 82262

TIMOTHY J. GREEN, ESQUIRE
PA. I.D. No.: 92951

Pietragallo Gordon Alfano
Bosick & Raspanti, LLP
The Thirty-Eighth Floor
One Oxford Centre
Pittsburgh, PA 15219

412-263-2000
412-263-2001 (Fax)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

CIVIL ACTION

No.: 2007-00512-CD

Plaintiffs,

v.

FRANCIS BADAMO, M.D.

Defendant.

PRAEICE FOR APPEARANCE

To the Prothonotary:

Kindly enter our appearance on behalf of the defendant, Francis Badamo, M.D.,
regarding the above-captioned case.

Respectfully submitted,

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By:



JAMES W. KRAUS, ESQUIRE
KATHRYN M. KENYON, ESQUIRE
TIMOTHY J. GREEN, ESQUIRE
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within pleading has been served upon counsel of record by:

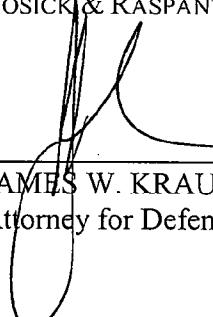
Hand Delivery
 First Class Mail, Postage Prepaid
 Certified Mail, Return Receipt Requested
 Fax Transmission
 Overnight Mail

at the following addresses and/or numbers:

Rolf Louis Patberg, Esquire
Patberg Carmody & Ging, P.C.
Deutschtown Center
801 Vinal Street, 3rd Floor
Pittsburgh, PA 15212

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By:



JAMES W. KRAUS, ESQUIRE
Attorney for Defendant

Date: 10/28/2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

Plaintiffs,

v.

FRANCIS BADAMO, M.D.

Defendant.

CIVIL ACTION

No.: 2007-00512-CD

**PRAECIPE FOR RULE TO FILE
COMPLAINT**

Filed on behalf of Defendant

Counsel of Record for this Party:

JAMES W. KRAUS, ESQUIRE
PA. I.D. No.: 56881

KATHRYN M. KENYON, ESQUIRE
PA. I.D. No.: 82262

TIMOTHY J. GREEN, ESQUIRE
PA. I.D. No.: 92951

Pietragallo Gordon Alfano
Bosick & Raspanti, LLP
The Thirty-Eighth Floor
One Oxford Centre
Pittsburgh, PA 15219

412-263-2000
412-263-2001 (Fax)

FILED

OCT 29 2008

~12:10 PM
William A. Shaw
Prothonotary/Clerk of Courts
No. 46

ISSUAN REC'D
TO ATTY.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

CIVIL ACTION

No.: 2007-00512-CD

Plaintiffs,

v.

FRANCIS BADAMO, M.D.

Defendant.

PRAECIPE FOR RULE TO FILE COMPLAINT

To the Prothonotary:

Kindly issue a rule to file a complaint upon plaintiffs with regard to the above-captioned matter. Thank you.

Respectfully submitted,

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By:



JAMES W. KRAUS, ESQUIRE
KATHRYN M. KENYON, ESQUIRE
TIMOTHY J. GREEN, ESQUIRE
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within pleading has been served upon counsel of record by:

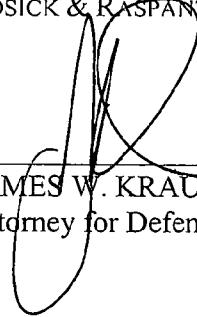
Hand Delivery
 First Class Mail, Postage Prepaid
 Certified Mail, Return Receipt Requested
 Fax Transmission
 Overnight Mail

at the following addresses and/or numbers:

Rolf Louis Patberg, Esquire
Patberg Carmody & Ging, P.C.
Deutschtown Center
801 Vinal Street, 3rd Floor
Pittsburgh, PA 15212

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By:


JAMES W. KRAUS, ESQUIRE
Attorney for Defendant

Date: 10/28/2008

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

James George McGee and
Carol McGee, his wife

Vs.
Francis Badamo MD

Case No. 2007-00512-CD

RULE TO FILE COMPLAINT

TO: James George McGee and Carol McGee, his wife

YOU ARE HEREBY RULED to file a Complaint in the above-captioned matter within twenty (20) days from service hereof, or a judgment of non pros may be entered against you.

William A. Shaw, Prothonotary

Dated: October 29, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

Plaintiffs,

v.

FRANCIS BADAMO, M.D.

Defendant.

CIVIL ACTION

No.: 2007-00512-CD

**AFFIDAVIT OF SERVICE OF RULE TO
FILE COMPLAINT**

Filed on behalf of Defendant

Counsel of Record for this Party:

JAMES W. KRAUS, ESQUIRE
PA. I.D. No.: 56881

KATHRYN M. KENYON, ESQUIRE
PA. I.D. No.: 82262

TIMOTHY J. GREEN, ESQUIRE
PA. I.D. No.: 92951

Pietragallo Gordon Alfano
Bosick & Raspanti, LLP
The Thirty-Eighth Floor
One Oxford Centre
Pittsburgh, PA 15219

412-263-2000
412-263-2001 (Fax)

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FILED NO.C
m/11:45am
NOV 07 2008
WAS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

CIVIL ACTION

No.: 2007-00512-CD

Plaintiffs,

v.

FRANCIS BADAMO, M.D.

Defendant.

AFFIDAVIT OF SERVICE OF RULE TO FILE COMPLAINT

Please be advised that the Rule to File Complaint was served on Rolf Patberg, Esquire on the 30th day of October, 2008. Certified Mail Return Receipt, attached as Exhibit "A," indicates delivery on October 31, 2008.

Respectfully submitted,

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By: _____

JAMES W. KRAUS, ESQUIRE
KATHRYN M. KENYON, ESQUIRE
TIMOTHY J. GREEN, ESQUIRE
Counsel for Defendant

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Rolf Patberg, Esq
801 Vinal St, 3rd Fl.
Pittsburgh, PA 15212

**2. Article Number
(Transfer from service label)**

7006 3450 0003 6979 6052

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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

Jamie Colesmith Agent
 Addressee

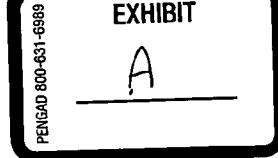
B. Received by (Printed Name)**C. Date of Delivery**

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) Yes



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within pleading has been served upon counsel of record by:

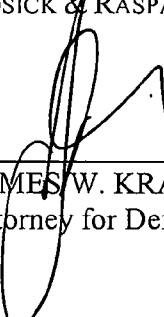
Hand Delivery
 First Class Mail, Postage Prepaid
 Certified Mail, Return Receipt Requested
 Fax Transmission
 Overnight Mail

at the following addresses and/or numbers:

Rolf Louis Patberg, Esquire
Patberg Carmody & Ging, P.C.
Deutschtown Center
801 Vinal Street, 3rd Floor
Pittsburgh, PA 15212

PIETRAGALLO GORDON ALFANO
BOSICK & RASPANTI, LLP

By:



JAMES W. KRAUS, ESQUIRE
Attorney for Defendant

Date: 11/5/08

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

JAMES GEORGE MCGEE and CAROL
MCGEE, his wife,

Plaintiffs,

v.

FRANCIS BADAMO, M.D.,

Defendants.

CIVIL DIVISION

NO.: 2007-00512-CD

TYPE OF PLEADING:

**PRAECLYPE TO SETTLE AND
DISCONTINUE**

COUNSEL OF RECORD FOR THIS
PARTY:

ROLF LOUIS PATBERG, ESQUIRE
PA I.D. NO.: 65185

PATBERG, CARMODY & GING
DEUTSCHTOWN CENTER
801 VINIAL STREET - THIRD FLOOR
PITTSBURGH, PA 15212
412-232-3500

JURY TRIAL DEMANDED

FILED NOCC
M 12:41 PM
DEC 05 2008 Cst. of Disc.
S William A. Shaw
Prothonotary/Clerk of Courts
to Amy Patberg
60

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

JAMES GEORGE MCGEE and CAROL) CIVIL DIVISION
MCGEE, his wife,)
Plaintiffs,) NO.: 2007-00512-CD
v.)
FRANCIS BADAMO, M.D.,)
Defendants)

PRAECIPE TO SETTLE AND DISCONTINUE

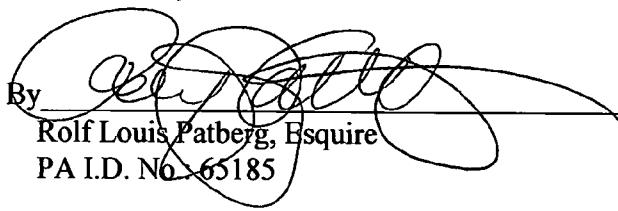
TO: PROTHONOTARY

Please settle and discontinue the above-captioned matter.

RESPECTFULLY SUBMITTED:

PATBERG, CARMODY & GING

DATE: 12-3-08

By 
Rolf Louis Patberg, Esquire
PA I.D. No. 65185

PATBERG, CARMODY & GING
Deutschtown Center
801 Vinial Street - Third Floor
Pittsburgh, PA 15212
(412) 232-3500

Attorney for Plaintiffs

JURY TRIAL DEMANDED

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

Civil

CIVIL DIVISION

**James George McGee
Carol McGee**

**Vs.
Francis Badamo, MD**

No. 2007-00512-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on December 5, 2008, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by Rolf Louis Patberg, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 5th day of December A.D. 2008.

William A. Shaw

William A. Shaw, Prothonotary